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“ I dedicate my diploma thesis to the Burmese people in Burma and in exile. “

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List of Abbreviations

ADA	Austrian Development Agency
AFPEL	Anti- Fascist People’s Freedom League
ALNAP	Active Learning Network for Accountability and Performance in Humanitarian Action
ASEAN	Association of Southeast Asian Nations
BIA	Burma Independence Army
BPHWT	Backpack Health Workers Teams
BRC	Burma Relief Committee
BSPP	Burma Socialist People’s Party
CBO	Community-based Organizations
CE	Complex Emergency
CSOs	Civil Society Organizations
DAC	Development Assistance Committee
EC	European Commission
ECHO	European Community Humanitarian Office
EHA	Evaluation of Humanitarian Action
ENC	Ethnic Nationalities Council
FAO	Food and Agriculture Organization
FEC	Foreign Exchange Certificates
FHAM	Fund for HIV/AIDS in Myanmar
FSPs	Fragile States Principles
GDP	Gross Domestic Product
GONGOs	Government Organized NGOs
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons

IFRC	International Federation of Red Cross and Red Crescent Societies
IHL	International Humanitarian Law
ILO	International Labor Organization
IMF	International Monetary Fund
INCAF	International Network on Fragility
INGOs	International Non-governmental Organizations
IRC	International Relief Committee
KHRG	Karen Human Rights Group
KIO	Kachin Independence Organisation
KnED	Karenni Education Department
KnHD	Karenni Health Department
KNU	Karen National Union
KSWDC	Karenni Social and Welfare Development Committee
LDC	Least Developed Country
MFTB	Myanmar Foreign Trade Bank
MOU	Memorandum of Understanding
MSF	Médecins Sans Frontières
NC	National Convention
NCGUB	National Coalition Government of the Union of Burma
NDF	National Democratic Front
NGOs	Non-governmental Organizations
NLD	National League for Democracy
NSAGs	Non-state Armed Groups
OCHA	UN Office for the Coordination of Humanitarian Affairs
ODA	Official Development Assistance
OECD	Organization for Economic Cooperation and Development
PSCs	Private Security Companies
PTAs	Parent-Teacher Associations
SCHR	Steering Committee for Humanitarian Response

SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
TBBC	Thailand Burma Border Consortium
UNAIDS	The Joint United Nations Program on HIV/AIDS
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USDA	Union Solidarity and Development Association
USDP	Union Solidarity and Development Party
WFP	World Food Program
WHO	World Health Organization
WHP	World Heritage Project

1. Introduction

“Called ‘Myanmar’ by the ruling military junta and ‘Burma’ by opposition leaders who contest the current seated government, the former British colony of Burma/Myanmar has transformed itself from the most promising of post-colonial countries to a nation notorious for human rights violations and declining health and education standards.

Like many countries emerging from colonial rule, the post-independence era in Burma has been characterized by conflict, corruption, and the existence of numerous groups contesting the government’s legitimacy. In addition, Burma’s leaders share with other autocratic regimes systematic and institutionalized methods for obtaining and maintaining power, such as a government-controlled media, patronage, and control of supposedly independent civil society groups. It is not surprising that the country’s current state of crisis and contestation has made it a notable source of refugees, many of whom flee to Thailand, though others to China, India, and Bangladesh.”

(Banki, 2009: 48)

For almost half a century the Burmese military regime has remained in power through forceful prevention of democratic change and by subjecting the country’s numerous ethnic minorities to crimes of genocide. Economic mismanagement, oppression of civil society, ongoing armed conflict, displacement, human rights abuses, poor governance and the lack of humanitarian access have resulted in one of the most intractable humanitarian crises, making Burma one of the poorest countries in the world. The humanitarian situation is characterised by severe poverty, serious health threats (e.g. HIV/AIDS, landmines etc.), low educational standards, food insecurity and displacement. With the root cause of that suffering being military misrule, Burma’s humanitarian crisis is entirely manmade (Beyrer et al., 2003: 1466).

The regime’s contested legitimacy and low international acceptance poses the question of how to tackle the country’s humanitarian problems without strengthening

the current power holders to the international community. Confronted with numerous challenges typical for humanitarian assistance in complex emergencies, the aid community specifically struggles with the difficulty of maintaining humanitarian space in Burma. Humanitarian space is, however, not only restricted through constraints by the regime fearing popular unrest and foreign influence, but also through efforts of the U.S. Congress and pro-democracy activists overseas rejecting the provision of aid to Burma.

Yet, accounts on humanitarian assistance to Burma usually focus on its restrictive operating environment, without taking into account the various successful efforts of Burmese civil society in-country and cross-border to relieve the suffering of their own people despite government repression. One of these efforts takes the form of cross-border aid from neighbouring countries, supported by international aid agencies. Another example, is the innovative self-help initiatives and community-based organisations of civil society actors in-country. This paper will attempt to address both, the restriction and the construction of humanitarian space in Burma in order to give a holistic account of the situation.

This is also a matter of personal concern to me as I am voluntarily active in the Austrian non-profit association ‚Burmahilfe – Bildung für bedrohte Minderheiten‘ (‚Burma-relief – education for threatened minorities‘) since its foundation in 2006. ‚Burmahilfe‘ operates in Vienna through fundraising and awareness-raising activities as well as in Mae Hong Son, Thailand, where it collaborates directly with Karenni (ethnic group of Burma) civil society organisations and supports a variety of their projects in the refugee areas in Northern Thailand as well as cross-border aid projects into the war zones of Karenni State. Therefore I not only want to highlight the political and humanitarian grievances in Burma and the special challenges faced by the international aid community in connection with it, but also the courage and power – though strictly limited - of Burmese civil society actors, who provide relief under highly dangerous conditions. Moreover, this has been sparsely studied so far and is thus an important contribution to the emerging field of Anthropology of Humanitarianism.

Currently, numerous political changes are taking place in Burma, especially since the elections in November 2010, which – according to the military regime – will finally lead to a democratic government. It was impossible to take all of these constant

changes happening while writing my thesis into account, so this paper only covers the political developments until the end of 2010. Against the backdrop of Burma's recent history, however, I argue that this allegedly transitional process towards democracy merely covers up the predominant role of the military and is yet another attempt to fool the international community. So far, there have been no major changes in the power relations at all; quite the contrary, the military is further consolidating its power. Hence these recent events do not change the general conditions for my research question.

Research Question and Methods

My involvement in the non-profit association mentioned above raised my epistemological interest in the following aspects: What are the basic conditions for aid agencies working in complex emergencies such as Burma? What are the characteristics of complex emergencies and the related challenges that arise for the aid community? And how do these influence the extent and quality of humanitarian space? How is the work of aid organisations hampered in the specific Burmese context? How and by whom is aid still successfully provided? How are government restrictions circumvented? And which problems and dangers are connected with it? How much room is left for the aid community operating in Burma to manoeuvre? And what role does civil society play in it?

These aspects resulted in the following research question for my thesis: How is the humanitarian space in Burma restricted on the one hand and created on the other hand?

In order to answer this question I mainly draw on profound literature research at the University of Melbourne (during my study abroad semester) and in Vienna. In addition, I could revert to my experiences collected through my activity in the non-profit association 'Burmahilfe', through numerous informal talks with the founder and chair-woman Gabriele Schaumberger, an expert on Burma, as well as through my trip to Mae Hong Son, Thailand, in 2008 where partners of 'Burmahilfe' and David Kniesz of 'Partnering Ministries Worldwide' (PMW), a non-profit organization

providing emergency relief and education to people suffering from ethnic and religious cleansing throughout the Asian Continent, introduced me to the situation on site. For the project case study ‘Mobile Clinics’ in the fourth chapter I used unpublished reports written by Gabriele Schaumberger for ‘Caritas Austria’.

Thesis Outline

The thesis is composed of three main chapters. In the first part I will give an overview of the general conditions of humanitarian aid in complex emergencies in order to enable a deeper understanding of the complexity of such situations. In addition, the factors identified in this chapter also influence the extent and quality of humanitarian space and thus have to be taken into account. I will look at some of the characteristics of such complex emergencies in more detail and then give a brief introduction to humanitarian law, principles and standards. The chapter will also present the different actors of the humanitarian field and describe the characteristics and challenges of humanitarian aid in conflicts. Then I will move on to explore the necessary skills of humanitarian staff, local participation and aid worker security. Finally, I will give a condensed insight into the topic of evaluation. The last section will underline some of the main dilemmas, problems and challenges of providing assistance in complex emergencies.

Before looking at the restriction and creation of humanitarian space in Burma, it is necessary to provide some background information on the country. This will be dealt with in the second chapter, including basic facts, historical and political background as well as the realms of foreign relations, ethnicity, the economy, social issues and the human rights situation.

Finally, the third chapter explores the key challenge in the Burmese context, namely the difficulty of maintaining humanitarian space. Before exploring how humanitarian space is restricted and created, I give a brief overview of current humanitarian assistance to the country.

In Burma, the space for humanitarian action is being threatened by increasing violence against humanitarian aid workers and increasingly hostile state regulations of the work of aid agencies (Addison, 2008: 69). However, foreign aid is not only obstructed by constraints caused by the regime but also by pro-democracy activists overseas. Thus, in this chapter I will look at how these two factors restrict humanitarian space in Burma. Yet, despite the restrictive aid environment, it is also possible to carve out humanitarian space. In Burma, the lack of access to vulnerable populations has led to the development of cross-border aid through networks of local staff, agents and partner organisations (Addison, 2008: 69). Also, there has been a quiet expansion of Burmese civil society at the local level (Dalpino, 2009: 3), which shows that civilians are not mere victims of the military regime but rather political actors who address the basic needs of their communities through a variety of institutions and self-help initiatives. In the second part of this chapter I will demonstrate how these two forms of assistance successfully create humanitarian space under authoritarian rule, including a case study of the Austrian non-profit association ‘Burmahilfe’ and one of its cross-border projects.

The conclusion will summarise my main findings.

Terminology and Definitions

Humanitarian Space:

Humanitarian Space refers to “the ability of international and local groups to provide assistance” (Dalpino, 2009: 3).

Internally Displaced Persons (IDPs):

Forced migration takes the form of refugees and internal displacement. The 1998 *Guiding Principles on Internal Displacement* (UN Commission on Human Rights) define IDPs as: “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or

natural or human-made disasters, and who have not crossed an internationally recognized State border” (in South, 2008b: 78).

Civil Society:

In order to define civil society under authoritarian rule it is more fruitful to use a relational approach that takes into account the political and cultural context civil society actors operate in and the scope of action, which is conceded to or gained by them. In this sense Kocka et al. define civil society as a specific type of action and interaction “characterised by self-organisation and self-reliance, by their operating in the public sphere, by using discourse as a means of resolving conflicts, by tolerance of heterogeneity and pluralism, by their differing from violence and war and by their pursuit of the collective good.” Thus this focus of analysis shifts to research on the degree to which certain organisations are more or less civil society-like (in Lorch, 2006: 8-9).

Humanitarian Assistance:

I use the term ‘humanitarian assistance’ as defined by Burkle: “Humanitarian assistance is the aid to an affected population, which serves as its primary purpose to save lives and alleviate suffering of a crisis-affected population.” It is provided under mandates of the international humanitarian law and in accordance with the basic humanitarian principles of humanity, impartiality, independence and neutrality (2006: 110).

Burma or Myanmar?

Like the opposition and several Western countries I use the name ‘Burma’ rather than the official name ‘Myanmar’, which reflects the political sensitive choice of refusing to recognise the name changes instigated by the illegitimate junta in 1989. Also most Burmese people still use the old name in private conversations. Likewise I use ‘Rangoon’ instead of ‘Yangon’ and ‘Irrawaddy’ instead of ‘Ayeyarwady’. The term ‘Burmese’ is used for any person originally coming from Burma, while ‘Burman’ is used for people from the ethnic majority group.

2. Humanitarian Aid in Complex Emergencies

Before looking at the restriction and construction of humanitarian space in Burma, it is necessary to give a brief overview of the general conditions of humanitarian aid in complex emergencies in order to enable a deeper understanding of the complexity of such situations and a classification of the Burmese case. In addition, the factors identified in this chapter also influence the extent and quality of humanitarian space and thus have to be taken into account.

Since the end of the Cold War the need for humanitarian aid operations has grown together with the dramatically increasing and ever more complex emergencies. After 1988 regional, ethnic and intrastate animosities, which had been repressed by Cold War interests, overflow across Asia, the Balkans and Africa (Smillie and Minear, 2004: 9-10). These so-called ‘new conflicts’ are mainly characterised by political instability and armed conflict, and thus challenge the humanitarian community in specific ways. This chapter will look at some of the characteristics of such complex emergencies in more detail and then move on to give a brief introduction to humanitarian law, principles and standards. It will also present the different actors of the humanitarian field and describe the characteristics and challenges of humanitarian aid in conflicts. Then I will move on to explore the necessary skills of humanitarian staff, local participation and aid worker security. Finally I will give a brief insight into the topic of evaluation. The last chapter will underline some of the main dilemmas, problems and challenges.

What is a complex emergency?

The term 'complex emergency' was coined in the Mozambican context of the late 1980s. Since the international community was more directly involved in humanitarian assistance after the Cold War, the term is being used for situations where chronic armed conflict and political instability are the principal causes of humanitarian needs in comparison to natural disasters. Even though the term is potentially confusing by implying that natural disasters and conflict-related emergencies prior to the 1980s were not complex, it does highlight the fact that situations involving political instability and armed conflict are often particularly complex and as such confront aid providers with significant challenges (OECD, 1999b: 4-5).

The United Nations (UN) define a complex emergency (CE) "as a humanitarian crisis in a country, region, or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single and/or ongoing UN country program" (Burkle, 2006: 110). However, the UN and other multilateral organisations are not engaged in some major CEs, e.g. Burma or Algeria (Sue et al., 2004: 2134).

From an anthropological viewpoint, humanitarian crises represent "radical disruptions that challenge the existing social and cultural orders, including those of the helpers." They "tear apart the invisible social fabric which surrounds the victims and gives meaning to their lives" and thus suffering is not only physical but also caused by this dismantling of the social and cultural world. The struggle for survival is therefore accompanied by the struggle of rebuilding this social fabric. It is crucial to take this into account in order to avoid dangerous simplifications that often resulted in the failure and unnatural effects of aid programs. In humanitarian emergencies different cultures are forced to interact, which brings the anthropological perspective into the picture. Different cultural perspectives entail "a series of problems concerning daily communication, most notably on the level of language and the shared assumptions

underlying social behaviour in different cultural contexts (Network on Humanitarian Assistance (NOHA), 1998: 1-2).

Even though each emergency is unique in its origins and characteristics, it is helpful to look at some key characteristics of CEs and the international system for responding to them, identified by the Development Assistance Committee (DAC) of the OECD, and which are all important in the Burmese context:

- **Intra-State rather than Inter-State Conflict**

Nowadays most conflicts are intra-state (also termed civil wars) rather than inter-state and stem from disaffection by part of the population with the existing governance and authority structures. As a consequence, opposition or 'rebel' groups aim at overthrowing the government or at secession from the country, as in Burma some ethnic minorities do. The degree of recognition or status given to these groups by the international community is often a very sensitive issue with important implications for the humanitarian work.

- **Difficulty in Differentiating Combatants and Civilians**

In many conflict situations it is difficult to distinguish between civilians and combatants, e.g. when uniforms are not worn. This intermingling is often a deliberate policy. Thus humanitarian agencies are unable to prevent assistance such as food being used by combatants and warring factions either through coercion or on a voluntary basis of the civil population.

- **Violence Directed Towards Civilians and Civil Structures**

The victims of violence are mainly civilians - Burkle estimates 50-90 % (2006: 110). They are deliberately attacked and deprived of their livelihood in order to displace certain social or ethnic groups or even to eliminate them, e.g. Burma's minorities are subjected to genocide by the military. Besides more usual attacks on economic infrastructure (public buildings, roads etc.), communities are attacked with the objective of causing fear and flight. The perpetrators can then use the abandoned territory, farmland and housing. In addition, attacks may also be carried out on targets that play a special role in the cultural identity of a group (e.g. religious places).

- **Fluidity of the Situation on the Ground**

CEs are often chronic situations lasting several years on the one hand, and highly fluid in particular geographical areas at particular times on the other hand. Fighting produces civilian and military casualties and fleeing population groups create more or less localised displacement crisis. Thus chronic problems are frequently interspersed with situations requiring urgent responses by relief agencies.

- **Lack or Absence of Normal Accountability Mechanisms**

In most CEs the functionality and freedom of press and judiciary are either constrained or have been eliminated, creating a context of absent or severely weakened national accountability mechanisms.

- **The Potential and Actual Development of War Economies**

The absence of authorities can lead to the development of illegal or semi-legal economic activities such as the exploitation of natural resources, money laundering and trading in narcotics and arms, which is a big problem in Burma. These activities are often controlled or taxed by leaders of the warring factions who use the profit for personal gain or to prosecute the conflict. These war economies not only prolong the conflict but also provide an incentive to the conflict and its prolongation.

- **The Potential for Humanitarian Assistance to Prolong the Conflict**

Humanitarian assistance holds the potential of abuse by being ‘diverted’ from the intended beneficiaries and controlled and taxed like war economy activities, thus providing warring factions, or in the case of Burma the regime, with additional resources. Reliable empirical evidence of abuse in order to understand the impact of humanitarian assistance is often lacking though.

- **A Multiplicity of Actors**

The international system for responding to CEs involves a wide range of actors and is thus highly complex. As authority structures are generally weak or absent, coordination becomes a major challenge and is an ongoing issue of

debate. Also the multiplicity of actors involved in the response or with an interest in the outcome of the conflict guarantees different goals, which may even be at odds with each other.

(OECD, 1999b: 6-9)

In addition I would like to highlight a few more important characteristics of CEs. They involve an intricate web of political, economic, military, and social forces engaged in violence. Also, they are frequently accompanied by public health threats, natural disasters (e.g. Cyclone Nargis in Burma), environmental issues, and socio-political processes (e.g. globalisation). It is important to note, that CEs involve both the random and the deliberate creation of crises, which makes them more devastating in human terms than natural disasters. Additionally warring parties sometimes deny civilians access to essential relief services, which can be attended by violence and serious effects on the security of aid workers (Sue et al., 2004: 2134, 2139). Also countries of violent conflict are often characterized by a lack of state capacity, legitimacy and accountability as well as by a gross imbalance in military expenditure (Manning and Trzeciak-Duval, 2010: 104, 119). Schneider-Enk mentions some more features of contemporary conflicts such as massive violations of humanitarian law and human rights, a high diversity and degree of violence, high numbers of refugees and displaced persons and the longevity of the emergency situation (Schneider-Enk, 2008: 62). All these characteristics form the basic conditions for humanitarian assistance to Burma.

Humanitarian Law, Principles and Standards

Humanitarian assistance is based on the norms and standards codified in international humanitarian law (IHL), human rights law and refugee law. These define the rights and duties of civilians, combatants and humanitarian actors. In situations of armed conflict civilians have the right to international protection and assistance when their national authorities have not met these. Although the mandates and access specified are neither ensured, nor enforced, they provide a set of norms and expectations for

measuring the behaviour of civilians, combatants and humanitarian actors (Smillie and Minear, 2004: 12).

The Article 3 of the 1949 Geneva Convention sets down the minimum rights for civilians in non-international conflicts. They should be treated humanely and protected from any kind of violence and outrages to personal dignity, thus making the right to protection universal and absolute. The Conventions' Second Protocol of 1977 adds specific prohibitions concerning rape, acts or threats of violence in order to spread terror, deliberate starvation and the destruction of food, agricultural areas, crops, livestock and water supplies. Bryer and Cairns emphasize that "on these points, both the individual's right to protection and the combatant's obligation not to violate it are equally absolute" (1997: 356). The Second Protocol covers all civilians who are not participating directly in hostilities, which is usually the great majority, and thus draws a clear distinction between combatants and non-combatants. The rights that can be claimed under IHL cover both, protection from violence and humanitarian assistance. Many NGOs have long recognized that aid alone is not enough. However, strategies to provide assistance may undermine strategies for protection, therefore presenting painful choices between the two (ibid.: 356).

Bryer and Cairns identify the disregard of combatants and the international community for much of the applicable international law as the key reason for the difficulties faced in providing humanitarian aid. Also they stress, that aid agencies have no responsibility to provide aid where the net impact is negative (due to the various side effects of their interventions), or to those who violate international law. Instead they should campaign for governments to act if these fail in their responsibilities to protect civilians (ibid.: 363-4).

In conclusion it can be said that, even though humanitarian action is usually viewed as an optional, voluntary undertaking, it actually is a rights-based activity integral to a civilized, law-abiding, and peaceful world (Smillie and Minear, 2004: 3).

This body of law and practice is bounded by the fundamental humanitarian principles of humanity, impartiality, independence and neutrality:

- The principle of **humanity** or the humanitarian imperative bases the necessity to act on the right of all humans to aid and protection and exclusively on behalf of humanity. This acknowledgement of a fundamental right to

assistance clearly differs from a charitable motivation of altruism. Rather than being an act of generosity, humanitarian action reacts to urgent needs of basic services.

- The principle of **impartiality** indicates, that assistance and protection has to be granted to all concerned parties, uninfluenced of their political, religious or ethnic affiliation. The assistance is strictly and solely geared by the impartial assessment of need.
- The principle of **independence** presumes that humanitarian agencies act independently of political and other connections as well as interests, which would affect their impartiality.
- The principle of **neutrality** signifies that aid workers have to refrain from the political interests in a conflict. However, neutrality does not mean to keep silent about massive violations of international law and crimes against humanity.

(Kampmüller, 2003: 148)

Aid agencies have to rely on their reputation of being impartial, independent and neutral in order to be able to distribute humanitarian aid. If the warring parties regard humanitarian operations as being of assistance to the enemy, the principles are abandoned, which can have serious effects on humanitarian space and aid worker security. This can be especially problematic in aid operations with military participation, e.g. UN peace-enforcement or peacekeeping operations (Goller, 2002: 16).

Yet these essential humanitarian principles have been increasingly tested by an ever more complex and competitive aid environment and remain a controversial issue (Kent, 2003: 439).

The increasing professionalization of humanitarian aid is apparent in the formulation of standards in order to guide the international community's response mechanisms. 'The Code of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief' is the pioneer of humanitarian codes. It was developed and agreed upon by eight of the world's largest aid agencies in 1994. The Code of Conduct is voluntary and lays down ten points of principle as well as guidelines,

which describe the relationships that agencies should seek with donor governments, host governments and the UN system. It seeks to maintain the high standards of independence, effectiveness and impact (International Federation of Red Cross and Red Crescent Societies, 2005a). As of 2010, 458 organizations have signed the code (International Federation of Red Cross and Red Crescent Societies, 2005b).

The Code of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief:

1. The humanitarian imperative comes first.
2. Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.
3. Aid will not be used to further a particular political or religious standpoint.
4. We shall endeavor not to act as instruments of government foreign policy.
5. We shall respect culture and custom.
6. We shall attempt to build disaster response on local capacities.
7. Ways shall be found to involve program beneficiaries in the management of relief aid.
8. Relief aid must strive to reduce future vulnerabilities to disaster as well as meet basic needs.
9. We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.
10. In our information, publicity and advertizing activities, we shall recognize disaster victims as dignified human beings, not hopeless objects.

(International Federation of Red Cross and Red Crescent Societies, 2005a)

From this Code of Conduct other initiatives have followed, e.g. the ‘SPHERE Project’, a program that was launched in 1997 by the ‘Steering Committee for Humanitarian Response’ (SCHR) and ‘InterAction’ in order to develop a set of universal minimum standards in core areas of humanitarian assistance. The objective of the project is not only to improve the quality of aid but also to enhance the accountability of the humanitarian system in disaster response (The Sphere Project, 2004).

An initiative of more recent origin are ‘The Principles for Good International Engagement in Fragile States and Situations’ – or ‘Fragile States Principles’ (FSPs) that were first adopted by OECD ministers in 2007. They provide a set of guidelines for actors involved in development co-operation, peacebuilding, statebuilding and security in fragile and conflict-affected states (OECD, 2010).

The OECD Principles for Good International Engagement in Fragile States and Situations:

1. Take context as the starting point
2. Ensure all activities do no harm
3. Focus on state building as the central objective
4. Prioritize prevention
5. Recognize the links between political, security and development objectives
6. Promote non-discrimination as a basis for inclusive and stable societies
7. Align with local priorities in different ways and in different contexts
8. Agree on practical co-ordination mechanisms between international actors
9. Act fast... but stay engaged long enough to give success a chance
10. Avoid pockets of exclusion (“aid orphans”)

(OECD, 2010)

In an attempt to overcome the challenges faced by aid agencies in the delivery of aid in Burma, a group of INGOs developed “Joint Principles of Operation of International Non-Governmental Organizations Providing Humanitarian Assistance in Burma/Myanmar”, distributed in June 2000 (Burma UN Service Office, 2003: 18).

Humanitarian Actors

I already addressed the multiplicity and diversity of players in the humanitarian field and the challenge of coordination and cooperation (see figure 2). All actors embrace humanitarian principles, however, there are many different understandings of those as well as different motifs and self-interests. Especially governments’ charitable contributions are complex and calculating as they are intruded by a variety of political and diplomatic, economic and commercial, institutional and organizational factors. Humanitarianism has become a big business and competition in the aid marketplace has increased drastically. At the same time the wishes and capacities of the local population and their institutions are frequently not comprised in the humanitarian initiative, even though they carry out most of the humanitarian aid in a crisis and offer

the best long-term potential for prevention (Smillie and Minear, 2004: 8-9). All these factors significantly weaken aid and development effectiveness.

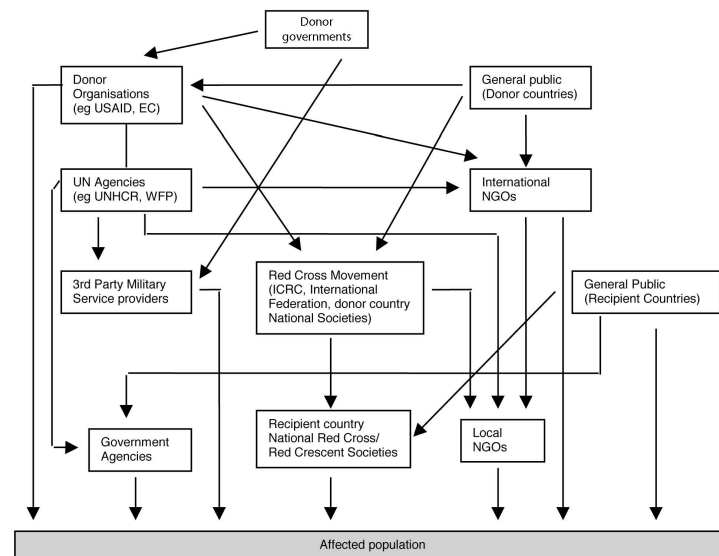


Figure 2: Actors and Resource Flows within the International Relief System¹

Smillie and Minear identify six sets of humanitarian actors:

- **The United Nations institutions** developed over a period of years and mirror a trend toward greater specialization and division of labor within the humanitarian enterprise. The Office for the Coordination of Humanitarian Affairs (OCHA) coordinates the UN humanitarian response.
- **Donor governments and their various bilateral aid agencies**, e.g. the Austrian Development Agency (ADA), make up a second cluster of actors. The Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD) represents the traditional ‘donors’ club’ of some 22 members. In 2009 the International Network on Fragility and Conflict (INCAF) was founded as a subsidiary body of the DAC in order to help improve international responses to the most challenging development settings and to chart results (OECD, 2010). Donor countries usually have their own bilateral aid programs but mostly seek out operational

¹ OECD 1999a. Actors and Resource Flows within the International Relief System. Paris.

partners in the form of UN agencies or international NGOs. In 1992 European governments sought to orchestrate their crises response with the formation of the European Community Humanitarian Office (ECHO). In recent years many Asian countries have joined the donor community. Unfortunately donor countries tend to provide what they have in excess rather than what the beneficiaries require or need. Food assistance for instance has serious impacts on domestic markets.

- Non-governmental Organizations (NGOs) are defined as voluntary, independent and not-for-profit (Burkle, 2006: 113). Many **international NGOs** have long histories and have their roots in religious and missionary undertakings, e.g. Save the Children or CARE. Still, this group of non-state actors has only recently gained significant importance – to the chagrin of some governments. They manage about 60 percent of all humanitarian funding and some of them have larger budgets than the respective government ministry. Also they provide more aid in more countries and carry more credibility with taxpayers. Many of the major NGOs have a consultative status at the UN family organizations, which gives them even more influence. Thus they are also taken with increasing seriousness by insurgent movements. Often NGOs organize themselves into issue-oriented networks – e.g. human rights groups – for advocacy and solidarity purposes. NGOs differ in size and sources of income as well as geographic and programmatic specializations. Some receive most of their income from the public, others from official agencies. Accepting official funding from governments or the UN has, however, pros and cons. Some argue that it gives NGOs more political influence while others worry that it may inhibit their independence and advocacy.
- **The Red Cross and Red Crescent movement** is one of the world's major humanitarian players. The International Committee of the Red Cross (ICRC) was founded in 1863 and is based in Geneva. It is mentioned by name and function in international humanitarian law and “has a unique mandate to monitor the treatment of prisoners and to assist in finding, tracing, and protecting those missing because of conflict” (Burkle, 2006: 114). National Red Cross and Red Crescent Societies in 181 countries make it a truly global network, spanning donor and recipient countries. The International Federation

of Red Cross and Red Crescent Societies (IFRC), founded in 1919, coordinates them.

- **Indigenous NGOs and civil society institutions** are the most historically rooted and potentially most important but at the same time least appreciated humanitarian players. These local actors usually set the stage for humanitarian initiatives, which are predominantly an expatriate show with the lead roles played by outsiders. This missing participation leads to bitterness and grievances by host governments and local NGOs. In Burma this group of actors plays a particularly crucial role in self-help initiatives and in the implementation of aid projects, especially in cross-border aid.
- In addition to these traditional actors Smillie and Minear mention a few **newcomers** in the humanitarian scene. One group consists of Muslim contributors, who make so far scarcely noticed significant donations in the form of religious duties. Furthermore a trend towards for-profit contractors and expanded roles of the military can be observed. This results for instance in the growing use of private security firms by the U.S. military. These actors are particularly suited to the post-Cold War scene: “Internal armed conflicts make humanitarian access more difficult for the traditional actors, placing a premium on security. The ideology of the marketplace [...] seems like a natural for the more competitive world of social and economic reconstruction abroad” (Smillie and Minear, 2004: 18). Traditional actors feel threatened though, as military and for-profit contractors have a task-oriented mentality that may show results sooner. However, while their humanitarian contributions are sometimes indispensable, these newcomers are no substitute for the old.

(Smillie and Minear, 2004: 11-18)

Another increasingly important set of actors in intra-state conflicts are non-state armed groups (NSAGs), who are defined as groups who are armed, use force to achieve their objectives and are not under state control. Even though their sheer number and potential capacity to contribute enormously to prospective peace processes gives them great importance, they are not acknowledged as legitimate actors before international law and states are often unwilling to engage non-state

actors in dialogue. In this context independent NGOs have more freedom to engage NSAGs through methods of informal and unofficial diplomacy. This way they can supplement state approaches and as mediators facilitate contact between state actors and NSAGs. Hofmann concludes that these ‘small agreements’ in the humanitarian field can achieve enormous results and that this potential should not remain underused (Hofmann, 2006). Marriage emphasizes that non-state actors also play a vital role in the final delivery of aid (e.g. building wells, distributing food etc.): “Their inclinations, perceptions and collaboration with external parties become important in how and whether the aid is delivered appropriately” (Marriage, 2006: 8). In certain situations, like Burma, where government priorities are totally distorted or the state has failed, aid must be channeled through non-state vehicles (Manning and Trzeciak-Duval, 2010: 105). Here NSAGs play an indispensable role in the delivery of aid in minority areas and especially in cross-border aid, as we will see in a later chapter.

Finally, the most important actor in any emergency is the affected population itself. Here it is important to note, that individuals or segments of society are in different power positions and thus their vulnerability varies (Hagelüken, 1995: 31). The population should benefit from all aid efforts; however, they are often affected by the unintended negative consequences of aid. Seldom they are asked what kind of support they consider as necessary or how it should be delivered and thus aid is sometimes even enforced upon them (ibid.: 45). Experience has shown though, that these kinds of aid measures are not sustainable, because they are not adapted to the cultural needs and conditions. Participation should be the priority in all phases of an aid project, from planning to implementation and evaluation (ibid.: 55-56). It can take place through public or local authorities, local staff, indigenous partner organisations and civil society (ibid.: 59-64).

Characteristics of Humanitarian Aid in Conflicts

Due to the characteristics of post-Cold War conflicts, the basic conditions for humanitarian interventions changed and as a result also the role and characteristics of humanitarian aid itself. Schneider-Enk mentions the following aspects:

- As a result of the complexity of emergency situations, the number of actors increased dramatically. Many new NGOs developed with different self-images and also the UN adopted a bigger role.
- Humanitarian funds increased enormously due to two reasons: on the one hand due to an increased demand because of the number and nature of the new conflicts; on the other hand is aid the preferred answer of the international community to conflicts.
- Humanitarian actors compete for donors and as a result also for high visibility in the media.
- As a consequence humanitarian actors work in the midst of conflict, often while hostilities take place. Especially NGOs work under highly dangerous conditions.
- This requires extensive and sometimes very complicated negotiations about access to the affected population. Warring parties might make high demands, e.g. to be supplied with relief goods themselves. Sometimes NGOs work in conflict areas without an official permission by the government or with semi-official permits of the local rulers respectively (e.g. cross-border aid into Burma).

In many wars civilians are denied access to essential relief services, which can be accompanied by serious violence: “Within their national boundaries, these warring parties block relief convoys, obstruct ambulance passage, invade hospitals, destroy clinics, and harass and terrorise national and international medical and other humanitarian relief workers [...]” (Sue et al., 2004: 2139).

In Burma the government itself blocks access to certain areas and population groups.

- This increasingly dangerous work environment results in the growing assignment of private security companies (PSCs) in order to protect staff members.
- As already mentioned the missing cooperation and coordination influences aid effectiveness and staff security.
- As operations take place in the midst of conflict, the concept of humanitarian aid expanded to include not only emergency assistance but also protection of the civil population.
- Another important aspect is the increasing politicisation and militarisation of aid. As the international community is reluctant to engage politically in conflicts, aid serves as a substitute for political actions. The military as new actor, especially on behalf of UN operations, not only fulfils the task of armed protection but also takes over affairs of humanitarian aid. This development leads to confusion concerning the character of aid and the roles of humanitarian actors.

(Schneider-Enk, 2008: 52-58)

Complex emergencies have several direct and indirect effects on health and health systems. Accordingly the principal resources provided are within the domain of public health (e.g. food, water, shelter, vaccination, primary health care). The long-term needs, that are often covered post-conflict by development cooperation, concern security, environmental restoration (including de-mining), building or rebuilding physical infrastructure, and development of institutions and human capacities (Sue et al., 2004: 2138). The implementation of aid depends on the level of development, e.g. transport and communications links as well as the level of human capacity. In countries where infrastructure is less developed or has been destroyed, it is more difficult due to the lack of reliable supplies or physical access to parts of the country (Marriage, 2006: 9), which was for example a particular problem in the provision of aid after Cyclone Nargis.

In conclusion it is noteworthy that the priority of aid measures should be conflict-prevention strategies, which could have avoided emergencies in some cases. Unfortunately these are not so popular as they do not fit into sensationalistic media (Hagelüken, 1995: 45).

Humanitarian Staff

Complex emergencies present aid workers with significant challenges and therefore require especially well-trained staff with a full understanding of the political, military, and economic dimensions of modern crisis. They are expected to have a wider range of skills including not only technical skills (e.g. public health), but also skills in the social sciences (e.g. human rights, anthropology) (Sue et al., 2004: 2135, 2137). The romantic idea about saving the world is replaced by highly experienced professionalism. The success of an aid operation depends to a great extent on the skills of the humanitarian staff. It has to be qualified, flexible and willing to cooperate with the local population and other organisations. Therefore the training of aid workers is of great significance. They should be instructed to the necessary skills, to humanitarian law, principles and codes, and especially to the local political and cultural context. Above all humanitarian staff has a highly important task: they are the diplomats in the field – a very heavy responsibility and burden (Goller, 2002: 19). In order to understand these challenges and experiences, Minear and Smith introduced the concept of humanitarian diplomacy, which encompasses “[...] the activities carried out by humanitarian organisations to obtain the space from political and military authorities within which to function with integrity. These activities comprise such efforts as arranging for the presence of international humanitarian organizations and personnel in a given country, negotiating access to civilian populations in need of assistance and protection, monitoring assistance programs, promoting respect for international law and norms, supporting indigenous individuals and institutions, and engaging in advocacy at a variety of levels in support of humanitarian objectives” (2007: 1). Most humanitarian workers negotiate in some way every day, but few have recognized this core activity as a conscious skill, that is transferable and needs to be

supported through increased investments in training personnel (ibid.). In Burma humanitarian diplomacy is a key skill for creating and maintaining humanitarian space.

Unfortunately a broad and area-specific preparation of the staff often suffers due to the urgent need of action. Thus aid workers with prior experience in the respective country and with knowledge of the cultural circumstances are rare. Also a systematic follow-up of the experiences after the operation does usually not take place (Hagelüken, 1995: 43-44).

Humanitarian staff consists of internal and external personnel, whose relationship is usually hierarchical. External aid workers have a very diverse occupational background, ranging from medical to financial staff. They are responsible to the respective aid organisation and mostly take over the project management. Indigenous staff can be divided into:

- Support personnel (e.g. cleaners, guards, translators, drivers etc.)
- Counterparts of the external personnel:

These should cooperate closely with the foreign staff, advise them and help to initiate the projects. They are indispensable due to their local, cultural and linguistic knowledge. Mutual trust is desirable and beneficial, but as said the relationship is often characterised by hierarchy (ibid.: 43).

Jobs in aid organisations are in great demand among the local population as they offer income and possibilities. However, it is very important to pay attention to a clan balance in order to avoid competition and feelings of discrimination. Furthermore the population sometimes pressures indigenous staff to misuse the position to their advantage (e.g. corruption, patronage) (ibid.: 61).

Another form of cooperation is through an indigenous partner organisation. This allows greater closeness of the project to the local communities and an easier handover of the measures. Certainly it also bears the danger of cliquism (e.g. concerning the allocation of positions) and a misappropriation of project resources (ibid.: 61).

As humanitarian organisations operate in increasingly hostile and militarized environments, staff faces physical and psychological strain as well as life-threatening

risks in their work. Even though the 1949 Fourth Geneva Convention obligates warring parties to grant medical personnel and by extension all aid workers full and complete protection from interference or harm, this neutral status is increasingly put to the test in today's conflicts (Sue et al., 2004: 2138). Schneider-Enk traces the lacking security of relief workers back to the characteristics of the new conflicts and of humanitarian aid. She specifies the following reasons:

- As a result of the breakdown and degradation of government institutions, the states cannot attend to their duty of protecting humanitarian staff.
- Also the warring parties are often not interested in protecting aid workers. For instance if their aim is the displacement or destruction of an ethnic group, the organisations who provide that group with relief are automatically seen as enemies and become a target of attacks. Moreover they want to get rid of potential witnesses of their war crimes by forcing aid agencies to withdraw through systematic attacks or by denying them an access authorisation. These are some of the reasons why the Burmese regime restricts access to minority areas.
- Another reason for the increased number of victims among aid workers is the high proliferation of small arms.
- The armed forces of a conflict often finance themselves through relief goods, but also the aid workers themselves are profitable targets for robbery (e.g. valuable equipment) and can serve the provision of foreign currency through racketeering and hostage taking. Also they fall victim to anti-civilian banditry.
- The longevity of conflicts leads to a reduced perception of security risks by aid personnel. In addition it entails that aid supplies eliminate local markets and are incorporated into war economies, whereby staff becomes unpopular among local suppliers.
- Another reason is the inexistent, late or egoistically coined willingness of the international community to intervene militarily in CEs. In multidimensional UN-operations the warring parties have a tendency of mixing up the roles and aims of aid organisations and the military. As a result of the increasing militarisation and politicisation of aid, humanitarian staff is not perceived as a

separate, impartial and neutral actor anymore. The situation is exacerbated by the political inactivity of the international community.

- Schneider-Enk also mentions the lacking respect of international law, especially regarding the protection of civilians and non-combatants. Not even the protection symbol of the Red Cross and Red Crescent Movement is met with befitting respect anymore.
- Humanitarian aid often takes place in the midst of armed conflict, which has serious effects on the staff's security.
- Another risk comes along with the equation of humanitarian aid with Western values, which makes aid workers to 'fair targets' of attacks. In order to avoid identification the UN and ICRC sometimes renounce their emblems on the convoys.
- Finally, aid organisations – mainly due to the pressure of the media, states and other donors - are not willing anymore to withdraw from dangerous areas.

The fortune of aid workers and the civil population is closely connected. For both groups hardly any protect zones are left. The humanitarian space, where aid agencies can operate freely and safely, is strongly constricted or even missing. This reduces protection of the civil population as well as aid worker security (Schneider-Enk, 2008: 62-71).

Bollettino points out that the security situation is "exacerbated by the growing number of humanitarian organisations operating in the field, the diversity of their mandates, the lack of common professional security standards, and limited success in inter-agency security coordination." Still, many humanitarian agencies remain ambivalent about devoting increased resources to security management and coordination. He criticises the "absence of a systematic means of sharing incident data", which undermines the capacity of the humanitarian community to address security threats (2008: 263).

Evaluating Humanitarian Assistance in Complex Emergencies

Evaluation of humanitarian action is a key tool in efforts to improve its performance and professionalization, especially in terms of accountability and efficiency. In the past it “has been subjected to less rigorous and extensive monitoring and evaluation procedures than development aid”. As expenditures for humanitarian operations as well as awareness of its complexity have increased, the need for appropriate and consistent evaluation methodologies has become widely accepted (OECD, 1999b: 2). However, the humanitarian field is still characterised by weak monitoring and evaluation (Smillie and Minear, 2004: 19).

The Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP) defines the evaluation of humanitarian action as follows:

“Evaluation of humanitarian action (EHA) is a systematic and impartial examination of humanitarian action intended to draw lessons to improve policy and practice and enhance accountability. EHA:

- Is commissioned by or in cooperation with the organisation(s) whose performance is being evaluated;
- Is undertaken either by a team of non-employees (external) or by a mixed team of non-employees (external) and employees (internal) from the commissioning organisation and/or the organisation being evaluated;
- Assesses policy and/or practice against recognised criteria (e.g. the DAC criteria);
- Articulates findings, draws conclusions and makes recommendations.”

(Beck, 2006: 14)

It is important to take into account that the evaluation of humanitarian aid differs from conventional evaluation and has some distinct characteristics. In the case of CEs it is often undertaken during periods of prolonged severe disruption, which can have the following implications:

- Polarised perspectives diminish the space for objective evaluation.

- Access to data, information and key informants may be more difficult, e.g. due to the high turnover of humanitarian staff.
- Humanitarian action often has to be planned quickly and as a consequence objective statements and indicators may be missing from planning documents.
- The disordered conditions of CEs lead to rapid change in circumstances, which makes it difficult to determine the context later (ibid.: 15).

Thus, evaluators should make clear which constraints they faced and how they affected the process and findings (ibid.: 15). Moreover the OECD points out that the nature of CEs makes it specifically necessary to assess the humanitarian space, the security situation and the protection needs of the affected population (OECD, 1999b: 11).

In 1991 the OECD/DAC developed broad principles in order to facilitate the evaluation process. These were refined into five criteria, which today are regarded as standard evaluation criteria: efficiency, effectiveness, impact, sustainability and relevance. Subsequently they were adapted and expanded to seven criteria for the evaluation of CEs: efficiency, effectiveness, impact, relevance/appropriateness, connectedness, coherence and coverage (Beck, 2006: 10).

- **Efficiency:** measures the qualitative and quantitative outputs in relation to the inputs.
- **Effectiveness:** measures the extent to which the activity achieved its purpose.
- **Impact:** examines the social, economic, technical and environmental effects of the project on individuals, gender and age groups, communities and institutions. Thus it is about the real difference for the beneficiaries.
- **Relevance/Appropriateness:** relevance assesses whether the project is in line with local needs as well as with donor policy. Appropriateness is more focused on the activities and inputs and can be described as the need to tailor humanitarian activities to local needs. So the two criteria complement each other on the macro and micro level.

- **Connectedness:** is the counterpart to sustainability and refers to the need of emergency assistance to take longer-term and interconnected problems into account.
- **Coherence:** postulates coherence of political, diplomatic, economic, military and humanitarian strategies and approaches as well as coordination of the humanitarian actors.
- **Coverage:** aid should reach major population groups and provide them with assistance and protection proportionate to their need and devoid of political agendas. It also assesses the differing impacts on different population groups.

(OECD, 1999b: 22-23)

Dilemmas, Problems and Challenges

As we can see from the preceding chapters humanitarian assistance in CEs faces numerous dilemmas, problems and challenges.

The most important issue is the question whether the abuse of aid and its various negative side effects, including the potential for aid to prolong the conflict through providing subsistence to warring parties and by facilitating the elimination of state responsibilities for social welfare functions, outweigh its benefits. Especially in armed conflicts, where its abuse has become a certainty, judging the ‘net impact’ of aid involves practical difficulties and ethical choices (Bryer and Cairns, 1997: 363). If the net impact is negative, agencies must consider withdrawing or reducing assistance (Lischer, 2005: 143). Mary B. Anderson has identified some ways in which aid can have negative and positive ‘by-products’ (Bryer and Cairns, 1997: 365) and encouraged the ‘do no harm’ approach as a principle of engagement (Sue et al., 2004: 2137). In the Burmese context this resulted in an ongoing debate on engagement, which will be explained in the fourth chapter.

Another highly controversial issue concerns the question of whether humanitarian organisations can and should be neutral. Lischer for example argues that it is

impossible for material assistance to have a neutral effect in a conflict as humanitarian work cannot be isolated from the political and military context (2005: 143). Bryer and Cairns underline that humanitarian principles do not mean that agencies can be neutral about whether atrocities are good or bad and consequently they should not be silent about war crimes (1997: 367). However, in some circumstances such advocacy may mean that the organisation cannot continue its programme due to security reasons. Here the agency has to judge whether their impact is higher by its continued presence or by speaking out (ibid.: 372). Kent points to the factor that a neutral and impartial humanitarian stance may be of questionable morality when the conflict is perpetuated without greater aid conditionality (2003: 440). Cross-border aid into Burma for instance heavily relies on support and protection by armed resistance groups, which challenges its neutrality. However, otherwise this much-needed assistance would not be possible.

The situation is exacerbated by the fact that humanitarian organisations have to act in a 'policy vacuum', "in which aid policy becomes not a part of a coherent international response, but almost the entire response." Aid policy increasingly becomes a substitute for foreign policy, especially in countries with little geo-economic significance (Bryer and Cairns, 1997: 370). This entails a dangerous overestimation of the capacities of humanitarian aid. In Burma the international response consists mainly of economic sanctions.

Other noteworthy problems are the general decline in official development spending and the failure of governments to undertake a wide range of conflict-prevention policies (ibid.: 372). Increased funding of prevention strategies would be much more efficient.

As a result of the numerous dilemmas and problems, the humanitarian enterprise is characterised by a surprising degree of competition, mistrust and antipathy between the various humanitarian actors (Smillie and Minear, 2004: 19), e.g. in Burma between agencies working in-country and cross-border.

At this point it is indispensable to note that the international community itself is jointly responsible for humanitarian emergencies as these often have their roots in international inequalities of power as well as international financial and trading

policies (ibid.: 20). Thus, making the economic order a little bit fairer could make a big difference.

Finally, I find it very important to highlight again the significance of knowing and respecting the local socio-cultural context, of indigenous participation and of using mainly local capacities. Here anthropologists could make a valuable contribution. Unfortunately the humanitarian enterprise is still dominated by Western actors and concepts.

I share the view of Bryer and Cairns that humanitarian assistance of the international community should be seen “as a parallel response, not a charitable offering, to the willingness of most civilians caught up in conflict to support themselves and other victims” (1997: 373), as we will see in the chapter about civil society in Burma.

3. Burma – an Introduction

In this section I will give a brief overview of Burma including basic facts, historical and political background as well as the realms of foreign relations, ethnicity, the economy, social issues and the human rights situation.

Burma at a Glance²

Official name: Union of Myanmar

Independence: January 1948

Capital: Rangoon (Yangon)

Seat of Government since 2006: Nay Pyi Taw (near Pyinmana)

Area: 676,578 sq km³

Neighbouring countries: Bangladesh and India in the West, China in the North, Thailand and Laos in the East;

Constituent States:

Burma is comprised of seven Divisions: Tenasserim, Rangoon, Irrawaddy, Pegu, Magwe, Mandalay, and Sagaing; and seven States: Mon, Karen, Karenni, Shan, Kachin, Chin and Arakan.

Government: Military junta since 1962

² as of 2010.

³ CENTRAL INTELLIGENCE AGENCY. 2010. The World Fact Book: Burma [Online]. Available: <https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html> [Accessed 15 July 2010].

Head of State: Senior General Than Shwe, Chairman of the State Peace and Development Council (SPDC) and Chief of the Armed Forces (Tatmadaw);

Prime Minister: Lieutenant General Soe Win

Cabinet: The State Peace and Development Council (SPDC) is comprised of 11 military generals.

Memberships: UNO (1948), Non-Aligned Movement (1992), ASEAN (1997);

Population: 48,85 million / Growth rate: 1,3% ⁴

Ethnic composition: Burman 68%, Shan 9%, Karen 7%, Rakhine 4%, Chinese 3%, Chin 2%, Indian 2%, Mon 2%, others 3% (e.g. Kachin, Wa);

136 ethnic groups ⁵

Languages: Burmese, numerous minority ethnic languages;

Religions: Buddhist 89%, Christian 4%, Muslim 4%, animist 1%, other 2% ⁶

Military: Military spending has been estimated at between 30 – 45% of public expenditure.⁷ 400,000 people in the armed forces⁸, 70,000 of which are child soldiers (17.5%);⁹

Currency: kyat

GDP per capita: 99 USD¹⁰

Natural Resources: Natural gas, timber, tin, antimony, zinc, copper, tungsten, lead, coal, limestone, precious stones, hydropower, marine products, petroleum;

Export partners: Thailand, India, China, US, EU, Singapore, Japan;

Import partners: Singapore, China, Japan, Malaysia, South Korea, Thailand;

4 ECONOMIST INTELLIGENCE UNIT 2003. Country Profile – Myanmar.

5 CENTRAL INTELLIGENCE AGENCY. 2010. The World Fact Book: Burma [Online]. Available: <https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html> [Accessed 15 July 2010].

6 U.S. DEPARTMENT OF STATE July 2010. Background Note: Burma. Bureau of East Asian and Pacific Affairs.

7 SELTH, A. 2002. Burma's Armed Forces: Power without Glory, Norwalk CT, Eastbridge.

8 ibid.

9 HUMAN RIGHTS WATCH Oct 2002. "My Gun Was As Tall As Me". Child Soldiers in Burma.

10 ALTSEAN-BURMA 2004. Burma Briefing: Issues and Concerns Volume 1. Bangkok.

Health: The WHO ranks Burma's public health care system 190th out of 191¹¹ and the IMF estimated public health expenditure at 0,19% of GDP or 2,7% of state expenditure.¹²

Life expectancy: 60,8 years¹³

Infant mortality rate:

75 deaths/1000 live births¹⁴

Malnutrition rate: 36% of children under 5 years of age¹⁵

HIV/AIDS infection rate: Estimated at 687,000 people or 3,46% of adults (aged 15 - 44).¹⁶

Education: 0,3% of GDP is spent on education¹⁷ and only 30% of children finish primary school.¹⁸

Environmental degradation:¹⁹

Mass tourism, deforestation, overfishing, monocropping, lack of sewerage and clean drinking water, pollution through oil/gas production, , large-scale projects e.g. dams;

11 WORLD HEALTH ORGANIZATION 2002. The world health report 2002 - Reducing Risks, Promoting Healthy Life.

12 INTERNATIONAL MONETARY FUND 2002. International Financial Statistics Yearbook 2002.

13 UNDP 2005. Annual Report 2005.

14 ibid.

15 ASIAN DEVELOPMENT BANK 2003. Key Indicators 2003: Education for Global Participation.

16 BEYRER, C., RAZAK, M. H., LABRIQUE, A. & BROOKMEYER, R. 2003. Assessing the magnitude of the HIV/AIDS Epidemic in Burma. Journal of Acquired Immune Deficiency Syndrome, 32: 3, 311-317.

17 NONVIOLENCE INTERNATIONAL Aug 2002. Myanmar's Expenditures on the Military, Health and Education. Special Report.

18 ECONOMIST INTELLIGENCE UNIT 2003. Country Profile – Myanmar.

19 PIRES DOS REIS-KECKEIS, M. 2006. Humanitäre Hilfe in Burma: ein Widerspruch? Diplomarbeit, Universität Wien.

Historical and Political Background

Struggle for Independence (1930s-1948)

The British Empire annexes Burma in 1886 after three Anglo-Burmese wars. In the 1930s Burman nationalists begin agitating against colonial rule and turn to the Japanese, who provide them with military training. Thus the Burma Independence Army (BIA) is founded under General Aung San, who succeeds in driving out the British with Japanese help during the Second World War in 1942. Burma is declared independent in 1943 but soon it is evident that the Japanese are yet another colonial power and so the BIA defects to the Allies and drive out the Japanese in 1945. Once again the country comes under British colonial administration but the British agree to hand over power to General Aung San, leader of both the BIA and the nationalist civilian Anti-Fascist People's Freedom League (AFPFL), who negotiates the Panglong Agreement and wins the 1947 elections. However, Aung San and some of his cabinet members are assassinated the same year. Burma finally becomes independent on 4 January 1948 (NCGUB, 2009: 4).

Parliamentary Era (1948-1962)

Between 1948 and 1958 Burma experiments with democracy for the first time. The elected government of Prime Minister U Nu and the AFPFL party is weak and thus over-challenged with communist insurgency and armed struggle by ethnic groups, especially the Karen, who form the Karen National Union (KNU), the oldest and largest remaining insurgent group. The Burmese military is under-resourced and initially incapable of suppressing the numerous insurgencies throughout the country. As a consequence the military is given a number of new powers and undergoes a

drastic over-haul, which allows it to gain a position of great influence over civilian affairs. Defence minister Ne Win expands his role in state affairs as head of counter-insurgency operations. Factionalism and the growing instability in the country prompt U Nu to resign in 1958 and to recommend General Ne Win as the head of state of a “caretaker government” until new elections can be held (NCGUB, 2009: 4-6).

The Caretaker Government consolidates the army’s power further. It uses a military intelligence apparatus and propaganda to monitor and control the civilian population, and where this doesn’t work, indiscriminate violence is the rule (ibid.: 6-7). The economic and security situation is poor. The military runs a broad range of economic activities and in addition increases the number of military personnel within administration at all levels. These changes entail “[...] a pervasive sense of pride in military accomplishments [...] that [...] was the basis on which future military rule was built” (Steinberg, 2001: 18). Thus the Caretaker Government from 1958-1960 sets the stage for the coup of 1962.

U Nu is re-elected in 1960. However, this does not ameliorate escalating economic and internal problems, which cause widespread dissatisfaction with the government. In addition U Nu attempts some unpopular reforms that provoke further dissent. By this time the military is already too strong and the impoverished and divided population not able to unify and organise in opposition (NCGUB, 2009: 7).

BSPP Military Rule (1962-1988)

In 1962 General Ne Win seizes power through a military coup, suspends the 1947 Constitution and rules through a Revolutionary Council. He proclaims the ‘Burmese Way to Socialism’, nationalizes all foreign owned enterprises and isolates the country from external influence (Altsean-Burma, 2004: 9). The only legitimate political party is the Burma Socialist People’s Party (BSPP), founded by the Revolutionary Council. A student protest against the regime is crushed violently, killing over 100 students. Psychological Warfare, mass mobilization, military intelligence agents and informers are used to counter any potential dissent. Especially ethnic minority areas are being subjected to increasing violence through the ‘four cuts’ policy, which aims at cutting

insurgents off from food, funds, recruits and intelligence. This policy is responsible for widespread destruction and human rights abuses (NCGUB, 2009: 8-9). In 1974 the military adopts a new constitution that installs a highly centralized state and a one-party system. Freedom of opinion is largely repressed and all internal publications are subject to rigid censorship. The “increasing latent societal discontent” is exacerbated by dire economic conditions (Steinberg, 2001: 22-24). Economic policy oriented to military requirements, isolation and civil war run the country down. In 1987 Burma is designated a ‘Least Developed Country’ by the UN (NCGUB, 2009: 11).

Tension escalates in 1988. In March a student protest in Rangoon against the regime is crushed violently and thus sparks sustained student protests throughout spring and summer, which again claim hundreds of victims. As social unrest spreads, the military declares martial law (ibid.: 12). In July General Ne Win resigns and calls for a referendum to decide whether or not to change to a multi-party system, but the BSPP refuses the proposal (Charney, 2009: 151). General Sein Lwin is appointed as his successor. Popular outburst continues: “[...] the pent-up economic and political frustrations that had built up exploded nationwide, with demonstrations, rioting, and looting that were suppressed with great loss of life” (Steinberg, 2001: 9). On 8 August 1988 thousands of people peacefully take to the streets in a nationwide strike, calling for democracy and human rights. The military again reacts with unutterable violence, killing and arresting an estimated 3000 protesters. The event attracts the world’s attention and becomes one of the most infamous dates in Burmese history (NCGUB, 2009: 12).

Thereupon General Sein Lwin resigns and Dr. Maung Maung becomes head of a short-lived civilian period (ibid.: 12).

SLORC Military Rule (1988-1997)

Only a month later the military regains power through a coup and establishes the State Law and Order Restoration Council (SLORC). General Saw Maung announces that the sole aim of the military is to restore law and order, and that multi-party elections will be held. Nevertheless the SLORC declares martial law and continues to brutally

suppress opposition. Soon after the National League for Democracy (NLD) is founded under Daw Aung San Suu Kyi, daughter of independence hero General Aung San, and quickly emerges as the leading opposition party. However, the SLORC frustrates the campaigns of its political opponents, puts Suu Kyi under house arrest and disqualifies her from the elections. Still the NLD achieves an overwhelming victory in the 1990 elections, winning 392 out of 485 parliamentary seats. The military does not respect the results however and refuses to hand over power under the pretext that a new constitution needs to be drafted first (NCGUB, 2009: 12-13). This is the starting point of a “politics of delay” (Charney, 2009: 170) in order to prevent any shift of power. Since NLD members are subsequently harassed and arrested, the National Coalition Government of the Union of Burma (NCGUB) is founded as parallel government in exile (NCGUB, 2009: 13).

In 1992, Than Shwe replaces General Saw Maung as head of state. Finally, in 1993, the National Convention (NC) assembles and meets sporadically over the next four years in order to draft basic principles for the new constitution. However the NC is bound to guidelines established by the regime, which guarantee “a dominant role for the military in any future Burmese government” (ibid.: 13). In 1995, after almost six years, Suu Kyi is released from house arrest. A few months later the NLD withdraws from the NC due to its undemocratic nature. Thereupon the SLORC expels all the NLD delegates permanently. Political arrests and persecution, especially of NLD members, accelerate further. In addition the SLORC implements another military expansion and surveillance heightens. Between 1989 and 1995 the regime signs one-sided ceasefire agreements with most armed ethnic groups, often through force (ibid.: 14-15), which at least improve the humanitarian and social situation (Lorch and Pasch, 2007). The most important exception to the ceasefires is the KNU operating on the border to Thailand (ibid.: 1). In 1996 Burma opens to tourism (Röggla, 2006: 29). The same year the NC is adjourned to an unspecified date and in 1997 Burma joins ASEAN (Altsean-Burma, 2004: 10). The SLORC moves towards a market economy, but its privileges increase at the expense of the people (NCGUB, 2009: 13).

SPDC Military Rule (1997-2010)

In 1997 the SLORC reorganizes and changes its name to the State Peace and Development Council (SPDC). In 2000 Suu Kyi is once again put under house arrest for about 19 months. In the years 2000-2002 UN brokered talks between the regime and Suu Kyi take place until the SPDC stalls them without having achieved any outcome. In 2003 members of the Union Solidarity and Development Association (USDA), a mass mobilization organisation founded by the military in 1993, attack Suu Kyi's convoy. In this so-called Depayin Massacre an estimated hundred NLD members and supporters are killed, injured or imprisoned. Suu Kyi is re-arrested until November 2010. The ensuing crackdown of the democracy movement provokes an international outcry and tougher economic sanctions by the US and the EU (NCGUB, 2009: 16-17).

Later that year General Khin Nyunt is appointed as Prime Minister and announces the 'Seven Step Roadmap to Democracy', which envisions the reconvention of the NC, a new constitution and free elections. In 2004 the NC reconvenes under highly restrictive conditions for the first time since 1996, but the NLD and eight other political parties boycott the session as their requests for a democratic process have not been met (*ibid.*: 18-19). A few months later Khin Nyunt, who became too powerful and liberal (Nyein, 2009: 640), is arrested on alleged corruption charges and replaced by Soe Win. A purge of the Military Intelligence follows (Altsean-Burma, 2004: 10-11).

In 2005 the SPDC unexpectedly creates a new capital city inland, near Pyinmana, called Naypyidaw Myodaw. The reasons are never satisfactorily explained but it is assumed that there was a demand for greater security since the demonstrations in 1988 and a more easily managed, central site. In addition, Rangoon, close to the coast, is more vulnerable to foreign powers (Charney, 2009: 193-194).

The NC meets twice in 2005 and twice in 2006 before going into recess without any discernable advancement. The sessions are accompanied by targeting and harassing of opposition groups as well as increased hostilities in ethnic areas to silence resistance (NCGUB, 2009: 20-21). The NLD's Union Day proposal of 2006, offering the SPDC a deal, is rejected (*ibid.*: 23).

In 2007 public outrage against the regime boils over “in the single-largest display of discontent” since 1988 (ibid.: 23). In August the government issues an overnight increase in fuel prices, which entails a further increase of already inflated commodity prices. Mass protests break out across the country (Charney, 2009: 196), initiated by a newly founded group of student activists named ‘88 Generation’ (South, 2008b: 137), and carry on into September, highlighting the desperation of the general population. The regime reacts once more with violence, crushing demonstrations and arresting protesters (Charney, 2009: 196). In September an estimated 1000 monks begin to join thousands of civilians in the so-called ‘Saffron Revolution’, which refers to the saffron-coloured robes of the monks (NCGUB, 2009: 23). When the army beats protesting monks, monastic protests spread throughout the country and monks start to refuse donations from the families of the military elite, which denies them of the possibility to earn merit in Buddhist belief. However, even though harming a monk earns one bad merit, the military reacts by beating, shooting and arresting monastic and other protestors, and by raiding monasteries (Charney, 2009: 197). The death toll remains unknown, as information networks were cut and bodies burnt in an attempt to hide any evidence. According to estimates it may be as high as 100. After the protests the SPDC searches for participants, arresting thousands well into 2008 and thus forcing hundreds to flee the country (NCGUB, 2009: 24-25).

The results of the NC are announced in September 2007, which are only a set of guidelines for the new constitution, guaranteeing military dominance. In December the government announces that the constitution will be written by a 54-member commission, nominated by the SPDC (Charney, 2009: 195).

Still recovering from the Saffron Revolution, the country is thrown back into crisis by Cyclone Nargis that strikes the coast on 2-3 May 2008 and affects an estimated 2.4 million people. Even though the SPDC knew about the storm since 26 April, it did not evacuate or warn the population (NCGUB, 2009: 25). Even after the cyclone, the regime does little to help its own people as Charney describes: “The regime delayed for three weeks in admitting most international aid, refusing visas to aid workers and storing in warehouses the few supplies it allowed to be flown in, while it proceeded with the constitutional referendum and informed the world that there was no crisis” (2009: 199). The referendum is held on 10 May and, due to international pressure, on 24 May in the worst affected areas. However, the SPDC already announces the result

on 15 May, stating that the constitution has been approved with 92.4% of voters in favour. The opposition and the international community reject these election results (NCGUB, 2009: 25-26). The new constitution confirms the current power position of the military, consolidated as never before. Moreover the ‘coup d’état clause’ entitles the military to revert to direct rule whenever it deems necessary (Nyein, 2009: 647). Thus the constitution merely provides the regime with a civilian cover and codifies its predominant role in Burma’s politics (ibid.: 639).

Above all, harassment of civil society and the political opposition increases further still (ibid.: 647). In May 2009 Suu Kyi’s house arrest is prolonged under the pretext that she illegally hosted an American intruder (ibid.: 644). In addition, the new election laws of March 2010 prohibit political prisoners, including Suu Kyi, and Buddhist monks from participation in order to make sure that the SPDC keeps in power (JHA, 2010). As a result of decade-long repression the NLD is basically destroyed and at this time a politically organised, civil alternative to the military does not exist (Löschmann, 2008: 7). In foresight of the planned elections, the regime tries to mobilise society in government-sponsored mass-organisations (Nyein, 2009: 647). The elections are finally held on 7 November 2010 and are unsurprisingly won by the USDP, as usual through unfair and undemocratic proceedings.

The military’s pervasive control over the economy and the natural resources poses one of the biggest obstacles for any real power change. This monopoly supplies the regime with constant funding and thus annuls international sanctions (ibid.: 640).

In addition the military has proven surprisingly resilient and stable (ibid.: 640). Driven by the idea of its historic exceptionalism and mission, it is constantly expanding its skills and expertise and thus creating a “new military professionalism” (ibid.: 647).

Taking these aspects into account, I agree with Nyein that the regime has no intention of loosening its grip on power and allowing a non-military government to be formed. It rather uses the constitutional process to expand its role and to push back citizenry even further.

Foreign Relations

After 1988 Burma's foreign policy changes from neutralism and isolation during the cold war to a more outward looking policy in an attempt to catch up with its neighbours. Accordingly it joins a number of international organisations and institutions, e.g. it rejoins the Non-Aligned Movement in 1992. However, Burma's domestic politics provoke Western criticism, pressure and economic sanctions and consequently its foreign policy mainly takes up the cause of defending the state. The government insists on the principle of non-interference in domestic affairs of other countries and joins organisations of likeminded states. Thus, the initial outward reach turns into a withdrawal into Asian politics and economy. Soon it becomes apparent, that Burma is impervious to US/EU investment and trade sanctions due to its little foreign trade and Asian trade partners (Taylor, 2009: 463-466), who supply the regime also with weapons, military equipment and other resources (Löschmann, 2008).

The violent repression of the 2007 mass protests puts Burma back on the international political agenda. China, Thailand and India deplore the regime's actions and have, as Burma's main trading partners, the best chance to exert pressure. However, as neighbour countries they are more interested in Burma's stability and in maintaining good relations with the regime because they are already confronted with severe security, health and humanitarian problems in the border regions (ibid.: 2), which lead to recurring tensions with Thailand. India, after initially condemning the regime in the 90s, and China compete for influence in and access to the country's politics, markets and natural resources, especially gas and oil (Taylor, 2009: 469). China is Burma's most important neighbour and serves the immediate needs of the SPDC "for guns, funds, and friends" (Steinberg, 2001: 234). However, its increased official and unofficial role in trade and physical presence in the country, causes the military to fear Chinese economic domination and a relationship of dependence (ibid.: 229). Also Japan is concerned about China's growing influence and, unlike the West, calls for engagement and action, thus being the largest aid donor in Burma (Hingst, 2007: 48).

Despite opposition from the US and the EU, Burma joins ASEAN in 1997. One of its main principles is the non-interference into internal affairs of member countries, which is due to autocratic traditions in other member states in the interest of all. Yet, after the incidents of 2007 the institution breaks with this principle for the first time and Indonesia, Malaysia and even Singapore, one of the major providers of the military elite, voice criticism (Löschmann, 2008: 7). Their willingness to defend the military regime already dissipated after 2003 because of increasing Western pressure, but still they refuse economic sanctions arguing that they would be counterproductive (Taylor, 2009: 463-466).

As a consequence Western governments put increasing pressure on the United Nations. This leads to the adoption of a Special Rapporteur for human rights and a special envoy, which shows little effect though. In 2005/6 the US succeeds in putting Burma on the agenda of the United Nations Security Council, however, a joint US/UK draft resolution is vetoed by Russia and China in 2007 (ibid.: 469-470). Since 1994 UN-Resolutions have been suggesting that dialogue between all three parties – the government, the NLD and representatives of the ethnic groups – is essential (Löschmann, 2008: 7).

Burma is of strategic interest for Asia's Great Powers and especially Chinese interests protect the regime of any intervention by the West or other countries. Burma's foreign relations are very unstable though (Hingst, 2007: 48) and affected by its nationalism, xenophobia and mistrust. Thus, assuring state security is the main focus of its foreign policy, which was exemplified in 2008 when the regime resisted Western aid efforts after Cyclone Nargis (Taylor, 2009: 471).

Ethnicity

Steinberg describes the ethnic dimension as “the single most explosive element in contemporary Myanmar” (2001: 46). Being one of the most ethnically diverse countries in the world with over 100 linguistic groups and seven big ethnic groups, Burma struggles with historic antagonism and deep distrust between the majority ethnic group of the Burmans and the numerous ethnic minorities. The former make up

60% of the population and reside mainly in the country's central plane, whereas the latter live in the periphery around it, a horseshoe arc of hills and mountains, which accounts for 60% of Burma's area (Büntje, 2007: 33).

The 'divide and rule' policy of the British privileges the minorities under indirect rule - which is the reason for continuing secessionist movements of the Shan, Karen, Kachin and others - while the centre is governed directly. The ruling class is eliminated and uprisings are suppressed with troops that mainly consist of minority peoples, which causes national sentiment and hatred against minorities among Burmans (Lukas, 2006: 110). Thus the problem of ethnic minorities in today's sense developed with colonial rule (ibid.: 67). When the mainly Burman national movement achieves independence, resentments have already further deepened and result in a civil war. Nevertheless Aung San succeeds in convincing the minorities in the 1947 Panglong Agreement of a joint future in a federally organised Union of Burma (Büntje, 2007: 33-34), which has provisions for the secession of the Shan and Karen States (Steinberg, 2001: 47). It doesn't last long though and since 1962, when the military takes over power under the pretext of wanting to prevent a breakdown of the state, most of the minorities have been fighting against the government. Repression, arrogance and the continued insistence on a unitary, centralized state by the mainly Burman military entail further alienation between the minority peoples and the rulers (Büntje, 2007: 34). Attempts to instill a sense of national unity fail and till today the union is merely held together by force (Steinberg, 2001: 187). The ceasefires of the 1990s have been successful in reducing combat operations, but nonetheless are fragile due to their informality and the absence of disarming. The military is still in armed conflict with several ethnic groups, e.g. the Karen, Shan and Kachin, which has been claiming thousands of victims (Büntje, 2007: 34). The establishment of the 'Ethnic Nationalities Council' (ENC) in 2001 (as the 'Ethnic Nationalities Solidarity and Cooperation Committee') is the first step to give voice to Burma's numerous ethnic groups: "It was entrusted with the task of fostering unity and cooperation between all ethnic nationalities in preparation for a 'Tripartite Dialogue' and a transition to democracy" (2010).

The ethnic tensions after independence must also be considered in connection with another aspect though. With decolonisation a common phenomenon in South-East-Asia comes to the fore: Internal Colonialism. It refers to the ethnically coined,

unequal centre-periphery-relations in the new nation state, in which the interests of the peoples living in the periphery are not represented through the elites of the Burman dominated central government. This entails ethnic nationalism (ethnic elites prefer the designation nationality rather than minority for their communities), secessionist and resistance movements of the minorities living in peripheral, undeveloped and ecologically disadvantageous areas. The politically and demographically dominant ethnic group secures state unity through military measures. Burman Ethnocentrism takes the shape of prejudices (Lukas, 2006: 64-66) and discrimination, e.g. minority languages are not taught in the public education system (Steinberg, 2001: 184) or are even forbidden. In its most extreme form it leads to the 'Burmanisation' (also referred to as 'ethnic cleansing policy') of culture and history by imposing a notion of Burmeseness and suppressing diverse social identities (South, 2008b: 28). To this day ethnic minorities are subjected to propaganda, the 'four cuts' policy, serious human rights violations and ultimately genocide, which forced an estimated 2 million people to flee to neighbouring countries, mainly Thailand but also Bangladesh, India and China (Röggla, 2006: 117). In order to protect themselves most ethnic groups founded their own armies with the National Democratic Front (NDF), which is a union of nine ethnic armies, being the most important one (ibid.: 97).

Economy

In the mid 1950s Burma is still the biggest rice exporter in the world. However, political and economic isolation under the 'Burmese Way to Socialism' turns the country into a socioeconomic powder keg and results in its categorization as a Least Developed Country (LDC) by the UN since 1987. These grievances finally lead to the mass demonstrations of 1988 (Pires Dos Reis-Keckeis, 2006: 31-32). As a consequence the regime moves towards an open-market system and uses the little economic growth of the 1990s as power legitimisation (Hingst, 2007: 24). However, these developments are not sustainable and do not improve the living conditions of the people. Public revenues are mainly used for the military and its modernization

whereas investments in agriculture, the largest economic sector, and in social tasks remain low (ibid.: 32-33). The main sources of revenue are agricultural products, timber (Burma owns 75% of the world's teakwood reserves), lease of fishing rights, gas/oil, precious stones and tourism. Moreover, Burma's black economy accounts for up to 40% of the country's economic performance (Röggla, 2006: 41), e.g. illegal deforestation, smuggling, money laundering as well as trafficking of drugs, humans and arms (Pires Dos Reis-Keckeis, 2006: 32), and has serious cross-border impacts.

In conclusion it can be said, that the country's natural resources hold an enormous development potential but that the junta's serious economic mismanagement can be held responsible for Burma's stagnant economy (Hingst, 2007: 33-34).

Social Issues

The social development goes hand in hand with the economic development. Thereby Burma's initial position was fairly good in the pre-colonial and colonial period compared to other countries in the region. Even though there was shared but not desperate poverty, Burma was considered a rich country before World War II. Since 1962, however, a decline in the quality of life begins to show as a result of war and economic mismanagement. It is not until the 1970s that the per capita income reaches pre-war levels and the social situation deteriorates further in the 1990s. Poverty is widespread but not evenly distributed as it is higher in the dry Magwe district of central Burma and the minority areas. Forced relocations exacerbate the situation further. Salaries have not kept pace with inflation and thus households spend more money on food. Social indicators and data vary but at least half of the population can be considered poor. In addition, there is a growing disparity between the poor and the rich with the military profiting disproportionately of the country's economic and social resources (Steinberg, 2001: 198-206).

Poverty has direct impacts on education. Children drop out of school because they are needed for farm labour and because informal school fees are too high. Together with the general decline of public education this leads to the establishment of 'tuition schools'. They provide students with the education that the public schools have failed

to provide and teachers with supplemental income without which they could not survive. Even though education has been a priority of all governments since independence, school attendance figures have dropped drastically at all levels since 1988 and the fall in incomes. The once good reputation of Burma as a literate society eroded. Since 1962, colleges and universities have been closed about 20% of the time due to student protests. In addition a system of 'distance education' serves the political purpose of not giving the students any opportunity to assemble. Moreover subject content is subjected to censorship and corruption grows. Investments in the education sector have decreased since 1988 while military expenditures have risen. Education quality and educational standards have thus deteriorated. Over 70% of the population have not gone beyond primary school. Also employment is scarce for university graduates and so students are not motivated to study (ibid.: 206-210).

The health situation has always been problematic due to the tropical climate and the inability of the government to deliver effective health services (ibid.: 210). While there was some success in the health sector during the socialist era, regression since 1988 has worsened the situation. Besides Cambodia, Burma has the worst sanitary infrastructure in whole of Southeast Asia. Spending on health has seriously decreased with only 0.18% of GDP in 1997/98. As a consequence infant mortality, malaria infections and malnutrition have risen, and diseases like tuberculosis, leprosy and cholera have spread anew (Hingst, 2007: 38-39). One of the biggest problems is the exploding HIV/AIDS infection rate through increased intravenous drug use, rapacious activities of the Burmese army and the sex industry. Burmese women, who worked as cheap prostitutes in Thailand, spread the disease upon their return (Steinberg, 2001: 212). In the mid-90s the WHO estimated that 400.000 to 500.000, respectively about 2% of the grown population, are infected, which is per definition already an epidemic. Still the government is reluctant to admit the interrelated problems of drug use, prostitution and AIDS due to cultural reasons. An AIDS-campaign would confess them officially and also the regime would have to own up to their guilt regarding the reasons for these problems: social despair and lack of prospects (Hingst, 2007: 39). Hence there has been an alarming explosion in the production, sale and use of opium and its derivatives morphine and heroin - making Burma the biggest opium producer in the world - as well as of synthetic drugs like amphetamines and methamphetamines. The drugs are mainly produced in the Burmese part of the Golden Triangle (the

border area of Burma, Thailand and Laos), which results in increased drug addiction in neighbouring countries, especially in the border areas. Antinarcotics activities have not proven successful and there is evidence that the drug trade finances not only many of the rebellions but also the military regime itself (Steinberg, 2001: 215-218). The USA charges Burma as 'narco-state' as it is "directly benefiting from the narcotics trade, harbouring drug criminals, and countenancing money laundering from the trade" (ibid.: 217). In the drug producing regions the social and political situation under warlords is even worse than in the rest of the country and only a few at the top benefit of the lucrative business (Hingst, 2007: 41-42).

Human Rights Situation

"Regardless of international pressure and condemnation, the regime continued to commit severe and widespread human rights abuses against the civilian population of Burma, including the use of forced labour, forcible recruitment of child soldiers, extra-judicial killings, arbitrary arrests, rape, torture, forced relocation and the confiscation of property. Similarly, the regime continued to heavily restrict fundamental freedoms, including the freedoms of speech, assembly, association, press, movement, and religion. While such abuses were committed under the rubric of counter-insurgency, security and development; in actuality they have significantly impeded civilian's attempts to sustain their livelihoods, and have created large scale human insecurity within the country."

(NCGUB, 2009: 23)

All reports on the human rights situation in Burma are uniformly pessimistic with devastating results for Burma's public prestige. Despite international pressure and sanctions, the regime denies and continues to commit severe human rights abuses.

The government does not allow freedom of expression or free forming of political will. Opposition parties are forbidden or harassed and muzzled (Röggla, 2006: 61). Press and television are under state command and the Press Scrutiny Board (PSB)

screens all publications (Steinberg, 2001: 84). A close meshed spy system prevents the people from talking about prevailing grievances. Political opponents are sentenced to long lasting imprisonments in show trials and often forgotten in prison after termination of their penalty. Torture, beatings, insufficient food and medical treatment, isolation and the prohibition to read and write dominate everyday life of prisoners. Opposition leaders are often in solitary confinement for years (Röggla, 2006: 61). Amnesty International estimates the number of political prisoners at 2.100 in 2007 (2009: 1).

The population is subjected to forced relocations and ethnic minorities are systematically suppressed through arbitrary killings, rape, torture, pillage, kidnapping, and destruction of food, property and livelihoods as well as deprivation of education. Forced labour, which is especially used for roads and other touristic and public infrastructure, is widespread and affects all age levels of the population. Forced porters serve as live mine detectors. Also child labour and child abduction are common. The army holds 70.000 child soldiers between the ages of 11 and 18, making it the world's largest child soldier-army. Often children are kidnapped, without the knowledge and consent of their parents (Röggla, 2006: 61). They are made compliant and brutal through violence and amphetamines (ibid.: 65).

Human rights abuses by the military interfere with all areas of human life and the list of unutterable atrocities is growing daily, making it impossible to give a full account.

4. Humanitarian Space in Burma

As we can see from the second chapter, humanitarian assistance in CEs confronts the international aid community with a bulk of problems and challenges. In this chapter I will explore the key challenge in the Burmese context, namely the difficulty of maintaining humanitarian space.

In Burma the space for humanitarian assistance is being restricted due to increasing violence against aid workers and increasingly hostile state regulations of the action of aid agencies (Addison, 2008: 69). However, foreign aid is not only obstructed by constraints caused by the regime but also by pro-democracy activists overseas. Thus, in this chapter I will look at how these two factors restrict humanitarian space in Burma.

Yet, despite the restrictive aid environment, it is also possible to carve out humanitarian space. In Burma, the lack of access to vulnerable populations has led to the development of cross-border aid through networks of local staff, agents and partner organisations (ibid.: 69). Also, there has been a quiet expansion of Burmese civil society at the local level (Dalpino, 2009: 3), which shows that civilians are not mere victims of the military regime but rather political actors who address the basic needs of their communities through a variety of institutions and self-help initiatives. In the second part of this chapter I will demonstrate how these two forms of assistance successfully create humanitarian space under authoritarian rule.

Before exploring how humanitarian space is restricted and created, I will give a brief overview of current humanitarian assistance to Burma.

Current Humanitarian Assistance to Burma

Assistance to Burma takes on two forms according to its delivery channel:

1. **Assistance ‘via Rangoon’** (via state spaces) is implemented by engaging the state to access the people. This approach is the norm among UN agencies, big INGOs and most governments, many of who are obliged to operate this way by mandates. Also some areas of central Burma cannot be reached otherwise. This requires a Memorandum of Understanding (MOU) with the regime, which pledges aid agencies to comply with government restrictions on their operating environment. Thus, however, they restrict their operations to state-controlled spaces, where the military interferes with their programs and hence make neutrality and impartiality impossible. Yet at the same time, many INGOs refuse to work in non-state spaces on the grounds, that resistance forces are active there. As a result their call for greater humanitarian access equates to a call for expansion of state spaces, as they do not operate elsewhere, which would repress civil society even more (Malseed, 2009: 381-382).
2. **‘Cross-border’ assistance** (via non-state spaces, but sometimes partly controlled by opposition groups) circumvents the state to access the people. This takes the form of relief and medical aid smuggled across the border from neighbouring countries (mainly Thailand) to help IDPs in non-state spaces (ethnic minority areas) so they can survive in hiding from the military (ibid.: 385). This type of aid, delivered directly to civilian communities outside military-controlled channels also strengthens the position of the villagers in relation to the military and thus supports their resistance strategies (Phan and Hull, 2008: 19). Cross-border aid is by definition illegal, as it challenges the sovereignty of the Burmese government (South, 2008b: 97), and thus big aid agencies cannot officially support these initiatives. The delivery of aid is covert and dangerous involving night marches through heavily landmined mountains with armed resistance forces as escorts. These initiatives are mainly locally designed and controlled and run by villagers and refugees. Cross-border aid accepts civilian links to armed groups as legitimate survival

strategies, which secure access for delivery. Aid is distributed based on needs rather than political identity, which makes it impartial, but its neutrality is still contested. While this form of assistance is still a very successful way of creating humanitarian space despite government restrictions and of alleviating the suffering in areas that cannot be reached from inside Burma, it is criticised for its unofficial way of operation and consequently severely under-resourced. International donors refuse to fund cross-border aid because some might be diverted to resistance forces and because bureaucracy, monitoring and evaluation are not possible the way demanded by Western donors. Therefore it is supplied only sporadically and in small quantities by local organisations and some small INGOs in neighbouring countries (Malseed, 2009: 385), e.g. the Austrian non-profit association 'Burmahilfe' as we will see in a later chapter.

Both forms of relief activity face the same major constraints: limited capacities and funding, plus government restrictions and the dangers of providing aid in areas of ongoing armed conflict (South, 2008b: 107). The important difference is, however, that aid agencies operating inside Burma via state spaces have to cooperate with the regime to a certain degree, whereas cross-border aid operates in non-state spaces independently of the regime and is hence able to construct humanitarian space despite government restrictions by circumventing the state. Still it is dependent on the good will of authorities from neighbouring countries, which usually tolerate aid operations though.

The Debate on Engagement

The violent suppression of the 1988 uprisings not only triggered the withdrawal of the majority of aid to Burma, but also a general debate about the role of humanitarian and development aid to Burma. Cyclone Nargis intensified this debate and led to increasing calls for rethinking the opposition to the allocation of aid funds to Burma (Banki, 2009: 48, 66).

The two positions of the debate differ in their notion of how Burma's political and humanitarian situation can be tackled:

- **Pro-Aid-Position:**

An increase of foreign aid is necessary in order to prevent a humanitarian crisis. As humanitarian aid contributes to the development of civil society structures and can be used as bargaining chips towards the regime, it abets democratisation in the long run. The International Crisis Group (ICG) for instance and several INGOs take this stance (Lorch, 2005: 9).

- **Anti-Aid-Position:**

The root causes of Burma's humanitarian crisis are political, thus only political change can improve the humanitarian situation. Foreign aid does not reach the people (ibid.: 9) but rather legitimises and strengthens the military regime, and undermines its motivation to reform (ICG, 2002: 15). This position is associated with Daw Aung San Suu Kyi's opposition party NLD and the democratic opposition in exile, even though they already relativised their standpoint, as well as the US government, which imposed broad sanctions against the regime (Lorch, 2005: 9-10).

The question of whether and how humanitarian aid should be delivered to Burma is an issue of ongoing debate and confronts the international community with a political dilemma, which is reflected in the aid flows.

Aid Flows

Since its independence Burma has received varying types and levels of aid from different donors, including official development assistance and humanitarian aid from UN institutions (Banki, 2009: 52). After the coup of 1962 most aid programs halted except those from the Japanese and the UN (Steinberg, 2001: 253). Since the late 1960s aid to Burma again increased annually until the 1988 democracy uprising and subsequent crackdown when several countries, mainly Western donors but also others, significantly reduced aid assistance to the contested regime as part of a broader policy of sanctions. The EU for instance suspended development cooperation projects and cancelled debt relief among other punitive measures (Banki, 2009: 52).

Official development assistance dropped from 435 million USD in 1988 to 175 million USD in 1989 (ibid.: 48). This massive decrease in foreign aid was attended by strict accountability and transparency regulations to ensure funds are not diverted to the military (The Thailand Burma Border Consortium, 2010: 6). It was not until the mid-1990s that Burma witnessed a slight rise in both humanitarian and development assistance, though at lower levels than before the 1988 crackdown (Banki, 2009: 52). As South notes: “By 2007 about US\$60 million was being channelled annually through Thailand-based organisations supporting displaced people in and from Burma. Most assistance was provided to the Karen and Karenni refugees, while about \$2.5-3 million went to IDPs inside Burma. In contrast, the amount of humanitarian aid provided via Yangon remained minimal: prior to August 2005, when the UN Global Fund pulled out of Burma, total ODA was approximately \$150 million per year, or less than \$3 per person, compared with \$47 per person for Cambodia and \$63 for Laos” (South, 2008b: 92). This trend changed temporarily in 2008 when Cyclone Nargis brought humanitarian aid to Burma to a record-high (Banki, 2009: 52, 55). Yet, after the immediate emergency the international community’s attention returned to politics and donors appear to be reverting to past policies (ICG, 2008: 12).

Sources of International Assistance

UN Agencies

This representative group of UN agencies currently operates in Burma under MOUs with specific government ministries: UNDP, UNICEF, WFP, FAO, UNHCR, UNODC and UNAIDS. While their programs cover a broad spectrum of humanitarian and developmental activities, they have little impact due to government constraints, restrictive mandates, inadequate funding and limited access to the population. However, through their many local employees UN agencies play an important role in educating human resources for the future (Clapp, 2007: 52-53).

International Labour Organisation (ILO)

The ILO founded an office in Rangoon in 2002. Even though the regime officially banned the imposition of forced labour in 2000, it is still a major problem; particularly the SPDC's prosecution of people reporting instances and the apparent impunity for state officials. Under pressure from the ILO, which had threatened to refer Burma to the International Court of Justice and UN Security Council, the SPDC agreed to establish a mechanism enabling the organisation to investigate allegations of forced labour in 2007 (South, 2008b: 103).

International Committee of the Red Cross (ICRC)

Between 1998 and 2004 ICRC sub-delegations were established in five Burmese towns, from where teams implemented water, sanitation and other projects in conflict-affected areas with the aim of providing 'protection by presence'. Yet, after the purge of Khin Nyunt in 2004, the organisation experienced reduced access to most parts of eastern Burma. In 2007 the ICRC announced the closure of two of its field offices, stated that prison visits were also being systematically constrained and publicly denounced the military regime's systematic abuse of prisoners and of civilians in conflict zones (ibid.: 103-104).

International NGOs

As of 2007, about 50 INGOs had MOUs with the government (ibid.: 104), including several European and Japanese groups, and a few American and Australian groups. Like UN programs, INGO activity nurtures local talent and fosters the development of small indigenous NGOs, who often serve as implementers for their projects (Clapp, 2007: 53-54). In general, INGOs operate with more independence than UN agencies, even though the government restricts their access to sensitive areas (South, 2008b: 104).

Donor Governments

Very few donor governments are active in Burma due to their hesitation to support programs that might benefit the regime. Chief among these are the EU and a few

individual European governments, e.g. the UK and France. Japan is the single largest donor for grant aid with a focus on infrastructure. China finances large infrastructure projects through loans, but provides little if any grant assistance (Clapp, 2007: 54-55).

Exile Resources

After almost five decades of military rule, the Burmese diaspora has become rather extensive, including political activists. These play an important role as Clapp notes: “With the assistance and encouragement of US and European foundations and governments, some of these activists have also formed specialized groups that study various aspects of Burma’s institutional structures, articulating and planning the necessary reforms”. Hence, these diaspora structures will be extremely helpful in a future transition to democracy (ibid.: 55). In addition cross-border aid by groups in exile makes up a significant part of assistance to the Burmese population.

Restrictions on Humanitarian Space

In the early 2000s increased humanitarian space and funding entailed an expansion of aid programs. General Khin Nyunt, the military intelligence chief from 1983 to 2004, actively facilitated broader humanitarian access, especially in respect to protection agencies such as the ILO, UNHCR and the ICRC. These cooperated directly with him and like-minded officials in order to start important new initiatives on forced labour, prison visits and so on. But also mainstream aid agencies were able to negotiate access to previously closed areas and to initiate programs addressing sensitive issues such as HIV/AIDS. Moreover they could often use military intelligence contacts to counter opposition from other parts of the regime (ICG, 2006: 5).

Since the purge of Khin Nyunt in late 2004, however, humanitarian space again contracted. The military leadership has taken a more aggressively uncompromising, disobliging and nationalistic line and in some cases stopped cooperating with international agencies altogether (e.g. the Special Rapporteurs on Human Rights, ILO). Restrictions on programs and ongoing adjustments in the political and administrative system constrain the aid community's ability to deliver assistance effectively, timely and responsibly (*ibid.*: 5). This was particularly evident in the aftermath of Cyclone Nargis in 2008, when the initial delivery of assistance was severely constricted by government obstruction, as we will see in the correspondent chapter. Yet, in the course of the cyclone the number of international and local NGOs in the country has sharply increased and the aid programs that have since developed in the Irrawaddy delta have experienced an ease of operations and an expansion of humanitarian space. Despite this new openness and the government's acquiescence to aid programs, attempts to expand access outside the delta to other parts of the country are still struggling (Kurtzer, 2009).

Yet, renewed pressure on aid organisations is not only exerted by the regime, but also by pro-democracy activists overseas who – though increasingly open – still mainly oppose humanitarian assistance to Burma. This curtails humanitarian space as well,

which was demonstrated by the withdrawal of the Global Fund in 2005 (ICG, 2006: 1).

In addition to these constraints, aid agencies struggle with limited funding due to donor concerns about a possible mishandling of aid and with a pervasive lack of capacity at all levels of state and society (ICG, 2008: 20-21). The general dangers of providing aid in a country with ongoing armed conflict, especially violence against aid workers, add to the problem.

However, it is important to note, that there is no consistent account of humanitarian space in Burma as it fluctuates significantly according to the overall political situation and the government's attitude towards international assistance as well as according to various factors that determine the impact of government restrictions on aid programs (e.g. type of program, location etc.). Thus, the impact of restrictions varies between agencies and programs and different actors experience a different extent and quality of humanitarian space with some even stating that they do not encounter any major problems. Despite restrictions, international organizations stress that they are still able to achieve meaningful results (Melito, 2007: 25), especially when they have 'scaled down' to local level and engaged the population directly (Malseed, 2009: 381). Also, agencies have become adept at working in spaces that are visible only from the ground and in some cases find support from officials at the working level (ICG, 2006: 14). Thus, the creation of humanitarian space inside Burma is possible to a certain extent, e.g. through humanitarian diplomacy.

Consequently this chapter cannot give a full account of these various perspectives and is rather an attempt to identify some general ways of how humanitarian space in Burma is restricted and to exemplify these. I will first illustrate the constraints caused by the regime including a case study of Cyclone Nargis and then move on to explore the constraints caused by international activism exemplified by the Global Fund withdrawal.

Constraints Caused by the Regime

Post-2004 Political Changes Influencing the Aid Environment

Three specific developments of the post-2004 political landscape are complicating the operational environment for aid organisations.

1. New leadership

The purge of Khin Nyunt and numerous other high-ranking officials brought with it a radical change of the government leadership line-up. The International Crisis Group (ICG) underlines that “this new group has had much less exposure to international aid programs and is strongly nationalistic, inward-looking and deeply suspicious of aid agencies, which they fear may serve as a Trojan horse for Western political agendas” (ICG, 2006: 6). Especially the liberal aid agenda with its emphasis on community participation and bottom-up development is little understood and at times raises fears among the regime that aid projects may mobilise local communities against it (ICG, 2008: 20).

2. Government reorganisation

The purge also entailed a broader reorganisation of the government including an overhaul of the military officials, the establishment of new departments, the transfer of responsibilities and the relocation of the entire government to the new capital. These changes have created confusion at all levels of civil service, as government employees are unfamiliar with new responsibilities and surroundings. Moreover Khin Nyunt’s fate created fear, which causes many officials to avoid potential controversial issues, to do as little as possible and to stay away from foreigners (ICG, 2006: 6).

3. Transitional politics

The past few years have to be viewed against the backdrop of a broader political transition in the course of the ‘Seven Step Roadmap to Democracy’. While this farce did not bring any real political change, it still affected the aid environment. Of specific concern for aid agencies are the regime’s mass organisations, which undertake aggressive efforts to organise communities and

to promote themselves as lead agents of socio-economic development (ibid.: 6-7).

Government Restrictions

Restrictions on programs and ongoing adjustments in the political and administrative system constrain the aid community's ability to deliver assistance effectively, timely and responsibly (ICG, 2006: 5). These restrictions include:

1. A set of new restrictive guidelines since 2006

In February 2006 the government distributed 'Guidelines for UN Agencies, International Organisations and INGOs/NGOs' in English and Burmese. The more detailed Burmese version contains harsher restrictions, which, if strictly imposed, mean that excessive political interference and a heavy bureaucratic burden will hinder the timely and effective delivery of assistance (The Burma Campaign UK, 2006: 8). It appears that with these regulations the regime wants to make sure that aid activities do not threaten its political agenda. The guidelines foresee a new structure of committees at central, state/division and township levels to 'coordinate' (or better control) all aid activities. This also means more bureaucracy, delays and problems (ICG, 2006: 9). The key guidelines are:

- Agencies have to choose their national staff from a list of qualified persons provided by the respective ministry, which directly impedes the principle of independence.
- The regime has to approve all travel plans to project sites and aid staff will be accompanied by regime officials.
- All foreign project funds have to be channelled through the regime-controlled Myanmar Foreign Trade Bank (MFTB) and withdrawn as Foreign Exchange Certificates (FEC). Possible divergences in rates between FEC-Kyat and \$US-Kyat raise concerns about financial benefits to the authorities.
- Administrative hurdles and clearance procedures concerning the approval of project proposals, registration of offices, appointment of staff, securing of visas, import of vehicles and goods, and internal travel.

(The Burma Campaign UK, 2006: 8)

2. Bureaucratic inefficiencies and delays

The move to Naypyidaw has increased the physical and psychological distance between the government and aid agencies and thus resulted in less access to decision-makers and consequently in less opportunity for policy dialogue. Much more money and time has to be spent on getting permissions as this involves a long journey to the new capital (ICG, 2006: 7).

In order to be able to operate aid agencies have to register with the Ministry of Home Affairs and sign a Memorandum of Understanding (MOU) with the government, which is a lengthy and complex process. So is the opening of offices. Additionally all activities have to be approved by local aid committees and all ministries are required to refer major decisions to the Ministry of Defence. Also it is difficult to obtain visas for foreign staff, who have to be approved by the relevant ministry(ies) first (The Burma Campaign UK, 2006: 9). Delays in getting permission for travel, visas and imports have led to the cancellation or postponement of activities (ICG, 2006: 8).

3. Restricted independence

Many international agencies are pressured to work with the USDA and other government organized NGOs (GONGOs). There have been numerous reports of GONGOs trying to get involved in and/or to take credit for international programs. In areas where GONGOs are strong, local NGOs face growing intimidation and pressure to appoint USDA or other members to their boards, work in partnership or even to hand over projects altogether (ibid.: 8). Yet, some UN agencies and INGOs cooperate with GONGOs, e.g. UNICEF or ICRC (Burma UN Service Office, 2003: 17).

Also an MOU does not guarantee agencies independence concerning project implementation and evaluation (e.g. selection of project sites, hiring, delivery of materials etc.) (The Burma Campaign UK, 2006: 9). In addition it pledges agencies to non-interference in Burma's political and religious affairs, which denies them an advocacy role (Lorch, 2005: 10). Independence is also restricted by the regime's constrain on research, e.g. it impedes the gathering

and sharing of health and development data needed for needs assessment and strategic planning (Melito, 2007: 24).

4. Restricted access to beneficiaries/Travel limitations

Access to beneficiaries in grant implementation areas is restricted, particularly to ethnic minority areas, and to IDP areas pretty much impossible. Lengthy delays are common in obtaining permission for the transportation of food commodities and for foreign staff to travel to project sites outside the capital. It took the World Food Programme (WFP) for instance more than three months to get access to areas of Arakan State, where people were threatened by major food shortages (The Burma Campaign UK, 2006: 9-10). Another example is MSF-France, which left the country in 2005 due to constraints on travel and cooperation with local doctors in Karen and Mon states (ICG, 2006: 8). UN officials stated that it has been difficult to find government counterparts to accompany international staff on their travels (as required by the new guidelines) and that these sometimes interfered in aid affairs (Melito, 2007: 24).

5. Forced closure of programs

The most severe intervention has been the forced closure of entire programs or parts of programs. A dramatic example is the ICRC, which in 2006 was ordered by the regime to close all its field offices. Growing restrictions on nearly all its core programs followed, including prison visits (already blocked since 2005 after the ICRC refused the regime's demand that representatives of the USDA accompany all prison visits), access to conflict-affected areas along the border and also basic relief operations. While other program suspensions were temporary, some local NGOs have been forced to terminate their activities altogether, mainly because they did not have the required permission (ICG, 2006: 8). HIV/AIDS programs have been particularly targeted by program closures: clinics and monasteries providing assistance to people with HIV have been raided and closed down, and people involved have been arrested, including monks and patients. Also, in 2008 Population Services International and Save the Children, working on HIV/AIDS, have been

ordered to cease health, education and counselling activities to local communities (Altsean-Burma, 2008: 19).

6. Financial constraints/Corruption

The major financial constrain is the regime's manipulation of exchange rates. Agencies are required to exchange their hard (usually Western) currencies for local costs at official and highly overvalued exchange rates that thus provide implicit taxes to the government (Banki, 2009: 60). This official parallel rate can even be up to 40 per cent lower than the unofficial one (ICG, 2002: 23). However, most agencies report that they manage to circumvent this constrain by exchanging at the street rate, which the authorities have so far tolerated (The Burma Campaign UK, 2006: 10).

The authorization often required for duty-free customs clearance of imported aid goods is regularly delayed. Also the importation of vehicles is particularly problematic, e.g. exorbitant taxes or gestures of goodwill are demanded. In some cases the Ministry of Health laid claim to vehicles intended for aid agencies (e.g. of the United Nations Population Fund). In 2005 additional procedures for review of the procurement of medical and other supplies were introduced by the regime. Moreover international agencies are often charged rent, electricity and other commodities at inflated prices (The Burma Campaign UK, 2006: 11). In some cases agencies were even forced to hand over resources to state-controlled entities (Malseed, 2009: 381).

7. Limited opportunity for capacity-building

The high level of oppression of civil society and accordingly the limited number of community-based organizations make it difficult for agencies to engage in capacity building and hence to ensure that their projects are sustainable (The Burma Campaign UK, 2006: 11). Still CBOs are key partners for international agencies.

8. Excessive scrutiny by the authorities

International aid agencies are subjected to intense scrutiny by Burmese authorities, which might be the reason for their reluctance to engage with the NLD and ethnic minorities (The Burma Campaign UK, 2006: 11).

Surveillance has become more intense and more intrusive with regime officials following aid officials around, interrogating local staff and demanding to sit in on internal meetings. In some cases misleading intelligence reports to the top generals have caused crackdowns on harmless activities (ICG, 2006: 7).

9. Manipulation for public relations purposes by the regime

The Burmese government uses the presence of international agencies to “counter charges of human rights violations and to convey an impression of international legitimacy” (The Burma Campaign UK, 2006: 12). Additionally it is trying to improve its image as welfare provider and to increase its local legitimacy through GONGOs, which also try to take credit for international programs (ICG, 2006: 7-8).

Factors Determining the Impact of Government Restrictions on Agencies

The impact of government restrictions on aid agencies varies to a significant degree. While some programs have been severely hindered or even closed, most agencies face fewer problems with some even expanding their activities. The following factors influencing the impact of restrictions can be identified:

1. Type of Program:

Agencies working on human rights, community development/empowerment or other sensitive issues perceived as political agendas of Western governments have been seriously restricted in their access and activities. More traditional development and humanitarian agencies with pure service delivery programs have been less affected.

2. Location:

Some agencies have been pressured to relocate away from sensitive border areas or to focus new programs in central Burma. Access to border and IDP areas is problematic in general. There are exceptions to this ethnic discrimination though.

3. Mode of Operation:

The regime prefers agencies that work closely with ministries in support of their national plans and is suspicious of those working independently in

local communities. Thus the WHO or the Food and Agriculture Organisation (FAO) for example face fewer problems than the UNDP and many INGOs. Also, since travel limitations affect foreign staff only, the impact depends on how much the agency relies on expatriates.

4. Counterparts:

Aid policy directions allow significant scope for interpretation and initiative by ministers, regional commanders and other officials at the implementing level. How different agencies are affected thus depends to some degree on their counterpart in the government and his attitude towards international assistance as well as his values, interests and fears. Personalities are especially important at the local level, where some officials block aid activities even if they are permitted by the government, while others are supportive and promote activities without official sanction. However, even cooperative ministers may take restrictive actions when under pressure from above.

5. Level of Trust:

Much also depends on inter-personal relations and trust, which may be based on the agency's history of cooperation with the government, the nature of its programs and on the status and respect enjoyed by local staff members. Therefore, even Burma's authoritarian and xenophobic leaders sometimes allow sensitive programs if they trust the operating agency.

6. Local NGOs:

Being subjected to the domestic legal system, local NGOs are particularly vulnerable to pressure and GONGOs as non-cooperation can result in serious personal repercussions. Still some NGOs can continue their activities and foreign aid officials report that there has been an expansion of this sector. This ambiguous picture may reflect different strength of the GONGOs and independent organisations in different areas (see also: Civil Society in Burma).

(ICG, 2006: 9-11)

Cyclone Nargis: Turning a Natural Disaster into a Man-Made Catastrophe

Cyclone Nargis, that hit the south-western coastal areas on 2 and 3 May 2008, is certainly the most tragic example of the extent of the regime's constraints on humanitarian space. The category-four cyclone with 200km/hour winds devastated the Irrawaddy Delta, the industrial and commercial centre and former capital Rangoon as well as parts of Bago division and Mon state. A four-metre high flood surge swept tens of kilometres inland smashing hundreds of villages and flooding vast areas of agricultural land. An estimated 140,000 are dead or missing and some 2.4 million survivors have been severely affected losing family members, homes, food reserves, livestock, tools and livelihoods. Up to 800,000 people faced displacement. It will still take years to rehabilitate livelihoods, infrastructure and normal economic activity (ICG, 2008: 2-3).

The government's initial response was shockingly inadequate. Not only did the SPDC fail to warn or evacuate people, even though it knew the cyclone was approaching, it also failed to launch a substantial relief operation of its own (ICG, 2008: 3). As if this was not enough, the military regime blocked international humanitarian assistance efforts during the crucial first weeks and – while appealing for cash assistance – refused repeated requests from UN agencies and others to deliver aid directly to affected areas (Altsean-Burma, 2008: 19). When international aid began to trickle in, the SPDC insisted on strictly controlling the operation and limited access for international agencies and Burmese citizens wishing to help (South, 2008a: 25). In some cases the latter were even sentenced to prison terms if they tried to deliver aid without giving it to the military or spoke to foreign media (Malseed, 2009: 383). While many civil groups got through, others were denied permission to distribute aid or were harassed and intimidated by members of the USDA, which created an environment of fear and thus held many citizens back (ICG, 2008: 5).

The regime's disregard for its own people, prioritising its security and political agenda (constitutional referendum), caused an international outcry accusing the military rulers of human rights violations and a crime against humanity. Some called for military intervention to force access for relief aid (ibid.: 2). Finally, the government announced in late May that foreign aid workers would be allowed into cyclone-affected areas, following UN Secretary General Ban Ki-Moon's visit. The

delay, however, was deadly for thousands of victims (South, 2008a: 25-26). In addition the regime committed a series of other human rights violations in the course of cyclone Nargis including the denial of access to shelter, lack of protection for storm victims, denial of access for the media and the use of forced labour in reconstruction (NCGUB, 2009: 482-499).

The military regime restricted humanitarian space in the aftermath of the cyclone in the following ways:

1. Lack of humanitarian access/Blocking of international aid:

About a week after the cyclone, the regime announced that it was happy to receive the material, but the aid workers had to stay out of the country. From the second week it set up military checkpoints on roads into the delta and all access for foreigners was blocked. The junta also refused permission for international relief flights to go directly to the military airport in Batheingyi, which would have been much closer than Rangoon airport (ICG, 2008: 4-5). It repulsed a relief flight after landing in Rangoon and rejected the aid offer of naval vessels from the US, France and the UK, which were anchored just outside Burmese territorial waters and ready to supply the most remote areas by helicopters with tonnes of food and shelter. The SPDC was in no position to deliver aid to these remote areas due to its limited airlift capacity and the destruction of a significant portion of its navy's vessels by the cyclone. Despite US and French naval assurances the generals stayed suspicious and negotiations failed. A full month after the disaster some survivors had still not been reached. Fearing foreign invasion the junta refused to allow much needed aid workers, supplies and logistical support into the country. After about two weeks the regime slowly began to grant aid workers visas, but insisted that all assistance be delivered through its own agencies, a requirement which it did not enforce in the end. Much aid was confiscated at the airport and awaited distribution by the SPDC. By mid-May restrictions on at least the larger UN agencies and INGOs eased, e.g. the WFP, ICRC and UNICEF. However, reaching outlying areas was difficult or even impossible in the first few weeks and the junta continued to control and delay aid delivery well into July. This neglect not only put the affected

population at serious risk but also threatened the rice harvest and with the delta being the 'rice bowl of Burma' also food security throughout the country (NCGUB, 2009-482).

2. Misappropriation of foreign aid/Corruption

Even though restrictions seemed to be easing after the first month, there were still political and physical roadblocks to international aid and serious mishandling of relief assistance by the junta. Supplies were being warehoused and hoarded, confiscated, stolen, sold and replaced with spoiled or poor-quality locally-produced Burmese products while the regime kept the higher quality donations (NCGUB, 2009: 486-488). Various reports confirm that "SPDC authorities at all levels attempted to profit, personally and politically, from donor generosity" (Altsean-Burma, 2008: 19).

For instance it was reported that high-energy biscuits from the WFP had been appropriated by the military, taken to a warehouse and swapped for lower quality local biscuits that were then distributed to the victims. Also, the regime distributed donated supplies - pretending to be their own - for publicity purposes. Generals for example were giving out aid packages with names of army generals, which had clearly been printed over the labels stating "Aid from the Kingdom of Thailand" (NCGUB, 2009: 486-487).

SPDC officials and soldiers confiscated supplies from survivors, charged them for it or told them that they had to vote 'Yes' in the constitutional referendum in order to receive aid, held raffles for relief items (Altsean-Burma, 2008: 20) and withheld supplies specifically from Karen communities on ethnic grounds (KHRG, 2008). Moreover SPDC authorities extorted money from businesses and individuals under the pretence of collecting relief funds and agricultural supplies for cyclone victims. The regime also pocketed an estimated US\$ 10 million from UN aid funds due to its manipulation of currency exchange rates (Altsean-Burma, 2008: 20).

Another factor that restricted the scope of aid agencies was limited funding. The government strongly objected media coverage, which would have been critical for

attracting donations. Thus the media focused on government restrictions and alleged diversions of aid, which affected public donations. This was of a particular concern for NGOs and also the reason for limited donations from governments (ICG, 2008: 7).

In addition to these constraints, aid agencies struggled with the usual bureaucratic obstacles and guidelines described above, which caused further delays. Nevertheless at this point it needs to be added that also in the case of Cyclone Nargis reports of aid agencies on the ability to deliver aid varied significantly, e.g. MSF reported that they did not encounter any problems in their initial assessments and distributions. The government's handling of international agencies seemed chaotic and ad hoc and thus the situation changed and differed from area to area, depending on the interests and interpretations of ministers and officials (ibid.: 4).

Constraints Caused by International Activism

Humanitarian space in Burma is not only restricted by the regime. Since 2004 activism from the U.S. Congress and prodemocracy advocacy groups overseas trying to curtail foreign aid to Burma has revived and led to limited operational flexibility and funding as well as to strained relations with Burmese authorities (ICG, 2006: 11), following the Global Fund withdrawal.

The Global Fund Withdrawal and its Consequences for the Aid Environment

As the largest aid initiative in Burma, the Global Fund came under intense pressure from U.S.-based groups. While Fund spokespeople claimed that the 2005 withdrawal was motivated by technical considerations only, it is obvious that the highly politicised funding process and U.S. interventions were the actual root causes, even though the new government regulations on aid programs certainly also contributed their share. Following the signing of the Fund's first grant agreement for Burma in August 2004, three senior U.S. Senators jointly wrote a harsh critique to its executive director requesting that the Fund withholds the disbursement of additional funds to Burma on the grounds that the SPDC is solely responsible for the humanitarian crisis. The Global Fund refused though and thus the Congress went after the UNDP, one of

its partner organisations. In early 2005 an amendment to the 2006-07 Foreign Appropriations Bill threatened to withdraw about half of U.S. core funding to the agency if it failed to certify that all its programs in Burma, including those it administered for others such as the Global Fund, provided no benefit of any kind to the SPDC or government-affiliated organisations. This was a clear attempt to force the UNDP to withdraw as partner of the Global Fund, which probably would have led to the termination of its programs (ibid.: 11-12).

In addition, U.S.-based advocacy groups led by the Open Society Institute demanded that the Global Fund institutes additional safeguards on its Burma programs. Thus the Global Fund introduced tighter restrictions on the use of its funds, which compromised aid effectiveness and was seen as politically motivated and an affront to sovereignty by the regime. At the same time - given U.S. pressure - Global Fund officials had reason to worry that its controversial Burma programs could be used to justify a cut in funding (with the U.S. being the single largest donor) and were thus detracting from the Fund's broader responsibilities. Ultimately aid officials were frustrated by the increasing politicisation of humanitarian aid by hard liners on both sides and withdrew from Burma in August 2005 before the programs got underway (ibid.: 12-13).

The withdrawal has had serious consequences for Burma's aid environment:

- Loss of Funding:

First, it has significantly reduced the aid money available for Burma. The new 3D Fund, which replaces the Global Fund but also the Fund for HIV/AIDS in Myanmar (FHAM), cannot compensate for both and therefore the total funding is less than before. This results in the need to allocate extra money for HIV/AIDS, malaria and tuberculosis, which takes away money from programs in other critical sectors.

- Operational Complications:

Secondly, it has complicated the ability of agencies to deal with operational challenges. The debates about the Global Fund revived the politicisation of humanitarian aid by groups in the West and have led to much resentment within the Burmese government, which further complicates the already sensitive negotiations of international aid agencies. The withdrawal confirmed

the regime's long-standing suspicion that aid agencies serve the political agenda of the U.S. and hence increases its perceived need to further control aid activities.

(ibid.: 13-14)

Creating Humanitarian Space

In this section I want to demonstrate how, despite Burma's restrictive aid environment, humanitarian space is created through direct response strategies to the regime's repression.

I do so by giving two examples of how this space is successfully carved out: firstly, by Burmese civil society in exile through illegal, dangerous and incredibly courageous cross-border aid programs, partly with funds and support from international agencies. In order to illustrate how such aid projects are implemented and which challenges are met, I will depict a concrete case study: the Austrian non-profit association ‚Burmahilfe – Bildung für bedrohte Minderheiten‘ (‚Burma-relief – education for threatened minorities‘) and the project ‘Karenni Mobile Clinics’. For a full understanding of the situation a brief background about border areas, IDPs and cross-border aid is given.

Secondly, humanitarian space is created by civil society actors in Burma, where a quiet expansion of civil society is taking place at the local level (Dalpino, 2009: 3). Indigenous NGOs and community self-help organizations compensate for the lack of government programs and services (Clapp, 2007: 28). In fact, the failure of the country's welfare state is the key factor enabling the existence and emergence of civil society spaces. However, civil society organisations (CSOs) have to keep up functional ties with members of the ruling establishment to a certain degree or even let themselves become partially co-opted by the latter, which gives them a double identity. Even though regime constraints remain considerable and do not allow for political expression or criticism, these CSOs successfully help to sustain basic welfare structures (Lorch, 2006: 30-31). Also, I will show that civilian self-help initiatives ensure the survival of IDP communities and fulfil an indispensable role in disaster relief e.g. during Cyclone Nargis. Moreover, CSOs are key partners for a successful and sustainable work of international aid agencies.

Cross-Border Aid

The remote, mountainous areas along the borders with Thailand, Laos, China, India and Bangladesh are mainly populated by ethnic minorities which make up more than a third of the country's population. They have long suffered from war, neglect and exploitation and are thus desperately poor, even though they contain most of the natural resources as these are plundered by the regime. The socio-economic conditions and the humanitarian situation are in all aspects significantly worse than in central parts of the country. Since 1989 ceasefires have put an end to most insurgencies, partly improving living conditions, but some areas, mainly along the Burma-Thai border, are still affected by low-intensity conflict, attacks and human rights abuses by the military as well as structural violence (ICG, 2004: i-13).

Internally displaced persons (IDPs) are the most vulnerable population group. Since the 1960s large numbers of people in the border areas have been displaced by fighting or forcibly relocated as part of the government's brutal 'four cuts' counter-insurgency strategy (ibid.: 8). The exact number of IDPs is unknown but the Thailand Burma Border Consortium (TBBC) estimates it at least 446,000 in the rural areas of eastern Burma at the end of 2010, with about 73,000 being displaced alone between August 2009 and July 2010. As this estimate is only based on data from 37 townships and discounts urban areas, it is likely that well over half a million people in eastern Burma are displaced, either living in government relocation sites or hiding from the army in the jungle and mountains under extremely harsh living conditions. Furthermore at least 3,600 civilian settlements in eastern Burma have been destructed, forcibly relocated or abandoned since 1996 (The Thailand Burma Border Consortium, 2010: 3).

The main causes of displacement are the severe human rights abuses resulting from the military's 'four cuts' counter-insurgency campaign. This includes forced relocation of civilians, who are usually given little notice before receiving relocation orders. Villages are attacked by the military and frequently burned down and mined in order to prevent return. People who refuse to leave are assumed to support armed opposition groups and often killed. Villagers thus flee into the jungle to avoid going to relocations sites, carrying infants, cooking utensils, blankets, plastic sheeting and

some rice. Once offensives are over, some try to return to their village and fields. With this strategy the regime aims to transform all areas under control of resistance groups – so-called ‘black’ areas – into contested ‘brown’ and finally into SPDC-controlled ‘white’ areas. Thus, communities are moved from ‘black’ territories to relocation sites in ‘white’ areas (IDMC, 2010: 4). ‘Black’ areas are designated ‘free fire’ zones where the Burma army can kill anyone on sight (Eubank, 2008: 10). Here security threats are worst for IDPs, who constantly have to be prepared to flee (IDMC, 2010: 7).

Most families in relocation sites are unable to cultivate their fields and are hence forced to forage or beg for food. Health and education services are minimal or non-existent and demands for forced labour invariably high. Outside relocation sites, people are hiding from government troops, living off the land, in temporary shelters and under precarious conditions. Some have to move from place to place every few days or weeks to avoid discovery and thus lead a life on the run. Even though some resettlement has taken place in ceasefire areas, no or only minimal relief activities have been possible in the remaining conflict zones along the Thai and Indian borders (ICG, 2004: 9).

Hence, the catastrophic humanitarian situation of ethnic minority areas and above all of the IDP population, especially acute food insecurity and serious health threats, highlight the urgent and desperate need for emergency relief. However, even though humanitarian space and the geographical reach of aid organisations working inside Burma expanded recently, they can only reach more stable areas such as ethnic ceasefire areas and government-controlled relocation sites. Yet, the scale and scope of this relief aid remain limited (The Thailand Burma Border Consortium, 2008: 20). Especially the conflict zones of eastern Burma cannot be reached by NGOs working inside the country as they are prohibited by the regime, which does not want aid flowing into the hands of ethnic and civil society groups, and also the areas are often inaccessible and too dangerous (Zaw, October 2009). Cross-border aid, though, can additionally access communities hiding from SPDC patrols in more unstable and remote areas due to its local network. Thus, the main way of reaching the most vulnerable displaced communities in eastern Burma will remain cross-border (The Thailand Burma Border Consortium, 2008: 20).

Cross-Border activities are primarily carried out from Thailand but also from Bangladesh, India and China. Since the mid-1990s Thailand-based cross-border groups have been operating in Karen, Karenni and Mon states. Due to security and local capacity constraints much less work is possible in Shan State (South, 2008c: 17).

Although international agencies are involved in cross-border activities, they are mostly managed and implemented by local NGOs, ethnic nationalities' departments and community-based groups in Thailand and Burma. Funding agencies have to cooperate with these civil society structures, which are the only way to reach remote and sensitive areas as well as otherwise inaccessible populations, including IDPs. This ensures relevance and local ownership of aid projects and also improves sustainability and local capacity (ICG, 2004: 20). Yet cross-border aid networks are closely associated with armed opposition groups as most personnel are members or affiliates of insurgent organisations (South, 2008c: 17). This often raises the question of neutrality, but, given the military regime's lack of political legitimacy, even UN agencies have challenged the relevance of this principle (The Thailand Burma Border Consortium, 2008: 20). After all "it is only through the efforts of resistance groups - who provide information, communication, transportation, logistical and security support - that any humanitarian relief can reach those under attack" (Eubank, 2008: 11). Cross-border assistance heavily relies on armed escorts to secure access for delivery. The UN Office for the Coordination of Humanitarian Affairs (OCHA) has recognised that exceptional circumstances - as the conflict-affected areas of eastern Burma - exist where the use of armed escorts is necessary for humanitarian convoys and thus justified (The Thailand Burma Border Consortium, 2008: 20).

Support for livelihoods is the largest sector of cross-border relief, which includes not only food aid for IDP camps close to the border but also cash transfers for communities deeper in the country. Health and education make up the other two main sectors, which are partly implemented through the ethnic nationalities' own formal health and education departments (The Thailand Burma Border Consortium, 2008: 20). Many in need of health care cross the border to Mae Sot, Thailand, and seek treatment at the Mae Tao clinic, established in 1988 by Dr. Cynthia Maung. Countless others depend on mobile medical teams that travel into high-risk areas (Zaw, October 2009), e.g. the Backpack Health-Workers Teams (BPHWT) established in 1998 (South, 2008b: 99). The smaller sectors of cross-border assistance are protection of

civilians and the promotion of civil society as well as advocacy activities, human rights education and documentation (The Thailand Burma Border Consortium, 2008: 30). Unfortunately cross-border aid is severely underfunded as I already explained, which limits the scope of activities.

As cross-border aid operates in war zones and in partnership with parties to the conflict, donors required of cross-border groups to develop needs assessment, monitoring and evaluation as well as information collection and dissemination systems (South, 2008b: 98). In addition they developed ways in order to prevent aid from prolonging conflict. First, larger programmes are based on formalised agreements, which clarify basic humanitarian principles and respective responsibilities. These acknowledge that the relevant ethnic opposition party is to secure access, while the distribution of assistance is the independent domain of the local humanitarian agency. Secondly, risk and conflict impact assessments monitor whether there have been negative repercussions for villagers through any of the armed groups. Thirdly, independent field surveys have been conducted with beneficiaries and non-beneficiaries in order to assess the impact of aid programmes (The Thailand Burma Border Consortium, 2008: 20-21).

‘Remote’ approaches such as cross-border aid are a common strategy in response to restricted humanitarian space. Addison argues that these “appear to be the best and most pragmatic approach to fulfilling the humanitarian imperative under highly constrained circumstances”. Moreover, by drawing on and developing local capacities, these interventions can ameliorate local participation and ownership as well as lay the foundation for sustainable development and democratisation. However, Addison sees also dangers in using local proxies, which might put beneficiaries and local staff in danger of violence and political persecution. Under authoritarian conditions like in Burma, these interventions may directly expose local civil society actors to oppression (Addison, 2008).

Much suspicion, tension and debate between agencies working in-country and cross-border highlight the need for greater confidence building, coordination and information sharing in order to overcome ongoing funding, political and logistical constraints (The Thailand Burma Border Consortium, 2008: 21).

Case Study: The Austrian non-profit Association ‘Burmahilfe’ and the Project ‘Karenni Mobile Clinics’

The Austrian non-profit association ‚Burmahilfe – Bildung für bedrohte Minderheiten’ (‚Burma-relief – education for threatened minorities’) was founded in 2006 by Gabriele Schaumberger, who frequently travels to Mae Hong Son in the refugee areas of northern Thailand. The organisation cooperates directly with Karenni organisations and supports a variety of their projects in the refugee areas as well as cross-border aid projects into the war zones of Karenni state, e.g. mobile clinics. Burmahilfe targets most of its activities at IDPs being the most vulnerable group, which is only possible through the trustful collaboration with camp-based community structures reaching into IDP areas. In addition it organises all kinds of events in Vienna for awareness and fundraising purposes.

The Origin of the Association

Gabriele Schaumberger, chairwoman of Burmahilfe, travelled and worked in many European countries before returning to Vienna in 2001. 25 years of intercultural experience make her a competent mediator between cultures (Schaumberger, 2007 - 2010).

Her main concern is to assist one of the most threatened ethnic groups of Burma, the Karenni, who live in the Burmese border areas to Thailand. Above all she wants to provide much needed education. Schaumberger gained a lot of on-site experience in refugee work, amongst others as teacher in educational institutions inside and outside the refugee camps in northern Thailand. Her contacts to leaders of the democracy movement in exile contributed to a deeper understanding of the very complex political situation in Burma. Operating exclusively through Karenni grassroots structures, she wants to convey and apply her insight of the past years (ibid.).

Schaumberger’s first Asia trip in 1996 took her to a Karenni refugee camp in the mountains close to Mae Hong Son. Touched by the simplicity and warmth of the people, she formed many long-lasting friendships. During her following visits a committed Karenni introduced her to the structures of the democracy movement in exile as well as the grassroots organisations. Schaumberger taught English in a camp,

gave painting classes to children and started a waste awareness campaign in a school, which resulted in the introduction of collecting points for old batteries (ibid.).

After a break of a few years, Schaumberger returned at the beginning of 2005 in order to establish a school system in a Karenni safehouse in the border town of Mae Sariang. Her insight in the interaction with Karenni is mainly based on the experiences made during this time. In Mae Hong Son she resumed contact to the leaders in exile and thereby became acquainted with the local situation and other Karenni structures. In summer 2005 she began with her work in Austria. For more efficiency she joined the South Tyrolean organisation 'Helfen ohne Grenzen' ('help without frontiers') in fall and founded its field office in Vienna. Benno Röggl, the dedicated founder and chairman of 'Helfen ohne Grenzen', encouraged Schaumberger's work and supported her with his knowledge. Due to the geographical distance as well as differing aims, however, she decided to found her own association in summer 2006 (ibid.).

Vision / Mission Statement

Burmahilfe is primarily committed to education as a sustainable resource/mean for the self-contained/autonomous survival of threatened peoples. In terms of an intercultural dialogue knowledge of and respect for the local culture is seen as the most important precondition for successful collaboration. With the so acquainted trust knowledge can be imparted in an appropriate, understandable form/way. All other approaches have proven to be counterproductive or even harmful (ibid.).

The association also encourages the remembrance and appreciation of our own cultural roots, which enables a fruitful intercultural dialogue in the first place (ibid.).

Burmahilfe is convinced that a peaceful co-existence of all cultures is possible and thus wants to contribute to a pacific solution for Burma in the following ways:

- **Humanitarian emergency aid** through the provision of food and medical supplies;
- **Education for threatened ethnic groups** in order to pave the way to democracy and a peaceful world;
- **Revival of traditional knowledge:** the recognition of cultural variety as creative potential;

- **Sustainable** income maintenance through the development/advance of already existing resources (e.g. traditional handcraft);
- **Protection of our planet and natural resources** (e.g. the supplementation of traditional agriculture with gentle, sustainable and modern technology);
- **Self-help assistance:** Strengthening of self-confidence and supporting the passing on of cultural heritage (ibid.);

Approach and Way of Working

Burmahilfe stands out due to the involvement of the beneficiaries in all the project phases, from planning to implementation. The association cooperates with respected members of the Karenni ethnic group on the basis of trust and respect, which ensures a multiple effect (ibid.).

In collaboration with CBOs education projects are supported, which – under consideration of the traumatisation of the people – are targeted at reestablishing their cultural identity and self-esteem. Burmahilfe is only geared to already existing projects of the beneficiaries. Together with those the real needs are assessed and the people themselves develop and implement their own ideas (ibid.).

The organisation focuses on education with respect for the cultural identity, critical thinking, means of communication (PC, internet), raising awareness through passing on the cultural heritage as well as reports on human rights abuses (ibid.).

Partners

Burmahilfe cooperates only with civil society structures of the Karenni ethnic group in Mae Hong Son Province. The association collaborates directly with the leaders of CBOs and supports their already existing projects and ideas. On the one hand there are migrants who established their own organisations and networks such as the ‘Ethnic Migrant Families Society’, one of Burmahilfe’s main partners. On the other hand the association works closely with camp-based Karenni departments. For the project ‘Karenni Mobile Clinics’ for instance Burmahilfe’s partner organisation is the ‘Karenni Health Department’ (KnHD), a volunteer organization that oversees health services in the Karenni refugee camps in Mae Hong Son. Other partner organisations

include the Karenni IDP Committee, the Karenni Education Department (KnED) and the Karenni State Youth (ibid.).

Projects and Activities

Burmahilfe operates in Austria, mainly Vienna, as well as in Northern Thailand, Mae Hong Son Province.

With various fundraising, awareness raising and public relations activities in Vienna, Burmahilfe not only wants to highlight the grievances in Burma but also aims to enhance cross-cultural dialogue and appreciation as well as encourage the appraisal of our own cultural roots and assets, e.g. through intercultural events with typical Austrian music. Activities in Vienna include many slide shows, lectures, panel discussions, informative events, film screenings, beneficial concerts and other fundraising campaigns. In addition Gabriele Schaumberger organized the visit of the Burmese government in exile (NCGUB) in Vienna in 2006 including a press conference and appointments with Austrian politicians. She also supported the concept preparation and implementation of the documentary film ‘The Refugee Show - an Asylum in Tourism’ about Karenni refugees in Mae Hong Son Province in 2007 (ibid.).

Besides its public relations activities in Vienna, Burmahilfe supports projects in the two refugee camps and of the migrant community in Mae Hong Son as well as in the IDP areas of Karenni State inside Burma, of which I will give only a few examples.

Indirect Cross-Border Aid

The Project ‘New Life’ is aimed at building capacity for the CBOs giving cross-border aid in regards to a future cooperation with Western NGOs. In a workshop adolescents are taught all necessary skills in order to be able to run the camp offices. The objective is the self-contained maintenance of the administrative structures, which will be strengthened so that they can work independently and fulfill donor requirements. The three-month pilot project was funded by ‘Caritas Austria’ in 2009. The ADA supported the next training in 2010, when Schaumberger herself monitored the project and taught amongst others on site. The trainees were prepared to work for the CBOs active in cross-border aid and are potential partners for Burmahilfe. As

respect and trust have been established during the training, cooperation is fruitful. At present, the needs assessment for the next training is underway (ibid.).

Direct Cross-Border Aid

Burmahilfe supports various projects in the IDP areas inside Burma, for instance the training of teachers. In this project of the 'Karenni Education Department' (KnED) a group of teachers from the camp schools go into the war zones escorted by resistance troops and hold workshops for about a week in order to pass on teaching methods and materials. Burmahilfe supports these IDP schools through financing wages of teachers (ibid.).

Similarly the 'Karenni Social and Welfare Development Committee' (KSWDC) holds human rights workshops in several villages with trainers from the camps, who strengthen the people's awareness for their rights with practical exercises. During these workshops trust is built and information exchanged. They also serve the purpose of collecting data about human rights abuses and of assessing needs regarding health care and education (ibid.).

At the moment the project 'Karenni Mobile Clinics' is running, which will be dealt with in the following chapter.

Project: Karenni Mobile Clinics

Many refugees living in the refugee camps in Thailand have realized the need of extending support to their families left behind in the war zones. They started to organize themselves in teams that deliver medical care into these areas. Throughout the years they have been trained by INGOs such as MSF and others. Cooperation with other ethnic groups (Karen, Shan) and Karenni organizations operating along the Thai-Burma-border dealing with the same problems has resulted in a good network, each helping out the other. As the Mobile Clinic Teams have been continuously visiting target areas for many years now, respect and trust has built up with communities. Yet, it is only refugees themselves who are able to deal with the hardships of such trips, which include not only the long and demanding journey itself but also great risks such as landmines, Burmese army troops, and malaria (Schaumberger, 2011b: 3).

Burmahilfe wants to support this initiative and currently supports the project ‘Karenni Mobile Clinics’, which started in January 2011 and will be completed in June 2011, in cooperation with the ‘Karenni Health Department’ (KnHD) and with funds of ‘Caritas Austria’. The overall objective of the project is to improve the health situation of the IDP and rural population of Karenni State with no or limited access to health care through emergency relief and trainings aimed at providing knowledge about basic health care to enable the target group to deal with minor diseases on their own. There are three IDP clinics in areas labelled as ‘black zones’ where most people hide in the jungle. A fourth clinic was set up in a very isolated rural area (ibid.: 3-4). For security reasons the names of places cannot be revealed.

Situational Background: Karenni State



Figure 3: Map of Karenni State²¹

Karenni State (capital: Loikaw) is the smallest of the seven ethnic states and regarded as one of the least accessible and poorest areas in the Union of Burma. Over half a century of conflict and neglect has left Karenni State lacking in basic infrastructure,

21 KARENNI HOMELAND. 2005a. Karenni State (Kayah State)
<http://www.karennihomeland.com/ArticleArticle.php?ContentID=57>.

with poor transport and communication links, inadequate health care, widespread illiteracy and little or no socio-economic development. Mortality rates from malnutrition are high, treatable illnesses prevalent and the number of schools, teachers and students the lowest in all of Burma. The Burma Military Government does not allow foreigners to travel to Karenni State (Karenni Homeland, 2005b).

Karenni State is a religious and ethnically diverse territory with about 246,000 inhabitants and 14 ethnic groups. The following groups are mentioned in the 1983 census: Kayah, Geko (Gaykho), Geba (Gaybar), Padaung/Kayan, Bres, Manu-Manaus (Manumanao), Yintale, Yinbaw, Bwe, Paku, Shan and Pao. Other ethnic, though non-native groups living in the state are: Kachin, Karen, Chin, Burmese, Mon, Rakhine, Chinese, Indian, Pakistani, Bangladeshi and Nepalese. The main ethnic tribes can be classified under the heading 'Karen'. It is believed that they migrated into the area from Mongolia around 3000 years ago (ibid.).

The first language for all these groups is their own individual mother tongue. Additionally the Kayah (Karenni) language is widely spoken as a language of unity, though the teaching of ethnic languages is forbidden in schools. Amongst those with some state education Burmese is also spoken (ibid.).

Two thirds of the population is displaced. Karenni State has the highest presence of Burmese military in their territory. Areas of non cease-fire groups are target of ethnic cleansing. Villages are burnt down, women are gang raped, men used as porters, and landmines laid after the destruction of villages. Around 50.000 Karenni live on the run from Burmese military, in the jungle, without access to clean water, medication or education, for already more than 20 years (Schaumberger, 2011b: 2).

Since 1985, when the Burmese military cracked down hard on ethnic areas, they started to seek refuge on the border and have since then been allowed to stay on Thai territory. The many small settlements have been consolidated into two big camps near the Thai-Burma-Border outside Mae Hong Son in 2003. Camp 1 shelters a population of 20.000, while Camp 2 holds 5.000 refugees – without official refugee status. The EC calls them 'uprooted peoples', while for Thailand they are "people fleeing from fighting, temporarily settling on Thai soil." Thai authorities allow the refugees to stay, as long as they do not leave the camps, where there is no privacy, electricity or any means of communication and a curfew applies after 9 pm. Some NGOs are allowed to

work inside the camps, but have to leave at nightfall. For all others access is denied since 2003 (ibid.: 2).

The Livelihood and Health Situation in IDP and Rural Areas of Karenni State

Large parts of Karenni State are labeled as ‘black areas’ and are thus ‘free fire zones’. Here the population is constantly on the run, as government troops will shoot anybody in sight, including women and children. They can be arrested, tortured, forced to move to relocation sites or dispossessed at any time. In addition, the military government neglects health care, education, development, and livelihood (ibid.: 2-3).

Political instability and bad weather also contribute to survival hardships. The presence of different political and armed groups in the region leads to suffering of mental stress, constant fear and insecurity, which contribute to a worsening health. Due to mistreatment, torture, harassment and forced labor from different armed groups, no one wants to be the village head. Hence some villages operate a rotation system for the position, where everyone has to take turns to be village head for a period between one month and one year (ibid.: 3).

Karenni peoples have maintained their traditional lifestyle in autonomous communities until the arrival of Burmese military. Traditional medicinal knowledge, which has been applied throughout generations, was lost first. After almost 30 years on the run in an ever-changing environment, IDP communities are mainly in search of food and safe shelter. In IDP areas throughout the years the Malaria rate has gone up from 10% to 90%. Diseases unknown to the community have appeared, many of them caused by malnutrition, polluted water and mental stress. Often the reason for a sudden death is unknown. The mortality rate of children here is the highest in all of Burma (ibid.: 3).

Camp-based CBOs giving Cross-Border Assistance

The refugees in Thailand have organized themselves and formed CBOs, who take care of all needed infrastructure in the camps. Some of these CBOs receive support from INGOs, but these do not have the possibility to reach out into the war zones inside the country. Only established CBOs know the whereabouts of IDP communities and have the means and courage to deliver aid into these areas. Many of

their members left family behind. The main core areas of these CBOs are education, health care and environmental awareness raising (ibid.: 2).

The lack of contact and knowledge about how to deal with the International Community (communication, language, office skills etc.) results in a shortage of funding for essential projects for this most vulnerable group inside the country. A resettlement program, which has been going on for the past two years, has also resulted in a 'brain drain' and set the camp community back many years. 'Caritas Austria' has already supported the above-mentioned capacity building training 'New Life' in 2009 to replace missing staff. A follow up training was held in 2010, supported by ADA. Some former participants work with the 'Mobile Clinics' today and ensure the ongoing of this project (ibid.: 2).

Partner Organisation: Karenni Health Department (KnHD)

The KnHD is a volunteer organization that oversees health services in the Karenni refugee camps in Mae Hong Son. It was formed in 1989 in order to assist INGOs in delivering medical aid to the camp population. The 'International Relief Committee' (IRC) has since then taken over refugee health care, which consists of training staff and giving medical support to the camp clinics. The KnHD is in charge of running five clinics and at present has 300 staff members, all of which are refugees. In 2008 the first clinic was set up in IDP areas with the aid of the 'Burma Relief Committee' (BRC). Constant changes in the structure of the KnHD have finally put dedicated activists in charge, who however, do not have the skills to apply for funds. Thus 'Burmahilfe' serves as mediator between the KnHD and 'Caritas Austria' in this case (ibid.: 6).

Beneficiaries

The target group is the IDP population of Karenni State, living in 'free fire' zones, as well as the rural population in designated areas, who has no or very limited access to health care. The number of beneficiaries makes up 7000 people and 1032 families. In addition 5000 indirect beneficiaries will be reached. Due to close cooperation with village leaders, who secretly send committed community members to offered trainings, extended families and villagers as well as all members of the visited IDP

communities will benefit from the project too, as they will be able to deal with minor diseases themselves (ibid.: 1-2).

The IDP population of Karenni State is the most vulnerable group that has no access to health care and education. On the run for already more than 20 years, the number of minor and actually curable diseases has risen. Deforestation and climate change have led to draughts and lack of water in most villages located on hillsides, which has made traditional life almost impossible. Lack of clean water is the main source of diseases. Also poor rural communities living in other areas suffer from similar problems. Sometimes available health services are either too expensive, inaccessible or simply useless as self-proclaimed ‘doctors’ financially exploit their patients without prospect of cure. Moreover fake medicines made in China are being used. By extending medical emergency relief to these groups, hope and trust will help them to redevelop self-esteem and reduce their suffering (ibid.: 3).

Project Purpose

1. To deliver emergency health care (including amputations);
 2. To reduce mortality rate of mothers and children;
 3. To educate the communities about basic health care;
 4. To give workshops about mine awareness raising, traditional birth assistance and human rights;
 5. To report on human rights abuses;
 6. To train community health workers in affected areas;
 7. To build trust with traumatized communities;
- (ibid.: 4)

Expected Results

1. Lives will be saved;
2. Mothers will know how to deal with childbirth and newborn babies;
3. Communities will be able to deal with minor diseases on their own;
4. Less casualties from landmines and childbirth;
5. Drop in human rights abuses;
6. Specially trained health worker volunteers will be able to assist with curing minor diseases;
7. Trust and hope will have strengthened communities (ibid.: 4);

Activities

1. Mobile teams are set up

At the border camp near Mae Hong Son, the KnHD selects and trains medics with the support of INGOs (MSF, International Rescue Committee). As there are four clinics to visit, four teams are formed. Due to the lack of staff caused by the resettlement program, the number of team members had to be reduced from four to three. Each team consists of a medic in charge, a community health worker and a medic responsible for reproductive and child health. Medics prepare their own backpack, including emergency medicine for treating villagers on their way. Each pack weighs 15 kilos. Usually the teams travel together with other cross-border groups entering the war zones and are escorted by armed groups for security reasons. Medicine is sent on different routes from clinic teams due to security risks. At present teams stay inside Burma for six months in order to keep travel costs low and clinics maintained.

2. Teams travel to IDP areas and clinics

Up to the border, the four teams travel by car, which have to be rented. Travel costs for one car at present is 125 Euro (5.000 Thai Baht). From the border down to the Salween River the journey starts on foot. Bamboo rafts are built for crossing the Salween River, which is one of the most dangerous parts of the journey. After the crossing, the four groups part and head into different directions to their target areas. Depending on weather conditions and Burmese troop movements, it can take weeks to reach the clinics. On the way, the teams set up temporary clinics in the jungle to serve the IDP communities they meet on their way. These only consist of plastic sheets to protect medicine and patients from sun and rain. If the security situation allows, health care trainings are held in order to strengthen these traumatized communities.

3. Clinics are maintained

Altogether four clinics have been set up in the past years – three of them in IDP areas (black/free fire zones), and one in a rural area. The IDP clinics are simple bamboo structures, while the clinic near Loikaw is made of wood. IDP clinics are at high risk of having to move any time and thus demand an emergency evacuation strategy in case of Burmese army attacks. In IDP areas people gather soon after the arrival of the teams. In rural Karenni State teams

must stay out of the villages for security reasons. The infrastructure of the Roman Catholic Church in Karenni State has proven to be a helpful link between the relief teams from the border and the communities inside. A team member contacts the village priest who then passes on word about the arrival of the teams.

4. Trust building with communities

Upon their arrival, the teams contact community leaders to discuss the general and the health situation. According to the needs actions are taken. Each clinic keeps case studies and does a follow up. Patients unable to travel are visited at home, up to two-day walks from the clinics.

5. Patients are treated

The most common diseases are malaria, diarrhea, skin diseases, worms, eye problems, pulmonary tuberculosis (TB), HIV and injuries (often caused by the Burmese military – landmines, forced labour etc.). Malnutrition and lack of clean water are the main sources of sickness. Medicines are purchased in Bangkok to make sure they are not fake. Patients are checked and treated. As the equipment is very basic, some sicknesses are unidentified and cannot be cured. The teams also conduct children nutrition checks as seven out of ten children are malnourished and have worms. Vitamins and worm tablets are handed out. All data available is collected. According to team members many lives are saved on each trip and minor diseases that could have been avoided are prevalent.

6. Community education

Additional to the treatment with pharmaceutical products, the use of local resources and traditional medicine is encouraged. Hence Burmahilfe supports a research in traditional medicine. Trainings to empower the communities have to be held in secret:

- Mine awareness raising education:

IDP areas are heavily landmined resulting in lots of injuries. In this workshop people are taught how to avoid mines, how to destroy them and in case of an injury how to deal with it.

- Community health worker education:

In this two-day training the participants from either IDP or village communities is taught how to deal with simple diseases.

- Traditional Child Birth Assistance (TBA):

In this three-day training the use of herbal medicine as well as childcare are taught. At the end of the training vitamin B-pills and a starting kit are handed out to each participant.

7. Reporting human rights abuses

Workshops about human rights – unknown to these people – are aimed at raising self-esteem and at establishing a network to report human rights abuses in villages. Building trust with communities helps to smash the ‘divide and rule’ policy of the government, which gives false information to different ethnic and religious groups and thus sows distrust.

8. Monitoring and documentation

The teams consult with community leaders and make sure they look after the clinics through a volunteer until the return of the teams. The team leader is also responsible for collecting data (patients records, case studies, photos) needed for a detailed documentation. Information is passed onto the base on the border through walkie-talkies and mobile phones.

9. Returning ‘home’

The teams return to their base in the camp after six months in order to deliver information, receive further trainings if available and prepare for the next trip – if funding is guaranteed. As this project cannot be monitored from outside due to security reasons, finding funds is difficult.

(ibid.: 4-6)

Difficulties encountered

- After the elections in November 2010, the Burmese government increased troops movements in most ethnic areas, resulting from the resistance of most ethnic groups to surrender their arms despite increasing pressure. Heavy fighting has been going on since then, also around the target area. Due to increased troop movement travelling has become more difficult, especially river and road crossings.

- As clinics are located in black areas, they are in danger of being discovered. Medics and patients labelled as rebels would get shot on sight and medicine would be lost.
- The KnHD is run by refugees from IDP areas, who have only basic education, English skills are rare and contact to the outside world is only possible through Internet as they are restricted to camp life. Also monitoring is difficult. Thus finding funds has been challenging for the Karenni. Since the establishment of cross-border aid small funds from various sources helped to keep this important project going. However, funding happens very inconsistently and as a result planning ahead is almost impossible.
- Due to changing weather conditions (worldwide climate change) the storage of medicine is difficult.
- Environmental changes have made traditional life impossible as water is polluted and the main source for curable diseases. On each trip new diseases are registered. As the medics are trained to treat only known diseases, they must be prepared (training, medical supply) for their next field trip.
- The Roman Catholic Church has started to play a major role in supporting the clinics. However, aid given through priests must be kept secret from authorities. Priests support by involving the community in the maintenance of clinics, pass on word about their whereabouts and help to organize trainings. (Schaumberger, 2011a: 3)

Civil Society in Burma

Besides the remarkable efforts of aid organisations in-country and most notably Burmese civil society structures in exile (e.g. cross-border aid), civil society in Burma itself developed various strategies and self-help initiatives in order to improve their living conditions and thus manage to carve out some humanitarian space despite very restrictive and repressive measures by the regime.

The military sets up more and more bases in rural areas throughout the country, through which power is radiated over the surrounding villages, “imposing restrictions on the activities and movements of civilians and extorting resources, crops, and labour, using human rights abuses as mechanisms of control” (Malseed, 2009: 370). At this point it is crucial to mention that civilians are not unintended victims and displacement not a side effect of a civil war as it is often misrepresented. Rather, civilians are the deliberate targets of SPDC military campaigns (Phan and Hull, 2008: 18) and there are usually not even armed resistance forces around when villages are attacked and destroyed (Malseed, 2009: 371).

The regime actively suppresses the emergence of civil society through pervasive military surveillance and laws, which for instance forbid that more than five people hold a public meeting without government authorization. Hence the ability of civilians to form community organizations is strictly limited (Clapp, 2007: 26-27) and so are the legal ways of expression (see also: Chapter 3).

The state’s poor governance and coercive control as well as poverty, however, have fostered, as a reaction, resilient ties of horizontal solidarity, a common survival strategy of Third World societies. The people’s power, the traditional close-knit family togetherness and community spirit, was evident during Burma’s historical mass protests but also typify the quieter routines of daily life. Despite severe poverty, strong social networks and family ties result in mutual aid for collective survival. People respond to community needs by launching their own development and relief programs (Seekins, 2009: 728-729). Yet, this often involves pervasive client-patron arrangements as Seekins describes: “The SPDC’s failure (or unwillingness) to alleviate the poverty of most Myanmar people and their frequent resort to repressive measures have strengthened this horizontal solidarity, a kind of dialectical opposition in which the top-down power of the state is counterbalanced by the resilience of local networks, which frequently act defensively against the state but sometimes cooperate with its agents: the situation is complex as regards people’s attitudes toward individuals connected with the regime, since officials, including military officers, can act as (supposedly benevolent) patrons to ordinary citizens who are their clients” (Seekins, 2009: 730). Civilians often depend on these state-society relations as a survival strategy (ibid.: 730).

In order to depict how Burmese civil society successfully creates humanitarian space under authoritarian rule, I will mainly refer to Jasmin Lorch's study "Civil Society under Authoritarian Rule: The Case of Myanmar".

While it is often assumed that the strong military regime of Burma does not allow for any scope of action at all, Lorch argues that spaces for civil society actors do exist within three specific areas: "firstly, within the ambit of changes within the state itself; secondly, in various sectors of the weak welfare state; and thirdly, within some of the negotiated spaces of relative ethnic autonomy in ceasefire areas. While these rooms for manoeuvre are always relational to the authoritarian nature of the military regime, civil society actors use every space available in order to tackle the welfare needs of their respective communities" (Lorch, 2006: 5).

Civil Society Emerging from within the State and Governmentally Organised NGOs (GONGOs)

- Welfare activities of government officials:

Some retired officials are frustrated with the state's weak performance and have thus sought alternative ways for organising and influencing political developments. For example, they are active in food security, health, development and environment protection. Some found NGOs, which maintain functional ties and closely cooperate with the government. These strong linkages indicate that there is an ample grey zone between civil society and regime structures. Others engage in more informal ways, e.g. Buddhist charity. In private government officials often participate in charity as an essential part of their belief system. This varies from supporting welfare institutions such as hospitals to more informal customs such as alms-giving (ibid.: 17-18).

- Emancipating segments of GONGOs:

Certain sub-groups of GONGOs or individuals within them are genuinely interested in delivering good welfare services, but see no other way of doing so than by using government-sponsored channels. However some of them test the limits of state control and have managed to emancipate to a certain degree by trying to enlarge their political scope of action (ibid.: 18).

Room for Manoeuvre for Civil Society in the Welfare Sector

The Burmese government is weak regarding the core function of providing for the welfare of the population, which is also part of a deliberate funding strategy of the regime. This entails gaps in the welfare system that are conducive to the emergence of civil society, whose actors are able to move into the emerging spaces and to take over central functions of the welfare state. Consequently some room for manoeuvre exists for civil society actors in the welfare sector. The regime tolerates certain civil society activities where it is unable or unwilling to deal with the tremendous welfare needs itself. Local self-help groups, which take over welfare functions regarding health issues, education and the provision of food, are a rather new phenomenon but their number is steadily growing. These initiatives, often intertwined with religious aims, vary in their degree of formality and organisation from traditional and unregistered village associations such as funeral societies to registered NGOs up to a national level. While most of these groups are active in mere service delivery, some have managed to extend their measures to include capacity building and empowerment, which guarantees the sustainability of their projects (ibid.: 19-21).

- Community-based organisations (CBOs) providing for humanitarian self-help and local infrastructure:

Local self-help groups fulfil important welfare tasks regarding basic needs such as food and health care as well as small infrastructure projects on a village level e.g. the construction of wells, which are mostly funded by donations from community members. CBOs are usually problem-orientated and have an informal organisational structure. They often lack the skills to write project proposals and - fearing repressions by the regime - are reluctant to cooperate with international organisations. In Buddhist communities the local temples and pagodas often provide the social space for communities to participate in activities as well as the humanitarian space by maintaining rice associations and organising festivals that serve distributive functions (ibid.: 21).

- Funeral Help Associations – Funeral Services for the poor:

These associations organise and finance funerals for poor people on the basis of private donations and the voluntary commitment of their members. While

some grew out of traditional village associations and thus have an informal organisational structure, others are registered NGOs and operate in large cities such as the 'Free Funeral Service Association' that has even been supported by famous local artists. The government tolerates these organisations, as their work is absolutely indispensable and apolitical (ibid.: 21-22).

- Parent-teacher associations (PTAs) provide basic educational facilities:

These voluntary groups consist of parents and schoolteachers and in many towns and regions are the only actors to provide the foundations for basic education as the government spends just about one per cent of its total budget on education. PTAs collect money for textbooks and take care of the basic maintenance of school buildings. They have been mushrooming in recent years and some even managed to form networks among each other and to establish contacts with international organisations that support them financially and make them familiar with modern teaching methods (ibid.: 22).

- The Sangha and monastic education:

Monastic education has always been crucial in Burma as a means of providing not only the novices but also ordinary citizens with basic education. In some rural areas monasteries are actually the only educational institutions that exist. Monastic education centres are free or at least charge less than state schools. Some specifically target street children and orphans and also provide them with accommodation and food. While most monastic schools offer primary education, some also teach at a higher level. They are relatively free to follow their own curriculum as long as they do not criticise the regime. Still, monastic students have to pass government exams for getting an officially recognised degree. Even though most centres provide their services regardless of race and religion, education is conducted in accordance with Buddhist values and principles. Monastic schools vary both in the degree to which they are co-opted by the government and in size, including small local Buddhist groups as well as large education centres with a wide range of learning opportunities. Their room for manoeuvre, especially for the latter, is directly dependent on personal linkages of the monks with the ruling establishment, which grants them independence and protection from repressions. Similar education and

welfare projects are maintained by the Muslim, Hindu and Christian minorities (ibid.: 23-24).

Negotiated Room for Manoeuvre for Civil Society in Ceasefire Areas

Similarly some scope of action for civil society exists in certain ceasefire areas with a degree of ethnic autonomy. Even though most ceasefire agreements were motivated by mere economic interests of the military, they have led to the emergence or enlargement of humanitarian spaces for civil society. According to Lorch this room for manoeuvre depends on two factors: “firstly, the military strength of the ethnic resistance party at the time of the ceasefire agreement determines the degree of autonomy that it is granted; and secondly, the political character and motivation of the respective ethnic party are also crucial because not all minority groups allow the emergent spaces of autonomy to be occupied by civil society actors” (ibid.: 24). As the regime is unable or unwilling to tackle the enormous underdevelopment of these minority areas and hence fears that the armed resistance groups will call off the ceasefires due to economic frustration, it allows civil society actors to conduct humanitarian projects in the sectors of development, culture, education and welfare. Again the initiatives vary in their degree of formality and organisation (ibid.: 24-25).

- **Informal Development Projects:**

Some informal initiatives and small NGOs at the local level operate projects in basic development and reconstruction of war-torn communities. These are mostly issue-orientated and highly decentralised (ibid.: 25).

- **Culture and Literature Committees and their role in education:**

In recent years various ethnic parties (e.g. Chin, Karen, Mon and Shan) have been able to issue publications in their local languages and consequently civil society initiatives in the sectors of culture and literature have been mushrooming. These groups have also pioneered alternative community education approaches and offer for instance language courses for children in their own ethnic tongues (ibid.: 25-26). However, many other ethnic groups do not enjoy this kind of freedom (see also: chapter 3).

- **Christian churches and their role in education and development:**

In predominantly Christian areas it is mostly the churches and church-related organisations that take over the state's welfare role and address the fundamental needs of the population such as education, health and food. As Christian church leaders have contacts to churches abroad and are thus familiar with Western developmental approaches, the co-ordination between local associations and INGOs usually works quite well. In addition the sophisticated organisational structure of many congregations (e.g. youth and women's groups) facilitate the targeted implementation of projects. National network structures, such as the Myanmar Council of Churches or the Myanmar Baptist Convention, run various developmental as well as humanitarian and disaster relief programmes. Also they conduct poppy crop substitution and HIV/AIDS projects in remote minority areas. Some educational programmes finance scholarships for gifted students to study abroad. Christian educational institutions are relatively free to formulate their curriculum as long as they refrain from criticising the regime. However, big church networks rely on their contacts with members of the ruling establishment, which curtails their independence but at the same time also guarantees them some protection and autonomy. Still the regime tolerates Christian projects particularly in ethnic minority areas as they fulfil the welfare function not met by the state (ibid.: 26-27).

- The Metta Development Foundation and the Shalom Foundation:

The Metta Development Foundation, operating projects in sustainable community development, and the Shalom Foundation, active in peace building, are registered NGOs in Kachin State, that have become popular with international experts and aid workers due to their relative independence and community-based approach to reconstructing war-torn areas. Both organisations grew out of the ceasefire and are conceded a certain degree of action by both the Kachin Independence Organisation (KIO) and the regime. Even though they are not countrywide institutions, they sometimes act as facilitators for other associations and NGOs. Both have to keep up functional ties with the regime but also serve as protective umbrellas for smaller NGOs (ibid.: 28-29).

IDP Self-Help Initiatives

A common external misrepresentation is one, which portrays “villagers as helpless ‘victims’ who lack the knowledge and means to address their own needs” (Phan and Hull, 2008: 19). However, they have proven to be innovative and courageous in responding to and resisting military abuse as well as in creating humanitarian space through various self-help strategies. For instance villagers hide rice stores at secret locations in the jungle and build concealed shelters in preparation for a possible flight from attacks by SPDC troops. Through advanced warning systems to relay messages between communities, villagers can gather their belongings and head into the forest before the soldiers arrive. Upon reaching the hiding sites the displaced communities re-establish schools and some measure of structure. IDPs also share rice with others who could not bring along sufficient reserves. They even grow small and durable crops if they expect to remain at the hiding site for a longer period. Temporary and covert ‘jungle markets’ allow displaced communities to trade with villagers living under military control. IDPs also actively seek out local aid groups that provide medical, educational and nutritional support (Phan and Hull, 2008: 18-19). Moreover they send out unarmed patrols to monitor military movements and exploit their connections to armed resistance forces for protection and information. If possible, IDPs reclaim their village sites whenever military units are absent (Malseed, 2009: 377).

Civilian Disaster Relief in the Aftermath of Cyclone Nargis

The potential of civilian solidarity to create humanitarian space was particularly evident in the aftermath of Cyclone Nargis, when a wide variety of private relief activities were launched by civil society actors including not only self-help initiatives but also relief aid provided by diverse individuals and civil society groups from other parts of the country (Seekins, 2009: 732). Buddhist monks and ordinary citizens carried out most of the early recovery work, with little if any assistance from the government. Civil society aid providers were very diverse and although most of them came from Rangoon and other parts of Lower Burma, there were also volunteers from central Burma and even the border areas. They included business people, prominents, local employees of INGOs (e.g. Save the Childern, MSF, World Vision), charity

groups, medical workers, students and ordinary citizens. Buddhist monks were the most important aid providers as the authorities generally allowed them to bring supplies to the affected areas whereas aid goods from lay people were often confiscated by the military. Also, there is a network of Buddhist monasteries in the Irrawaddy Delta where victims could receive food and shelter. Christian churches in Rangoon were active in providing aid for their co-religionists in Delta Karen settlements (ibid. : 730-731). While most of the bigger aid agencies initially focused on the main population centres, many of these small and informal groups reached the most isolated areas. As the ICG reports: “Local people were not just victims, but active and resourceful participants in saving their own lives and those of their families, friends and neighbours” (ICG, 2008: 8).

The SPDC, however, viewed these private aid activities as a danger to its own power monopoly and tried to control and curtail such efforts. In June it started to arrest local donors, of whom the most prominent was the comedian Zarganar, a popular regime dissident who had organised 400 volunteers to bring supplies to the remotest areas (Seekins, 2009: 731).

Civil Society Organisations as Key Partners for International Aid Agencies

With the arrival of UN assistance agencies and INGOs during the mid/late 1990s indigenous NGOs and civil society networks began to re-emerge (Clapp, 2007: 27). Soon they became key partners for international aid agencies for four reasons: firstly, they have better access to remote and sensitive areas. Several INGOs already cooperate with church organisations, which have access to otherwise inaccessible populations, e.g. IDPs in the border regions. Secondly, civil society partners help to ensure relevance and local ownership as well as the sustainability of aid projects. Thirdly, such an operational cooperation can be an integral part of local capacity-building and empowerment (ICG, 2008: 20). Fourthly, civil society actors can pass on human rights information to INGOs and contacts in Rangoon or Thailand. Such informal protection and advocacy activities can help to reduce the incidence of human rights abuses (South, 2008c: 18). However, there are limits to these kinds of partnerships as CSOs, particularly at the grass-roots level, often lack the planning, funds absorption and evaluation capacities necessary for larger programs. Also there is the risk of attracting negative government attention. Still, building up genuine partnerships with respect for local conditions and constraints is for sure a fruitful long-term commitment (ICG, 2004: 20).

5. Conclusion

Burma can be classified as a complex emergency, which terms situations of chronic armed conflict and political instability, and consequently confronts aid providers with significant challenges. CEs involve not only physical suffering but also suffering caused by the dismantling of the social and cultural world that surrounds the victims. The OECD/DAC identified the following key characteristics of CEs: intra-state rather than inter-state conflict, difficulty in differentiating combatants and civilians, violence directed towards civilians and civil structures, fluidity of the situation on the ground, lack or absence of normal accountability mechanisms, the potential and actual development of war economies, the potential for humanitarian assistance to prolong the conflict and a multiplicity of actors; additionally CEs are frequently accompanied by public health threats, natural disasters (e.g. Cyclone Nargis in Burma), environmental issues, and socio-political processes (e.g. globalisation), and characterised by a lack of state capacity, legitimacy and accountability as well as by a gross imbalance in military expenditure, massive violations of humanitarian law and human rights, a high diversity and degree of violence, high numbers of refugees and IDPs and a longevity of the emergency situation; These characteristics form the basic conditions for the work of aid agencies in CEs such as Burma and have important implications for the quality and extent of humanitarian space.

Rather than a charitable offering, humanitarian action is a rights-based activity according to international humanitarian law, human rights law and refugee law. The humanitarian enterprise is a global responsibility. However, the disregard of combatants and the international community for much of the applicable international law can be identified as one of the key reasons for the difficulties faced in providing humanitarian aid and the resulting contraction of humanitarian space. Also, aid agencies have to rely on their reputation of acting in accordance with the fundamental humanitarian principles of humanity, impartiality, independence and neutrality in order to be able to distribute humanitarian aid. If the warring parties regard

humanitarian operations as being of assistance to the enemy, the principles are abandoned, which can have serious affects on aid worker security and consequently on humanitarian space.

I also addressed the multiplicity and diversity of players in the humanitarian field, which entails the challenge of coordination and cooperation. Smillie and Minear identified the following six sets of humanitarian actors: the United Nations institutions, donor governments and their various bilateral aid agencies, INGOs, the Red Cross and Red Crescent movement, indigenous NGOs and civil society institutions, and newcomers (Muslim contributors, military and for-profit contractors); another increasingly important set of actors in intra-state conflicts are non-state armed groups (NSAGs), which in Burma play an indispensable role in the delivery of aid in ethnic minority areas and especially in cross-border assistance. Finally, the most important actor in any emergency is the affected population itself, who plays an important role in self-help initiatives and who should ideally participate in all phases of an aid project.

Humanitarian aid in CEs is characterized by the competition of humanitarian actors for donors and hence for high visibility in the media. As a consequence humanitarian actors work in the midst of conflict, often while hostilities take place. This requires extensive and sometimes very complicated negotiations about access to the affected population. In many wars civilians are denied access to essential relief services, which can be accompanied by serious violence. As operations take place in the midst of conflict, the concept of humanitarian aid expanded to include not only emergency assistance but also protection of the civil population.

CEs present aid workers with significant challenges and therefore require especially well-trained staff with a full understanding of the political, military, and economic dimensions of modern crisis as well as of the specific socio-cultural context. Above all humanitarian staff operates as diplomats in the field, which is a very heavy responsibility and burden. In Burma humanitarian diplomacy, a concept introduced by Minear and Smith (2007), is a key skill for maintaining and creating humanitarian space. As humanitarian organisations operate in increasingly hostile and militarized environments, staff faces physical and psychological strain as well as life-threatening risks in their work. Even though the 1949 Fourth Geneva Convention obligates warring parties to grant medical personnel and by extension all aid workers full and

complete protection from interference or harm, this neutral status is increasingly put to the test in today's conflicts (Sue et al., 2004: 2138). Schneider-Enk traces the lacking security of relief workers back to the characteristics of the new conflicts and of humanitarian aid and comes to the conclusion that for aid workers as well as the civil population hardly any protect zones are left. The humanitarian space, where aid agencies can operate freely and safely, is strongly constricted or even missing (Schneider-Enk, 2008: 71).

It is important to take into account that the evaluation of humanitarian aid differs from conventional evaluation and has some distinct characteristics. The OECD for instance points out that the nature of CEs makes it specifically necessary to assess the humanitarian space, the security situation and the protection needs of the affected population (OECD, 1999b: 11). The OECD/DAC developed seven criteria for the evaluation of humanitarian aid in CEs: efficiency, effectiveness, impact, relevance/appropriateness, connectedness, coherence and coverage. The humanitarian field, however, is still characterised by weak monitoring and evaluation.

Thus humanitarian assistance in CEs faces numerous dilemmas, problems and challenges. The most important issue is the question whether the abuse of aid and its various negative side effects, including the potential for aid to prolong the conflict through providing subsistence to warring parties and by facilitating the elimination of state responsibilities for social welfare functions, outweigh its benefits. This resulted in an ongoing debate on whether and how to engage in Burma's humanitarian crisis and confronts the international community with a political dilemma. Another highly controversial issue concerns the question of whether humanitarian organizations can and should be neutral. Cross-border aid into Burma for example heavily relies on support and protection by armed resistance groups. However, otherwise this much-needed assistance would not be possible. The situation is exacerbated by the fact that humanitarian organisations have to act in a 'policy vacuum', where aid policy increasingly becomes a substitute for foreign policy, especially in countries with little geo-economic significance (Bryer and Cairns, 1997: 370). The international response to Burma's crisis for instance consists mainly of economic sanctions.

The specific historical, political, social, economic and ethnic conditions in Burma as well as its strained foreign relations and severe human rights abuses, which I described in chapter 3, are prejudicial to humanitarian space and action.

Assistance to Burma takes on two forms according to its delivery channel: assistance ‘via Rangoon’ (via state spaces), which is implemented by engaging the state to access the people, and ‘cross-border’ assistance (via non-state spaces, but sometimes partly controlled by opposition groups), which circumvents the state to access the people. Both forms of relief activity face the same major constraints: limited capacities and funding, plus government restrictions and the dangers of providing aid in areas of ongoing armed conflict (South, 2008b: 107).

The important difference is, however, that aid agencies operating inside Burma via state spaces have to cooperate with the regime to a certain degree (MOUs), whereas cross-border aid operates in non-state spaces independently of the regime and is hence able to construct humanitarian space despite government restrictions by circumventing the state.

The debate on engagement in Burma is reflected in the aid flows, which declined every time the military had cracked down hard on the population e.g. following the Saffron Revolution in 2007. The sources of international assistance to Burma are: UN agencies, the ILO, the ICRC, about 50 INGOs, donor governments and exile resources.

In chapter 4 I explored the key challenge in the Burmese context, namely the difficulty of maintaining humanitarian space. In Burma the space for humanitarian action is being restricted due to increasing violence against humanitarian aid workers and increasingly hostile state regulations of the action of aid agencies (Addison, 2008: 69), which clearly goes against international humanitarian principles. Three specific developments of the post-2004 political landscape are complicating the operational environment for aid organisations: a new leadership, which is more nationalistic, suspicious and disobliging; a subsequent government reorganisation; and a broader political transition in the course of the ‘Seven Step Roadmap to Democracy’. Government restrictions on programs and ongoing adjustments in the political and administrative system constrain the aid community’s ability to deliver assistance effectively, timely and responsibly (ICG, 2006: 5). These include: a set of new restrictive guidelines since 2006, bureaucratic inefficiencies and delays, restricted independence, restricted access to beneficiaries/travel limitations, forced closure of programs, financial constraints/corruption, limited opportunity for capacity-building,

excessive scrutiny by the authorities, and manipulation for public relations purposes by the regime; The impact of these government restrictions on aid agencies varies to a significant degree however. While some programs have been severely hindered or even closed, most agencies face fewer problems, some even expanding their activities. The following factors influencing the impact of restrictions can be identified: type of program, location, mode of operation, government counterparts and the level of trust; local NGOs are particularly vulnerable to regime pressure.

Cyclone Nargis is certainly the most tragic example of the extent of the regime's constraints on humanitarian space. Not only did the SPDC fail to warn or evacuate people, it also failed to launch a substantial relief operation of its own (ICG, 2008: 3). As if this was not enough, the military regime blocked international humanitarian assistance efforts during the crucial first weeks and when international aid finally began to trickle in, the SPDC insisted on strictly controlling the operation and limited access for international agencies and Burmese citizens wishing to help (South, 2008a: 25). Additionally the regime is responsible for the misappropriation and other corruptive mishandling of foreign aid goods. The scope of action for aid agencies in the aftermath of the cyclone was also restricted due to limited funding.

Yet, humanitarian space in Burma is not only restricted by the regime. Since 2004 activism from the U.S. Congress and pro-democracy advocacy groups overseas trying to curtail foreign aid to Burma has revived and led to limited operational flexibility and funding as well as strained relations with Burmese authorities (ICG, 2006: 11), which was demonstrated by the Global Fund withdrawal in 2005.

Accounts on humanitarian assistance to Burma, however, usually focus on its restrictive operating environment, without taking into account the various successful efforts of Burmese civil society in-country and cross-border to relief the suffering of their own people. Thus, despite government restrictions, it is also possible to carve out humanitarian space through direct response strategies to the regime's repression. I demonstrated this by giving two examples.

Firstly, the lack of access to vulnerable populations has led to the development of cross-border aid through networks of local staff, agents and partner organisations (Addison, 2008: 69). Especially the conflict zones of eastern Burma cannot be reached by NGOs working inside the country as they are prohibited by the regime,

which does not want aid flowing into the hands of ethnic and civil society groups, and also the areas are often inaccessible and too dangerous (Zaw, October 2009). Cross-border aid, however, can additionally access communities hiding from SPDC patrols in more unstable and remote areas due to its local network. Although international agencies are involved in cross-border activities, they are mostly managed and implemented by local NGOs, ethnic nationalities' departments and community-based groups in Thailand and Burma.

The catastrophic humanitarian situation of the border areas, which are mainly populated by ethnic minorities - especially acute food insecurity and serious health threats - highlight the urgent and desperate need for this type of emergency relief. Here the socio-economic conditions and the humanitarian situation are in all aspects significantly worse than in central parts of the country. IDPs are the most vulnerable population group. Well over half a million people in eastern Burma are displaced, either living in government relocation sites or hiding from the army in the jungle and mountains under extremely harsh living conditions.

I illustrated how Burmese civil society in exile implements these dangerous and incredibly courageous cross-border aid projects and the challenges met by a concrete case study, the Austrian non-profit association 'Burmahilfe – Bildung für bedrohte Minderheiten' (,Burma-relief – education for threatened minorities') and the project 'Karenni Mobile Clinics', which is currently underway, implemented by the 'Karenni Health Department' (KnHD) with funds of 'Caritas Austria'. The overall objective of the project is to improve the health situation of the IDP and rural population of Karenni State with no or limited access to health care through emergency relief and trainings aimed at providing knowledge about basic health care to enable the target group to deal with minor diseases on their own. With the help of this case study I demonstrated how state restrictions are circumvented and humanitarian space created, but also the dangers and problems involved: the hardships of such trips, which include not only the long and demanding journey itself but also great risks such as landmines, Burmese army troops, 'free fire' zones and malaria. Only Burmese refugees themselves can deal with these conditions, know the whereabouts of IDP communities and have the means and courage to deliver aid into these areas, not least because many have family members in the war zones. Additionally cross-border aid struggles to find funds due to its illegal nature and cooperation with armed resistance

groups as well as due to limited capacities, bureaucratic skills, monitoring and evaluation.

Secondly, humanitarian space is created by civil society actors in Burma, where a quiet expansion of civil society is taking place at the local level (Dalpino, 2009: 3). Indigenous NGOs and community self-help organizations compensate for the lack of government programs and services (Clapp, 2007: 28). In fact, the failure of the country's welfare state is the key factor enabling the existence and emergence of civil society spaces. However, civil society organisations have to keep up functional ties with members of the ruling establishment to a certain degree or even let themselves become partially co-opted by the latter, which gives them a double identity. Even though regime constraints remain considerable and do not allow for political expression or criticism, these CSOs and self-help initiatives successfully help to sustain basic welfare structures (Lorch, 2006: 30-31) and show that civilians are not mere victims of the military regime but rather political actors who address the basic needs of their communities. The state's poor governance and coercive control as well as poverty have fostered, as a reaction, resilient ties of horizontal solidarity. Strong social networks and family ties provide mutual aid for collective survival (Seekins, 2009: 728-729).

In order to depict how Burmese civil society successfully creates humanitarian space under authoritarian rule, I mainly referred to Jasmin Lorch's study "Civil Society under Authoritarian Rule: The Case of Myanmar" (2006). While it is often assumed that the strong military regime of Burma does not allow for any scope of action at all, Lorch argues that spaces for civil society actors do exist within three specific areas: "firstly, within the ambit of changes within the state itself; secondly, in various sectors of the weak welfare state; and thirdly, within some of the negotiated spaces of relative ethnic autonomy in ceasefire areas. While these rooms for manoeuvre are always relational to the authoritarian nature of the military regime, civil society actors use every space available in order to tackle the welfare needs of their respective communities" (2006: 5).

Civil society emerging from within the state takes the form of welfare activities of government officials and emancipating segments of GONGOs.

The Burmese government is weak regarding the core function of providing for the welfare of the population, which is also part of a deliberate funding strategy of the regime. This entails gaps in the welfare system that are conducive to the emergence of civil society, whose actors are able to move into the emerging spaces and to take over central functions of the welfare state. The regime tolerates certain civil society activities where it is unable or unwilling to deal with the tremendous welfare needs itself. Consequently some room for manoeuvre exists for civil society actors in the welfare sector and takes the form of community-based organisations providing for humanitarian self-help and local infrastructure, Funeral Help Associations, parent-teacher associations providing basic educational facilities, and finally the Sangha providing monastic education.

Similarly some negotiated scope of action for civil society exists in certain ceasefire areas with a degree of ethnic autonomy. Even though most ceasefire agreements were motivated by mere economic interests of the military, they have led to the emergence or enlargement of humanitarian spaces for civil society such as informal development projects, culture and literature committees, and Christian churches providing education and development as well as the ‘Metta Development Foundation’ and the ‘Shalom Foundation’.

Also, I showed that civilian self-help initiatives ensure the survival of IDP communities, who have proven to be innovative and courageous in responding to and resisting military abuse as well as in creating humanitarian space.

The potential of civilian solidarity to create humanitarian space was particularly evident in the aftermath of Cyclone Nargis, when a wide variety of private relief activities were launched by civil society actors including not only self-help initiatives but also relief aid provided by diverse individuals and civil society groups from other parts of the country (Seekins, 2009: 732). Buddhist monks and ordinary citizens carried out most of the early recovery work, with little if any assistance from the government. While most of the bigger aid agencies initially focused on the main population centres, many of these small and informal groups reached the most isolated areas. As the ICG reports: “Local people were not just victims, but active and resourceful participants in saving their own lives and those of their families, friends and neighbours” (ICG, 2008: 8).

Moreover, CSOs are key partners for the successful and sustainable work of international aid agencies.

In conclusion it can be said that humanitarian space in Burma is restricted due to its general conditions, which are typical for CEs, especially the dangers of providing aid in a country with ongoing armed conflict and the increasing politicisation of aid by both donors and the Burmese government; in the specific Burmese context humanitarian space is also constricted due to government restrictions as well as activism from the U.S. Congress and pro-democracy advocacy groups overseas. In addition to these constraints, aid agencies struggle with limited funding due to donor concerns about a possible mishandling of aid and with a pervasive lack of capacity at all levels of state and society (ICG, 2008: 20-21).

On the other hand humanitarian space is created through cross-border aid activities and the initiatives of Burmese civil society in-country. Furthermore some international aid agencies working inside Burma also succeed in creating a certain degree of humanitarian space at the local level through humanitarian diplomacy and with the help of benevolent government counterparts.

Still, Burma is far from providing a

“humanitarian space in which the spirit of humanitarian operations will be respected. Such a space entails the freedom to forge a relationship with the people we are there to help – to listen to their stories and discuss their predicament as the first step to really respecting their dignity. Without this connection, we reduce human beings to their biological state, defined and represented by what they lack to stay alive.”

(Terry in: Malseed, 2009: 387)

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7. Annex

Abstract

The regime's contested legitimacy and low international acceptance poses the question of how to tackle the country's humanitarian problems without strengthening the current power holders to the international community. Confronted with numerous challenges typical for humanitarian assistance in complex emergencies, the aid community specifically struggles with the difficulty of creating and maintaining humanitarian space in Burma. Humanitarian space is, however, not only restricted through constraints by the regime fearing popular unrest and foreign influence, but also through activism of the U.S. Congress and pro-democracy groups overseas rejecting the provision of aid to Burma. Yet, accounts on humanitarian assistance to Burma usually focus on its restrictive operating environment, without taking into account the various successful efforts of Burmese civil society in-country and cross-border to relieve the suffering of their own people despite government repression. One of these efforts takes the form of cross-border aid from neighbouring countries, supported by international aid agencies. Another example is the innovative self-help initiatives and community-based organisations of civil society actors in-country.

Keywords: Burma, Myanmar, complex emergency, humanitarian aid, humanitarian space, cross-border aid, civil society, Karenni;

Zusammenfassung

Die umstrittene Legitimität und das niedrige internationale Ansehen des burmesischen Regimes stellen die internationale Staatengemeinschaft vor die Frage, wie die humanitären Probleme des Landes bewältigt werden können, ohne die derzeitigen Machthaber zu bestärken. Konfrontiert mit zahlreichen Herausforderungen, welche humanitäre Hilfe in komplexen Katastrophen charakterisieren, kämpft die Hilfsgemeinschaft in Burma vor allem mit der Schwierigkeit, den sogenannten humanitären Raum zu schaffen bzw. aufrecht zu erhalten. Dieser wird allerdings nicht nur durch das Militärregime eingeschränkt, welches Volksunruhen und ausländischen Einfluss befürchtet, sondern auch durch Aktivismus des U.S. Kongresses und pro-demokratischen Gruppen in Übersee, welche die humanitäre Hilfsleistungen an Burma ablehnen. Jedoch beschäftigen sich die meisten Berichte über humanitäre Hilfe in Burma hauptsächlich mit dem begrenzten operativen Umfeld. Dabei werden die zahlreichen erfolgreichen Bestrebungen der burmesischen Zivilgesellschaft im Inland sowie im Exil die Not ihrer Mitmenschen trotz der Unterdrückung seitens der Regierung zu lindern, meist nicht in die Betrachtung mit einbezogen. Eine dieser Bestrebungen findet in Form von illegaler, grenzüberschreitender Hilfe von burmesischen Flüchtlingen in Nachbarländern, unterstützt von diversen internationalen Hilfsorganisationen, statt. Ein weiteres Beispiel sind die innovativen Selbsthilfe-Initiativen und kommunalen Organisationen von zivilgesellschaftlichen Akteuren im Land selbst.

Keywords: Burma, Myanmar, complex emergency, humanitarian aid, humanitarian space, cross-border aid, civil society, Karenni;

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