Local
Governance
Mapping

THE STATE OF LOCAL GOVERNANCE: TRENDS IN KAYAH

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Local Governance Mapping

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Acknowledgements

Acronyms

CD	Community Dialogue
CDF	Constituency Development Fund
CRC	Citizen Report Card
CSO	Civil Society Organisation
DAO	Development Affairs Organisation
DoE	Department of Education
DoH	Department of Health
DoP	Department of Planning
DRD	Department of Rural Development
DTA	Deputy Township Administrator
EO	Executive Officer (Municipal Affairs)
FSP	Frontline Service Provider
GAD	General Administration Department
GoM	Government of Myanmar
INGO	International Non-Governmental Organisation
KNED	Karenni National Education Department
KNG	Kayan National Guard
KNLP	Kayan New Land Party
KNMHC	Karenni National Mobile Health Committee
KNPDP	Karenni National Peace Development Party
KNPLF	Karenni National People's Liberation Front
KNPP	Karenni National Progressive Party
KNSO	Karenni National Solidarity Organisation
LGM	Local Governance Mapping
MoH	Ministry of Health
MoHA	Ministry of Home Affairs
MoLFRD	Ministry of Livestock, Fisheries and Rural Development
MoNPED	Ministry of National Planning and Economic Development
MDRI-CESD	Myanmar Development Resources Institute-Centre for Economic and Social Development
MSR	Myanmar Survey Research
NGO	Non-Governmental Organisation
MoAI	Ministry of Agriculture and Irrigation
MoE	Ministry of Education
MoH	Ministry of Health
SLRD	Settlements and Land Records Department
TA	Township Administrator
TAO	Township Audit Office
TDSC	Township Development Support Committee
TEO	Township Education Officer
TFMC	Township Farmland Management Committee
THO	Township Health Officer
TLO	Township Land Record Officer (Settlements and Land Records)
TDAC	Township Development Affairs Committee
TMC	Township Management Committee
TMO	Township Medical Officer
TPIC	Township Planning and Implementation Committee
TPO	Township Planning Officer
TRDO	Township Rural Development Officer
UNDP	United Nations Development Programme
UNCDF	United Nations Capital Development Fund
UNICEF	United Nations Children's Fund
USDP	Union Solidarity and Development Party
VC	Village Clerk
VT	Village Tract
VTA/WA	Village Tract Administrator/ Ward Administrator
VT/WDSC	Village Tract / Ward Development Support Committee

Executive Summary

Kayah State has experienced some important changes over the last few years that have a direct impact on the livelihood situation of its people. Since 2011, the hostilities between the Karenni National Progressive Party and its Karenni Army on the one hand and the Government of Myanmar on the other hand have gradually subsided, resulting in a cease fire agreement that was signed in June 2013 between the two parties. This contributed to a more peaceful situation in the State and led to an intensification of both economic activities and social services provided by the Government. During the same period the Government of Myanmar has made a start with its administrative reform with the objective of improving service delivery, engaging people more actively in governance processes and becoming a "cleaner" government.

This report outlines the results of the Local Governance Mapping conducted by UNDP in Kayah State. Based on the perceptions of the people and local governance actors, the mapping has tried to capture some key aspects of the current dynamics of governance at the frontline of state-citizen interaction and focuses in its analysis on participation in public sector planning, access to basic services and accountability in local governance.

In consultation with the Kayah State government, it was agreed that the Local Governance Mapping would be conducted in three townships, namely, Loikaw, Hpruso and Mese between April and August 2014. Together, these three townships are representative for the diversity in economic activities and living conditions found in Kayah State. Loikaw is the capital Township of Kayah. It is more urban in character; it has by far the largest population of all townships in Kayah State, hosts most State government institutions, and is economically the best developed township in the State. Hpruso Township has a more rural character, is less populated as Loikaw, but since it is easy to reach and close to Loikaw it is relatively prosperous, and basic social services are still easily available. Mese Township finally is the most remote and smallest township in the State with a traditional rural character and a low population density. It has experienced more than any of the other townships the negative impact of the armed conflict in the past and has a result been rather isolated and experienced a backlog in services provided by government, which it is now trying to catch up on.

Kayah State

Of all 14 States and Regions, Kayah is by far the smallest, both geographically as well as in population size, with its total population of 287,000 being similar to any larger township anywhere else in Myanmar. Due to its mountainous character and its variance in population density between Loikaw and its surrounding areas with a high population density and its related more intensive economic activities on the one hand, and its numerous small villages in the more remote mountains that have been isolated during most of the more than 60 years of armed conflict on the other hand, it has a very skewed distribution of both economic development and access to basic social services.

The socio-political situation in Kayah is very much shaped by the way it was established in the 20th century and the resulting period of violent conflicts between the various parties representing the numerous ethnic groups in Kayah State and the Union Government of Myanmar. As described in this report, the elections for the State Hluttaw in 2010 resulted in a victory of the Union Solidarity and Development Party (USDP). The fact that both the Government and the Hluttaw are dominated by the USDP and the military means that there is no significant difference between the Hluttaw as the

legislative and oversight body, and the State Government as the executive branch. Given that there is no 'opposition' party, the political dynamics in Kayah State are rather characterized by party consensus, with the main 'opposition' to the State government coming from those groups and parties which have so far remained outside the formal state structures and are part of the ceasefire and peace negotiations.

The most significant change in Kayah over the last few years has been the establishment of an effective ceasefire arrangement between the Government of Myanmar and the Ethnic Armed Forces in the State in 2012/2013. As a result, 91 percent of the 288 people who were interviewed in the three townships as part of this study felt safe in their village tract or ward at the moment, while 99 percent confirmed that the safety situation in Kayah in general had improved or stayed more or less the same over the last five years. Of the 188 respondents who stated that the safety situation has improved, the most common reasons given were: "the area in which they live is now more peaceful" (81 percent), "law enforcement has improved" (39 percent) and "there is less criminality in the community" (16 percent). In addition, concerns over safety and security have shifted as well, away from concerns over violent conflicts in the area towards issues related to criminality and substance abuse in respondent's own communities.

Due to the fragility of the present situation and the fact that the negotiations over a long lasting peace agreement are still on-going, Government operations, including all development-related activities implemented by the Government in Kayah State as well as the township-level governance reforms, are carefully balanced against their potential impact on the still precarious peace and security situation in the State.

Partly as a result of the more peaceful situation that has emerged in the Kayah State, household food security has more or less stayed the same over the last few years and is similar to that of other States and Regions in Myanmar, with 66 percent of the respondents' households always having enough food, 27 percent experiencing occasional shortages and only 7 percent having almost always problems obtaining enough food for their households. The food security situation was slightly better in Loikaw as compared to Hpruso and Mese.

The most often mentioned improvement made by government during the last three years as mentioned by the respondents was an improvement in roads infrastructure, which was mentioned by 47 percent of the respondents. Twenty-nine percent mentioned improvements in education, 27 percent mentioned improvements in drinking water, 21 percent in electricity and 18 percent in health care. In all these areas the Kayah respondents noted more often that improvements have been made over the last few years than in any of the other States and Regions so far included in mapping.

Regarding the most important problem in their village tract or ward, a lack of access to clean water came out as the most important problem by far, mentioned by 37 percent of the respondents, followed of access to electricity (17 percent), lack of good health services (13 percent) and roads (13 percent). The responses from community members both during the one-on-one interviews as well as during the Community Dialogue (CD) sessions also show however that the needs and problems of people differ significantly across township or even across village tracts/wards within a township and that therefore tailor-made solutions and responses are required if government wants to become more responsive to these needs and become more "people-centred".

If so, it is critical for government to be able to assess and record these different needs on the one hand and have on the other hand the necessary mechanisms in place that enables it to respond to each of these issues adequately. This will require more capacity within the key service delivery sectors at the township level to access, monitor and respond to specific needs working together with the communities. It will also require more autonomy of township level government staff to respond to these needs as they are in the best position to evaluate and weigh the different demands from the various communities and prioritise and implement the most effective and efficient response.

Development planning and participation

The availability and use of the various development funds at the township level and the mechanisms that have been put in place to involve people in the identification of projects act as important catalysts for reform at the township level. Even though the combined volume of these funds is still rather limited per township, they trigger a new way of interaction between government and citizens, while they act at the same time as a positive incentive to become more responsive to the needs of the people.

In all three townships Township Development Support Committees (TDSC) have been established and are functioning relatively well given the fact that they have only recently been established. Together with the Village Tract/Ward Administrators (VTA/WA) they play an active role in identifying projects that could be implemented under these funds, while they also play an active role in the selection of projects at the township level.

The mapping shows that there are however sufficient areas for further improvement in the allocation and implementation of these funds in Kayah State, especially related to improved transparency and accountability. There are for example, both between the various States and Regions as well as within Kayah State itself, huge differences in the amount of development funds available per capita, while there is no explicit policy justifying these differences. Development fund budgets are not known before hand by the various actors at the township level making it very difficult to prioritise projects, while there is no transparency in the final decision-making process at the State level regarding the allocation of funds. These problems are reinforced by the fact that there are various development funds available for similar project with similar consultation and implementation procedures but managed by different departments or government institutions, making it very difficult for both insiders as outsiders to monitor their utilisation. Finally, there are questions regarding the legitimacy of the consultative bodies like the TDSCs and Township Development Affairs Committees (TDACs). They are supposed to represent the interests of various groups in the township society, but the selected members operate in practice more on a personal title than as a representative of a certain group, while by definition a large part of the population is excluded from the consultation process as they are not part of these groups (like women). As a result, these new committees are hardly known outside the small group of people close to government (97 percent of the respondents had not heard of any committee at the township level in which citizens were participating) and as a result there is a serious risk of elite capture of the limited developments funds available.

Discussions with Heads of Departments revealed that not much has changed in the planning processes of sector departments at the township level over the last few years. All Heads of Departments in the township are accountable to their supervisor at the District or State level, while all (except for the Development Affairs Organisation) receive their budget and plans from

the District or State-level departments. The mandates and levels of authority and discretion of the Heads of Departments differ per ministry, but are in general limited to implementing tasks and plans that are handed down from the top of the ministry downwards. The resulting structure is therefore strongly hierarchical and compartmentalized, meaning that each department is working in isolation focusing on its own mandate to achieve its national priorities. As a result the actual planning in most departments still takes place at the State or Union level, making it almost impossible for Heads of Departments at the township level to adjust their plans to any agreed upon township priorities or to the plans of other departments or to become more responsive to the needs of the people.

Delivery of basic services

Both citizens and front line service providers acknowledge that significant improvements in service delivery have been made over the last three years. Sixty-seven percent of the respondents mentioned that health services in general (both public and private combined) had improved over the last three years, mainly due to improved health facilities, and the improved availability of heath staff and medicines. 75 percent of the respondents mentioned that primary education had improved due to improvements in the school facilities and the availability of teachers. Regarding the availability of safe drinking water only 33 percent of the respondents mentioned that they experienced any improvements in their situation over the last three years. These findings are encouraging in the sense that people do acknowledge the result of the additional investments by government that have taken place since 2011, but they should be used with caution as well since the starting point against which people compare the present situation in service delivery in health and primary education is very low and small improvements might be seen as big steps forward.

Basic healthcare

While the overall health provision situation has improved, there are according to the service providers interviewed (Township Medical Officers, nurses, midwifes, etc.) several bottlenecks for improving public health services in these three townships. The number of (Sub) Rural Health Centres (RHCs) is still far below the national target of 1 per 2000 inhabitants, and it remains difficult to recruit sufficiently qualified medical staff, especially for the more remote health facilities as well as shortages in furniture and equipment.

As a result of the centralised planning system in the Ministry of Health the ability of the Township Medical Officer (TMO) to coordinate planning with other sector departments and with other health service providers in the township is very limited. In addition, the TMO does not have the means or the mandate to respond to locally specific needs or bottlenecks in service delivery, while they are in the best position to identify such bottlenecks. As a result it takes for instance a very long time to place or replace medical staff once there are vacancies available.

Regarding the use of health services, there were big differences between urban and rural respondents regarding the use of public or private health facilities, mainly because private facilities are almost exclusively available in the urban areas. Sixty-seven percent or two-thirds of the respondents mentioned that the health services in their village-tract or ward have indeed improved, while 25 percent mentioned that these services had stayed more or less the same. Most important reasons provided for improvement were: better infrastructure (52 percent), more qualified health staff (38

percent), improved attitude of staff (31 percent) and reduced costs of medical care (29 percent). Regarding equity in treatment, almost all respondents (97 percent) and both male and female respondents who made use of public health facilities felt that they received the same treatment as any other person in their village tract or ward, i.e. there was no discrimination against particular groups within the community. Direct participation of people in the planning of health care improvements is still very limited.

Regarding the payment for medicines received in a public health facility the research noted a difference in perception between health service providers and respondents. In 2013, the Ministry of Health (MoH) made generic (non-specialist) essential drugs available to patients at public-health facilities free of charge. Four out of six public healthcare facility managers interviewed confirmed that patients were not required to pay for essential drugs, while two mentioned that patients only have to pay for medicines if government provided free essential drugs are not available anymore. In addition, five out of six health facility managers interviewed mentioned that essential drugs are almost always available at their health facility nowadays. Further, all of them stipulated that health staff at their facility refrained from selling drugs that should be for free. Yet, 62 percent of the respondents said that they always had to pay for medicines in a public health facility, while most medicines (i.e. essential drugs, if in stock) should be provided for free; 26 percent mentioned that they sometimes had to pay, with the remaining 13 percent never having to pay for medicines. Of the respondents who mentioned that they always had to pay for medicines, 73 percent stated that they never received an explanation from the medical staff as to why they had to pay for these medicines. The research didn't check these statements in more detail, but these results are at the very least indicative of a poor articulation and understanding on both sides on the entitlements of health service users and patients' rights.

Primary education

According to the six Township Education Officers (TEOs), the ten teachers and six principals interviewed in the village tracts and wards that participated in the survey, almost all agreed that the quality of education has improved over the last three years. Reasons for improvement were primarily improved infrastructure (buildings and classrooms) and the higher availability of teachers. All principals experienced a shortage of teachers during the 2012/13 school year, which was confirmed by the teachers. Especially in the more remote villages in Kayah due to poor infrastructure and the still precarious safety situation for people from outside the area it is very difficult to recruit enough qualified teachers. All education staff mentioned that dropout rates remain rather high and enrolment rates relatively low especially in the more remote villages in Kayah due to poverty (parents not being able to afford sending their children to school and requiring them to work on the farm) and/or people not fully appreciating the benefits of education for their children. Teachers believed that improvements to school accessories and teaching support materials would be the most cost effective way to further improve the quality of teaching at the primary schools.

Similar to the TMO, as a result of the centralised planning system, the TEO is very limited in coordinating planning with other sector departments and with other education service providers in the township beyond very practical coordination of e.g. anti-drug campaigns that are carried out jointly with the TMO or Township Health Officer (THO) at primary and secondary schools.

A large majority (75 percent) of the respondents were of the opinion that primary education in their village-tract or ward had improved over the last three years. Main reasons for improvements

that were mentioned were: improved infrastructure (66 percent), more teaching staff (35 percent) and improved attitude of teachers (30 percent). The language barrier between teachers from outside Kayah State and local children was noted in several village tracts as a bottleneck for good education as well as the availability of school supplies and teaching materials.

Ninety-seven percent of the respondents with children at primary school felt that their child was treated in the same ways as all the other children. According to 73 percent of the respondents, different needs of boys and girls (like separate toilets) are always taken care of by the schools.

Government is not actively discussing education-related matters with the parents of children attending school. Seventy percent of all the respondents with children had never been involved in such a meeting.

Access to drinking water

The responsibility for drinking water provision is shared by the Department of Rural Development (DRD) and the Development Affairs Organisation[1] (DAO). The DRD is, among other things, responsible for drinking water provision in the rural areas (village tracts), while the DAO is responsible for drinking water provision in the urban areas (wards). These departments were only established late 2013 and are still in the process of being established in most townships, identifying what their priorities should be. Especially the DRD is still seriously understaffed. In all three townships only 25 percent of the established positions were filled at the time the fieldwork was conducted.

Only 33 percent of the respondents mentioned that the provision of safe drinking water has improved over the last few years in the three townships, which is much lower than the perceived improvements for health care and primary education, while also 10 percent mentioned that the situation has worsened, mainly because the water source is now further away than in the past. Hpruso Township was standing out positively with 52 percent of the respondents mentioning an improvement in access to water, while Loikaw had a relatively high percentage of people noticing no change (75 percent) and Mese recorded a relatively high percentage of respondents mentioning deterioration in access to clean drinking water (19 percent). In contrast, the provision of safe drinking water is high on the list of needs in most village tracts and wards. The mapping findings indicate that the provision of safe drinking water seems to be an area where there is a serious discrepancy between the needs of the people and the allocation of resources by government to address these needs. This might improve once the two departments are fully staffed and operational and the newly consultative bodies (TDSC and TDAC) gain more insight in the need of the people and are better able to articulate their priorities and influence decision-making.

While user perceptions of improvements indicate a positive change especially in the area of primary education and basic health care, one should also be cautious using these as evidence that the quality of primary education or primary health care has improved substantially if compared to international standards. In the absence of any established standards, which can help ordinary citizens compare the actual situation against the "ideal" situation, any positive change is seen as a big improvement. Moreover, given past experiences, many people are still very cautious of expressing any criticism of the authorities, in particular among ethnic minority communities. Overall, the recent developments in terms of service delivery, while still falling short of more ambitious targets, represent a significantly positive change compared with the decades of armed conflict, displacement and deprivation the people in Kayah State have had to endure.

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1. It is important to clarify that Development Affairs Organization (DAO) is meant to only denote the Office (Municipal) here although some sources have indicated that it should be used to include both the Office and the TDAC.

Information, transparency and accountability

Regarding transparency and accountability of government at the township level, the cornerstones of a sustainable democracy, only small improvements have been made in Kayah State over the past few years according to the various stakeholders involved in the study.

Access to information is critical for improving transparency and accountability. In Kayah State, the traditional hierarchical channels of official information provision (the 10/100 household heads, the Village Elders and Respected People and the Village Tract/Ward Administrators (VTAs/WAs) play an important role in the information flow from government to citizens at the village tract/ward level. More information is flowing downward from the township administration and departments to the VTAs and to the committee members but this information is not always reaching citizens at the community level yet. 72 percent of the citizens interviewed mentioned that the information provision by the township administration about important government information and new projects was not enough. From various group discussions it became clear that there is still a big difference in interpretation about what government staff think people need to know and what people would like to know about their government. In practice it is left to the discretion of the Heads of Departments and the Township Administrators (TAs) to decide what information they share with the public, making the availability of information dependent on the personality of these government staff rather than on clearly defined procedures. One of the areas in which lack of transparency was noted and which hampers proper consultation and planning is the lack of information on township and sector specific budget ceilings at the start of the planning process, especially related to the Poverty Reduction Fund. Without indicative budgets it is difficult to prioritise projects and as a result plans are often not much more than long lists of all the projects that has been proposed.

Transparency of government and accountability of office bearers are critical elements for a well-functioning and sustainable democratic society. In Myanmar, given its long history of a closed government that was not democratically accountable to its population at all, that did not share key information or justify decisions made, progress towards more transparency and accountability is very slow since it is difficult to change attitudes of both government staff and citizens that have become entrenched over extended periods. Planning and service delivery is still done in a hierarchical manner within the 'silo' of each sector, and the top-down decision-making structure that persists is not designed and suited for the integration of "the needs of the people" and neither for any form of effective downward or horizontal accountability.

Administrative accountability: The answerability to higher levels within the administration, and the related reporting and accounting mechanisms as well as the minimal internal checks and balances are fairly well developed and implemented in Myanmar. However, they cannot prevent mismanagement of resources or corruption if they are not complemented by effective political and social accountability mechanisms. Despite the adoption of the Anti-Corruption Law in August 2013, the Support Committee members interviewed in Kayah mentioned that much more work is required in the area of developing the legal framework and adopting preventive measures. The Civil Society Organisations (CSOs) interviewed were in addition not at all convinced that government is taking any serious measures to prevent corruption.

The new Municipal Law might, if implemented according to what is described in the law, be a first example of a change in the relationship between citizens and local administrations. The Municipal Law establishes the Township Development Affairs Committees (TDAC), whose members include two government staff and local citizens representing various interests groups in the municipal

area of the township, although the TDAC cannot be considered an elected, representative body of local government. The Law gives the TDAC executive responsibilities and a statutory foundation in State law, rather than Union law, which is rather innovative in the Myanmar setting. The TDAC can, on advice from the Executive Officer of the DAO, determine local taxes and levies. It can also instruct the Executive Officer to carry out certain works, and analyse draft regulations and notifications of the DAO. The Executive Officer remains directly accountable to the Minister forDevelopmentAffairs at the State level, while the Minister for Development Affairs can over-rule any decision of the TDAC. The Minister's decisions can only be appealed to at the State Chief Minister, but not the Union government. As a consequence of this new law, the Executive Officer of the DAO becomes to a certain extent also accountable to the TDAC. Since this law is still fairly new, it will be interesting to see how all parties deal with these rather complicated and multiple accountability lines in practice in future.

In Kayah State the formal mandate of the Village Tract Administrator/Ward Administrator (VTA/WA) as formulated in the Ward or Village Tract Administration Law of 2012, is different from the role the VTA/WAs play in practice and how members of the community perceive this function. Partly due to the emergence of the various development funds that require the involvement of communities, in Kayah State the VTA/WA has in practice become more of an "elected representative" of the village tract or ward, acting as the intermediary between the village tract/ward and the township by informing community members on the one hand and bringing relevant village tract/ward problems or needs to the attention of the TA in addition to his tasks related to maintaining law and order. The fact that VTA/WAs come from and belong to the community in which they serve, contrary to the TA and other government officials, puts the VTA/WA into an important position of connecting the people's perspectives to the requirements and demands of the state. The recent election of the VTA/WAs has contributed to further strengthening this link, as was also evident from the views of VTA/WAs interviewed as well as from the expectations among the communities themselves.

Grievance and complaints mechanisms: A common theme across the three townships in Kayah is that citizens are lacking knowledge of the most effective and efficient way to file complaints. This is related to both the limited availability of information about citizens' rights and to a lack of awareness of processes and procedures, even among government staff. In order to deal with most complaints Loikaw and Hpruso Townships have established a Grievances Scrutinising Committee to deal with social, economic and criminal complaints in addition to land management issues, which cannot be resolved at the village tract level or by the Township Land Management Committee at the township level.

The establishment of this Committee appears to be an innovative initiative by the Kayah State Government, as it is not found in this form in other States and Regions and does not appear to be based on any formal legal provision or guidelines. While the setting up of such a mechanism is laudable in principle, the fact that the basis for decision-making is not clearly defined, and that the Committee obviously lacks the characteristics of an independent administrative tribunal or adjudication mechanism, leaves the sustainability and fairness of such a mechanism in doubt. A more detailed analysis of the work and decision-making of these Committees would be required to come to any firm conclusions in this regard, however.

The role of civil society in the governance processes at the township level is still very limited. Ideally, being independent from government and working closely with citizens, civil society, including the media, can play an important role in improving the quality of governance by holding government accountable and by demanding openness in information provision. Media and civil society organizations can play this role if they can operate freely and without fear and have the capacity and ability to monitor government's performance. In practice, this idea of civil society can be hard to find, in particular in Myanmar where democratic space has been extremely narrow in the past and government did not welcome any dissent or criticism. This is particularly so in the case of a small and remote post-conflict State such as Kayah. Government is willing to cooperate with CSOs in the provision of services but both sides are reluctant to develop the relationship beyond that level at this stage.

Conclusions

Given the very low starting point and its history of conflict and mistrust between people and government, and the lack of pluralism the Kayah's governance institutions, even moderate steps should be commended as promising and pointing in a direction of more representative, responsive government. Basic social services like basic health care and primary education are improving at a higher pace as before 2011 according to the people interviewed. At the same time, given the limited participation of people in discussing health, education or drinking water supply related issues and the varying priorities across townships, it is an area that deserves attention of the government and administration to become more responsive and people-centered.

Whether much more could have been achieved with the same amount of extra resources available is difficult to say as all three sectors do not monitor performance or effectiveness and efficiency in service delivery systematically at present and there are no long term strategic plans at the township level (neither sectorial nor integrated) against which progress could be measured. In addition, the practice of planning and delivering services has not changed much in most ministries over the last few years according to the key service providers at the township level.

Important first steps have been taken to change and improve the relationship between citizens and government in Kayah State that could gradually lead to an increase in mutual trust which in turn is an important prerequisite for more fundamental changes that are required for fuller democratic governance and lasting peace in Kayah. In order to fully reach the objectives of the government reforms, namely improved service delivery, clean government and people-centred planning, these institutional arrangements are indeed only the first small steps in a reform process and they need to be complemented or followed up by more structural changes in the governance system in Myanmar. For Kayah State, the past few years of reforms and absence of conflict have provided a relief after decades of strife, as well as lessons on what more can be done to rebuild a local governance system that more fully incorporates the voices and aspirations of the people of Kayah.

1. Introduction

Kayah State is, both in size and population, the smallest State in Myanmar and has, because of its mountainous character, always been rather isolated from the rest of Myanmar. Combined with the violent conflict in which it has been involved over the last 60 years between the Myanmar military forces and the various ethnic armed organisations in the area, both economic development as well as improvements in social services have been rather minimal over the past decades. With the ceasefire agreement signed in 2012 between the Government of Myanmar and the most important ethnic armed organisations in the State, the Karenni National Progressive Party (KNPP), a fragile but more peaceful situation is gradually emerging that is more conducive for economic development and for improvements in service delivery and governance especially in the more remote former conflict areas.

In this report, some of the initial changes in governance that are taking place in Kayah State are presented that provide some hope for the future. Even though this process of change has only started recently, several early gains in terms of improved governance can already be noticed. Basic social services like basic health care and primary education are improving at a higher pace as compared to the period before 2011 according to the people interviewed; the Village Tract Administrator/Ward Administrators (VTAs/WAs) are increasingly acting as an intermediary between the village tracts/wards and the townships; and some initial forms of citizens' representation at the township level are emerging that increasingly play a more active role in the decision-making process with regard to the utilisation of development funds and in defining the priority areas for the Development Affairs Organisation to focus on.

While improvements can be noticed, the Local Governance Mapping has also shown that other intended changes, like enhanced coordination between departments and improved responsiveness of government to the needs of the people are more difficult to realise and will require more fundamental systemic changes in the way in which the Government of Myanmar operates at the local level. These more systemic blockages to change relate to existing power relations between ministries, between the Union level and lower levels of government and administration, and ultimately to the existing social compact between the state and citizens in Myanmar, which can only gradually change over a much longer period, and can only follow a comprehensive peace agreement and settlement of the ethnic grievances which have fuelled decades of conflict. Within this political context and its related narrow margins for change, the various actors at the township level and below cautiously reposition themselves to gain more influence and contribute, from their perspective, to the development of their townships. It is interesting to see how these different actors at the local level in Kayah State respond to the new opportunities and challenges, how relationships between these groups are changing and whether or not the common citizen, in many cases small subsistence farmers, will ultimately benefit from these changes.

This report intends to present a snapshot of the present situation of governance in Kayah State. It does not pretend to present a systematic assessment of the quality of governance in the State, as most of the minimum required data for a more detailed and comparative assessment are not available or reliable and performance standards related to either the minimum quality of service delivery or the adherence to basic governance principles (like transparency and accountability) against which the present state of affairs could be measured have not been developed in Myanmar. Using the lens of "democratic governance", the report therefore focuses on a selected number of trends that have been chosen by the Government of Myanmar as critical areas of change that relate to the quality of interaction between state and citizens, like effectiveness and efficiency of service delivery, clean government and people-centred development.

The innovative aspect of this study for Myanmar is that this study addresses these governance issues as much as possible from both a government as well as a citizens' perspective, including where relevant citizens' experiences and perceptions on the performance of government related to basic service delivery as well as to relevant governance aspects. While this might seem tricky in a setting in which people have limited awareness about their civic rights and the way in which a democratic government should operate given the 60 years of conflict and non-democratic rule, the mapping found their views to be highly relevant and to the point and able to provide important information for government at township, State and Union level as to how it could shape the next steps of the administrative reform process.

After a short description of the methodology used and an introduction to Kayah State and the three townships that participated in this research, the report focuses on three important elements of the reform process.

First, it addresses the participation in the planning and utilisation of development funds available at the township level to tackle bottlenecks in service delivery and stimulate local development. These funds represent, together with some minor local revenues, the only budgets available at the township level over which the township has, to a certain extent, discretionary power as to how they are utilised. They are at the same time the only budgets in which people have some say in terms of their allocation. How are these consultations taking place in Kayah and do they influence decision-making and in the end help in changing the way in which government operates?

Secondly, the report looks at the process of service delivery in three key basic service sectors, primary health care, primary education and the provision of drinking water in locations across Kayah State. These sectors (especially health care and education) have seen a substantial growth in budget over the last few years. Has this increase trickled down to the grassroots levels in Kayah and did it result in improved service delivery in the eyes of those who provide these services and those who use these services? Has the way in which these services are provided changed as well and is there more coordination between the various service-providing departments at the township level?

Lastly, the report addresses some aspects of transparency and accountability at the township and village tract/ward level. In the absence of any formal political and social accountability mechanisms at these levels, the mapping looked at some important processes that are critical for any possible accountability mechanisms that might be introduced in the future, such as citizen awareness about the way in which government operates, information flow from the (township level) government to citizens, the functioning of emerging representative structures (like the VTA/WA and the support committees at township level) and the functioning of existing grievance handling mechanisms.

2. Methodology

2.1 Objectives

In this governance mapping UNDP and the Government of Myanmar, through the General Administration Department (GAD) of the Ministry of Home Affairs, have been working together to present an overview of the state of affairs in governance in all 14 States and Regions in Myanmar, with the objective to:

- Provide an overview of the quality of governance in general and the quality of governance in service delivery (for a selected number of key basic services) at the township and the village tract/ward level in particular.
- Identify related capacity needs of government and non-government stakeholders to improve their performance for good governance and effective service delivery.

2.2 Research tools

In order to obtain a holistic perspective of governance at the local level, the Local Governance Mapping used a combination of relevant instruments to map the quality of local governance from a ward/village-tract, township and State level perspective.[2]

Community-level Mapping: Citizen Report Card, Frontline Service Provider interviews and Community Dialogue sessions

Citizen Report Card: In Kayah State, a representative sample of 288 citizens equally divided over 6 village tracts/wards in 3 townships (Loikaw, Hpruso and Mese) were interviewed using the Citizen Report Card(CRC) methodology. The questionnaire focused on collecting opinions and experiences of people using basic services provided by government (such as primary healthcare and primary education) and on the way they interact with government.

Frontline Service Provider interviews: In addition, 34 Frontline Service Providers (FSP), including school principals, teachers, healthcare facility managers, healthcare staff and Village Tract Administrator/Ward Administrators (VTA/WA) were interviewed in the same village tracts/wards, focusing on the service delivery process and on their interaction with citizens who make use of these services. The objective was not to conduct an in-depth technical assessment of the education, health or water sectors as this is beyond the scope of this mapping and is already being addressed through more specialized sectorial analyses.[3] Instead, these interviews were intended to gain insight in the responsiveness and participation-related aspects of the actual process of service delivery by describing and analysing the way in which service providers and service users interact in order to realise the actual delivery of basic services.

Community Dialogue: Similar issues were also discussed during the Community Dialogues (CD), which were held in the same village tracts/wards, in which 147 people from different groups present in the community (including women, youth and elders) participated alongside 85 frontline service providers active in the health and education sector and the VTA/WA. The objective of this exercise was to collectively identify issues of governance emerging in relation to service delivery and local administration, and to agree on solutions that could be implemented at the community level.

2. See for a more detailed description of the objectives and methodology: Local Governance Mapping in Myanmar: Background and Methodology
3. A number of these studies are currently taking place to inform capacity building initiatives and programme design in Myanmar. In the education sector, the Ministry of Education and UNICEF have piloted a Township Education Improvement Plan (TEIP) in Mon State from 2013, and will be rolling the programme out to all 14 States and Regions in the country. A preliminary social assessment has been conducted by MSR for the Ministry of Education to inform the Myanmar Decentralizing Funding to Schools Programme, supported by the World Bank. In addition, a Comprehensive Education Sector Review (CESR) initiated by the Ministry of Education (MoE) is underway with the support of development partners.

Township-level Mapping: Background Study on Township Governance

In order to gain insight in the functioning of township administration (comprising the GAD, represented by the Township Administrator (TA), as well as representatives of the various sector departments) and of important governance processes within Kayah State, a background study was conducted in the same three townships. Semi-structured interviews were held with key government staff and CSO representatives and available secondary information in the form of government statistics, policy documents and township profiles was analysed, focusing on the way in which the different townships had interpreted and implemented the recent governance reforms.

In addition, Focus Group Discussions were held with both government and non-government members of the newly established Support Committees as well as with a selection of Civil Society Organisations (CSOs) present in the township. These discussions focused, first of all, on the roles these actor groups play in the governance process at township level and the relationship between these groups and the various government departments at the township level. Following this general discussion, a scoring exercise was used to stimulate a discussion about important elements of governance in the township.

State-level Mapping: Interviews, focus group discussions and validation of interim findings

To complete the 360-degree mapping of governance at township level, discussions were held with relevant actors at the State level using open interviews and focus-group discussions, with a view to assess their perceptions and experiences regarding the functioning of government at the township level and to reflect on their own role in providing support to lower-level government institutions, as well as their monitoring and supervising role.

During a one-day workshop held at the State level in which representatives of the various townships (both government and non-government) and State-level officials participated, the initial findings were discussed and validated. Table 1 below provides an overview of the various tools used at each level of data collection and the number of participants in Kayah State.

Mapping level	Activity	Participants	Geographical scope	Outputs
Community	Citizen Report Card (CRC)	288 citizen respondents	6 VTs/ wards in 3 townships	Dataset and report on key findings
	Frontline Service Provider interviews	6 Village Tract Administrators 6 primary school principals 10 primary school teachers 6 heads of healthcare facilities 6 healthcare staff	6 VTs/ wards in 3 townships	
	Community Dialogues (CD)	147 service users 85 service providers	6 VTs/ wards in 3 townships	Reports for each village tract/ward
Township	Interviews and secondary data analysis	Government staff from relevant departments.	Three townships	Background report on key findings
	Focus group discussions	Government staff, committee members and civil society representatives	Three townships	Data from scoring exercise and summary report for each township
State	Focus-group discussions and interviews	Government staff from relevant departments and ministries.	Loikaw	Qualitative data to inform integrated analysis
	Workshop to share interim findings	Government staff and committee members from the State level government as well as the township and community level and civil society representatives	Loikaw and thee townships (including Loikaw)	Validation of interim findings

Table 1: Local Government Mapping exercise participants, coverage and outputs for Kayah State

In consultation with the Kayah State government three townships were selected to participate in this local governance mapping with the intention to represent the diversity of the seven townships in Kayah. Loikaw is the largest and most developed township, hosting the State Government and being the centre for trade and commerce in Kayah. Mese Township is the smallest among the seven townships of Kayah State, the furthest away from the State capital city and rural in character; while Hpruso is part of Loikaw District, of medium size, easily accessible and rural in character.

Within Loikaw and Hpruso townships, one ward and one village tract were included in the mapping, while two village tracts were selected for Mese. The TA made a shortlist of potential wards and village tracts using the same criteria as mentioned above, after which the research team made a final selection (see Table 2 and Figure 1).

Loikaw	Maing Lone Ward
	Ma Htaw Khu Village Tract
Hpruso	Heetaya Ward
	Hti Paw Hso Village Tract
Mese	Ho Seit Village Tract
	Mei Se Nan Village Tract

Figure 1: Kayah State and location of sample townships and village tracts/wards

Source: UNDP Local Governance Mapping 2014. The names shown and the boundaries used on this map do not imply official endorsement or acceptance by the United Nations.
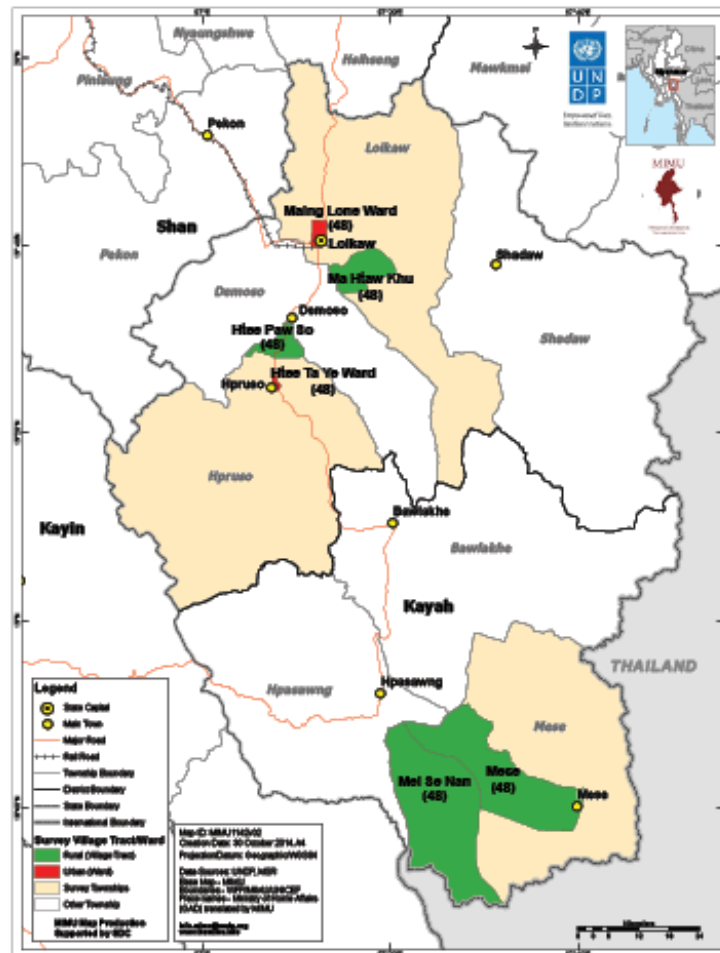
4. For selection criteria used see Local Governance Mapping in Myanmar: Background and Methodology

3. Introduction to Kayah State and the participating townships

2	**7**	286,738	**106** Village Tracts/ Wards	11,670 km2	24.5 km²
Districts	Townships	Population	Village Tracts/ Wards	Land area	Population density

Figure 3: Map of
Kayah Region

Kayah State lies in the eastern-central part of Myanmar, bordering Shan State in the North, Kayin State in the West and South and Thailand in the East (see Figure 3). With only 11,560 square kilometres and 287,000 inhabitants it is by far the smallest of all States and Regions in Myanmar. Most of the State is mountainous and therefore difficult to access.

3.1 Demographics

The recently held national census[5] showed that Kayah State has a total population of approximately 287,000 inhabitants, which is only 0.6 percent of the total population of Myanmar and is about the same as the population of larger townships in other States and Regions. Twenty-five percent of the population lives in the urban part of Loikaw Township, which is slightly below the national average of almost 30 percent living in urban areas (see Figure 4).
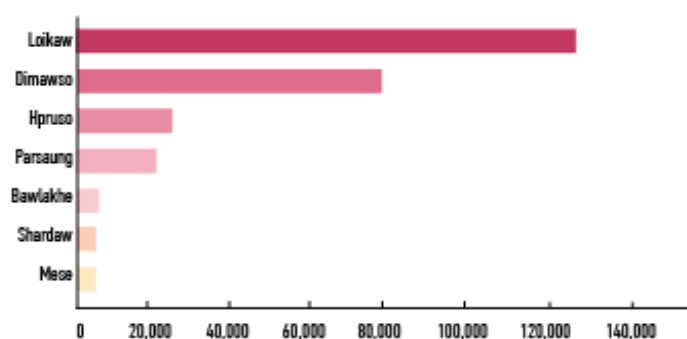

Figure 4: Population distribution for Kayah State per township

Source: Population and Housing Census of Myanmar, 2014; provisional results. Note: the three selected townships for this study are highlighted in brown.

Compared to other States and Regions Kayah has a rather low population density of 24 inhabitants per square kilometres. Due to the mountainous terrain and the prevailing traditional agricultural practices (shifting cultivation), most people live in small villages of less than 100 people, spread out over the whole State. A lot of these villages can only be reached by foot and it can take up to two days for these villagers to reach the nearest town or market place. As a result, these villages and their population are very isolated and it is very costly to provide basic services that are accessible to everyone.

The people inhabiting Kayah State have variously been described as Kayah, Karenni, Taungthus, Red Karen, Kayan (Padaung), Paye, Bwe/Bre, Yinbaw, Yindale/Yinkale/Yantale, Paki/Paku, Manumanao/Manumanaw, Gaykho/Geko, Gaybar/Geba, Zayein (Lahta), Intha, and Pa-O. Several of these are closely related or sub-categories of others. Designations are flexible and often relational. Groups designated with the ethnic labels of other States, such as Shan and Karen, are also present. The number of Bamars, the majority group countrywide and in central Myanmar, is relatively small. In the 1983 census, which was the most recent census that reported ethnicity figures, the Kayah composed 56.12%, while Bamar (17.58%), Shan (16.66%), Karen (6.45%), 'mixed races' (2.08%), and other groups formed minorities.[6] The ethnicity of respondents participating in the mapping survey is listed in the annexes, and largely corresponds to the diversity of ethnic/linguistic backgrounds prevalent in Kayah State.

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5. Department of Population, Ministry of Immigration and Population 2014; Population and Housing Census of Myanmar, 2014; provisional results
6. It should be noted that a Karenni identity has been re-constructed by the large communities in exile in Northern Thailand, and has been shaped by this collective historical experience. "Under the wide Karenni-umbrella, are grouped perhaps a dozen self-distinguishing but related groups principal among whom are the Kayah, Kayaw, Paku Karen and various Karen sub-groups. The boundaries of these groups are ambiguous and fluid." Source: Sandra Dudley, Reshaping Karenni-ness in Exile, in Mikael Gravers (ed.), Exploring Ethnic Diversity in Burma (2007).

3.2 Socio-economic characteristics

As a result of the 60 years of armed conflict between the Government of Myanmar and the various Ethnic Armed Organisations (see section 3.3) many people fled the area or were forcefully displaced by the government to deprive the ethnic armed forces of their human resources, while the remaining ones were taxed or subject to forced labour by both sides in the conflict. As a result, approximately between 10-15 percent of the population is either refugee in Thailand (12,000) or IDP (35,000) according to the most recent estimates from UNHCR.[7]

For most people in Kayah crop farming is the most important economic activity.[8] Formal employment is mainly concentrated around Loikaw, which is the main government and economic centre. Farming takes place in both lowlands and highlands. Some villages along the main rivers (mainly around Loikaw) have access to enough lowland for paddy rice production and other crops (like sesame, groundnuts, maize, pigeon peas) that are both for own consumption as well as for sale, while other villages have a combination of lowlands and highlands or only highlands. In the highlands the most common farming practice is shifting cultivation, which is very labour intensive using hardly any inputs like manure or fertilizer, resulting in low yields that are mainly for subsistence. Due to increased population pressure, fallow periods are shortened (from an average of 10 to 4 years), resulting in land not being able to recuperate and therefore lower yields. In addition, farmers have limited or no access to markets meaning that even if they produce a surplus it is very difficult for them to sell their produce.

Mining and timber production are the more large-scale economic activities in Kayah State, bringing in more income but also additional problems related to deforestation, land grabbing and pollution. Mining is a major economic driver in Kayah State, which has rich deposits of lead, antimony, tin, tungsten, and zinc.[9] Marble and terrazzo slabs are also extracted. The mining is mostly small scale and spread throughout the State, but there are concentrations of activity in Hpasaung, Hpruso and Bawlakhe. The Lawpita hydro-electricity station located in in Kayah State has been providing electricity for the national grid and is strategically important. Lawpita dam, built in 1950 as a bilateral reparation agreement with Japan, is a major hydroelectric production dam, producing a quarter of the total hydroelectric power generation in Myanmar. While Kayah is rich in natural resources- mostly timber, minerals and hydropower-the management and benefit-sharing of these resources has been one of the sensitive issues between the Government, ethnic armed groups and local communities.

Despite its remote character Kayah State, available statistics indicate that Kayah fares slightly better on most of the social indicators than the national average of Myanmar (see Figure 5). However, caution has to be expressed as to the reliability of the limited data that has been collected and made public over the recent years. Kayah's figures can partly be explained by the fact that 44 percent of the total population lives in or close to the State capital Loikaw.

As a result of the armed conflict and uneven development and resource allocation, there is however a huge difference in living conditions and social indicators within Kayah State, especially between the capital and the remote villages. During the past decades, most of government's investments in social infrastructure focused on Loikaw and neglected the areas under control of the Ethnic Armed Organisations. After the signing of a ceasefire agreement early 2012, government is now committed

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7. UNHCR, 2014: Kayah State Profile; updated June 2014.
8. Schuler, Nina 2013: Kayah State Socio-Economic Analysis.EU, 2013, page 33-37.
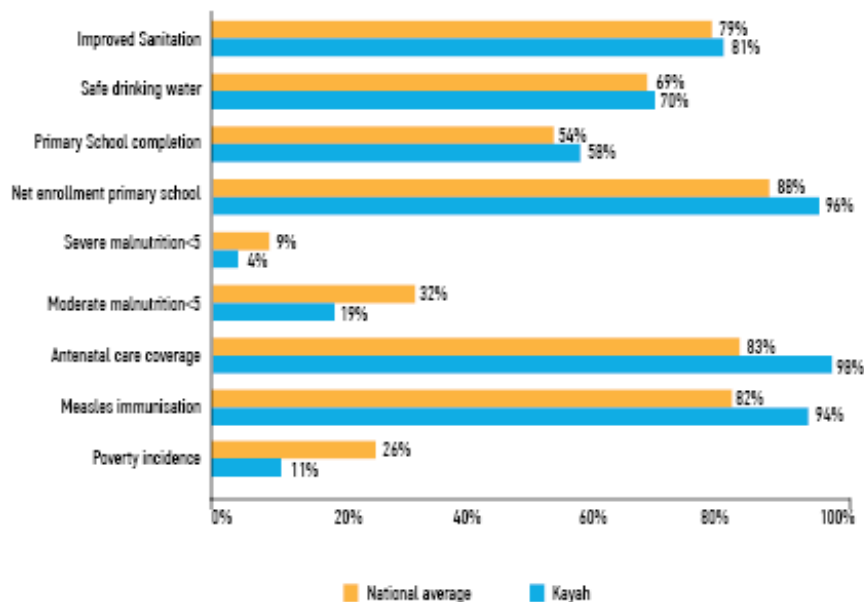9. In the 1930s, the Mawchi Mine in Bawlake was the most important source of tungsten in the world.

Chart data:

Indicator	National average	Kayah
Improved Sanitation	79%	81%
Safe drinking water	69%	70%
Primary School completion	54%	58%
Net enrollment primary school	88%	96%
Severe malnutrition<5	9%	4%
Moderate malnutrition<5	32%	19%
Antenatal care coverage	83%	98%
Measles immunisation	82%	94%
Poverty incidence	26%	11%

to trying to catch up on this backlog in the more remote areas by allocation of more resources to these places.

In September 2013, the European Union published a comprehensive Socio-Economic Analysis of Kayah State based on quantitative and qualitative data collection in 111 villages in all seven townships in Kayah.[10] This study confirms the imbalance in access to services in various parts of the State. Some of the main conclusions regarding the socio-economic situation of the people in Kayah State were:[11]

- Most farmers continue to rely on traditional farming methods, and have limited access to, and interest in, new technologies and finance that could improve their yields. The main sources of non-farm income are mining, logging and casual labour.

- In total, 85 percent of surveyed villages indicated challenges accessing health services, and 73 percent of surveyed villages indicated challenges in accessing schools. Although the State government is committed to improving services, it struggles to provide adequately qualified staff in remote communities.

- In education, one of the most striking findings is that most people see little value in education, with 77 percent of surveyed villages citing 'lack of interest' as the main reason for children not attending school. This disinterest links to larger issues such as lack of quality education, lack of jobs that require education, and the need for children's labour on household farms.

- The study suggested that across the State, significant progress was being made in the provision of road and power infrastructure as a strategic investment to improve connectivity and support cross-border trade. However, for most people living in rural areas, these improvements have limited impact on daily life—with only 21 percent of surveyed villages indicating that there has been any improvement in access to electricity in the last two years.

- When asked who in their community is the most vulnerable, respondents identified female-headed households, the elderly and disabled persons. There were also concerns about young peoples' increasing drug use.

10. Schuler, Nina 2013: Kayah State Socio-Economic Analysis.EU, 2013
11. Ibid page 2 and 3

3.3 Historical context and governance institutions

Kayah State historical context

In order to understand the context in which local governance reforms, and indeed any forms of governance are taking place in Kayah State it is essential to appreciate its quite distinct history which sets it apart from other States and Regions in Myanmar. Although a relatively small geographic entity, it is inhabited by a significant variety of people who can be distinguished by linguistic, cultural, religious and other ethnic features such as ancestry and origin (see above under Demographic profile for details). Any effort of describing this diversity in clear-cut and simplified terms of ethnicity will almost certainly throw up contradictions and is likely to cause disputes.

Accordingly, the integration of what is now Kayah State into modern Myanmar along the lines of the definitions first imposed by the British colonial administration of Burma, and later by post-independence governments, has resulted in decades of conflict, leading to much destruction of what had grown naturally over centuries and to mass displacement, which despite recent ceasefires continues to this day (see Figure 6).

In 1875, a decade before the complete integration of the Burmese Kingdom into British India, the British Government and the Burmese King recognized the area including the feudal states of Kantarawadi, Kyebogyi and Bawlake as belonging neither to Burma nor to Great Britain, and designated them as Karenni States. The arrangement was similar to that with regard to the Federated Shan States to its north. Although the Karenni States were recognized as tributary to British Burma in 1892, when their rulers agreed to accept a stipend from the British government, the Karenni States were never integrated into the administrative state structures prevalent in Ministerial Burma, and its relations to British Burma were looser even than those of the Shan States. A contemporary observer wrote that "apart from political supervision by the Superintendent of the Southern Shan States, it was […] left to go its own way under the local chieftains."[13] In the eyes of many Kayah, the British government had thus recognized and guaranteed the independence of the Karenni States.

The confusing ethnic identity of the people of Kayah State was a critical factor determining the manner in which it was integrated into independent Burma after World War II. Burmans referred to the local people as "Red Karens" despite them having no direct connection with the Karen either in origin or language. The representatives of the Karenni States joined the 1947 constitution making process only at a very late stage, taking part in the Constituent Assembly only after the draft had already been completed, thus being unable to influence the drafting of provisions related to their State. The 1947 Constitution thus provided that the three Karenni States be amalgamated

12. Map of Burma (Central Section) from The Imperial Gazetteer of India Volume 9. Published under the authority of His Majesty's Secretary of State for India. Oxford: Clarendon Press, 1907-1909.
13. J.S. Furnivall, The Governance of Modern Burma, 1960

into a single constituent State of the Union, called Karenni State.[14] Its Section 180[15] stipulated that the Karenni States would form part of what would become a yet-to-be-formed Karen State, should a majority of its people so desire. It also provided for the possibility of secession from the Union after 10 years. However, the 1947 Constitution also stated that "All rights and assets of the previous Karenni States such as forests and mineral resources were transferred to the Union Government."[16] The terms and consequences of this integration of the Karenni States into independent Burma in 1947 remain disputed and continue to represent a contentious issue in the quest for a lasting peace settlement between the parties to the conflict in Kayah State.

Soon after Burma's independence, and what was perceived by some in the newly created Karenni State as the loss of its independence, the people in Kayah started protesting against these constitutional provisions.[17] During the Karen insurrection militant Karen rebels invaded Karenni and for a time occupied part of it. This aroused so much ill-feeling towards the Karens among the local inhabitants that they demanded a separate State and that their name should be changed from Karenni to Kayah.[18] With the Constitutional Amendment Act (LXII) of 1951, the new Kayah State was officially inaugurated in January 1952. At the same time the Southern Shan State of Mongpai, formerly one of the Federated Shan States, was taken over by the Kayah State government although a promised plebiscite in the area had not been held.[19]

The three feudal chiefs (*sawbwas*)[20] of Kayah were represented in the Chamber of Nationalities and two elected members represented Kayah in the Chamber of Deputies. These five MPs together formed the Kayah State Council. The Union Minister for Kayah State was at the same time the Head of the State government. The administration of Kayah was carried out until the early 1960s through the local sawbwas, and a handful of government civil servants.[21]

However, a number of Karenni/Kayah people also resisted the inclusion of these areas into the Union of Burma altogether and began an armed resistance movement, which has been going on essentially since the late 1940s. In their view, the creation of Kayah State was a ploy to divide the Karen people and aimed at thwarting its quest for independence.[22] In 1957, the pro-independence groups already active in the area formed the Karenni National Progressive Party (KNPP), backed by its own army, the Karenni Army (KA). Between 1957 and 2013 a mostly low level armed conflict situation existed in Kayah State between the Myanmar army and the various ethnic armed forces[23] of which the KNPP was the largest. Following the 1962 military coup Security and Administration Committees (SACs) were set up at the local level in areas controlled by the Myanmar army, which were chaired by the regional military commander, and by the (military) Minister of Home Affairs at the centre.

14. The distinct status of the state was perhaps exemplified by the preamble of the 1947 Constitution, which read "WE, THE PEOPLE OF BURMA including the Frontier Areas and the Karenni States…". Its Section 2 stated that " The Union of Burma shall comprise the whole of Burma, including(i) all the territories that were heretofore governed by His Britannic Majesty through the Governor of Burma, and(ii) the Karenni States."
15. 1947 Constitution Section 180. "(1) The following areas, viz., (a) the Karenni State, (b) the Salween District and (c) such adjacent areas occupied by the Karens as may be determined by a Special Commission to be appointed by the President shall, if the majority of the people of these three areas and of the Karens living in Burma outside these areas so desire, form a constituent unit of the Union of Burma to be known as the Karen State, which shall thereupon have the same status as the Shan State."
16. 1947 Constitution Section 224. "All rights and assets which immediately before the commencement of this Constitution were vested in His Britannic Majesty or any other authority for the purposes of the government of Burma and the Karenni States shall, as from the commencement of this Constitution, be vested in the Union Government. In particular, all forests and all mineral and other wealth underground, the waters including mineral and medicinal waters, the sources of natural power, the rail transport, posts, telecommunications and broadcasting shall be from the commencement of this Constitution the property of the Union."
17. Maung Maung, Burma's Constitution, 1960
18. J.S. Furnivall, The Governance of Modern Burma, 1960
19. Ibid.
20. Also spelled *sawbhyas* or similar.
21. J.S. Furnivall, The Governance of Modern Burma, 1960
22. In 1957, pro-independence groups formed the Karenni National Progressive Party (KNPP), backed by its own army, the Karenni Army (KA) through which it has conducted a guerrilla war since the 1950s aimed at independence. Led by a largely Christian well-educated elite it has set up a self-styled government-in-exile and has been providing education to refugees in camps in Thailand.
23. These include the KNPP (Karenni National Progressive Party), KNPLF (Karenni National People's Liberation Front), KNLD (Kayan New Land Party), KNG (Kayan National Guard), KNPDP (Karenni National Peace Development Party), and KNSO (Karenni National Solidarity Organisation).

The 1974 Constitution introduced the concept that States and Divisions had the same status. Kayah State thus became one of the 'constituent units' of the 'Socialist Republic of the Union of Burma', made up of 7 States and 7 Divisions. People's Councils were introduced at all levels of government administration where the central government had control. The basic units of villages/village tracts and wards, towns and townships were then established in Kayah State along the lines of how they had been set up in Ministerial Burma the 1920s. In the 1960s and 1970s, the Burma Socialist Programme Party (BSPP) was built up as a mass organisation following the same territorial structure as the state itself, while all other parties were banned. The party nominally sought to embrace the country's ethnic diversity, but subordinated any desire for self-governance or even cultural autonomy under a folkloristic and paternalistic central domination and the suppression of dissenting views and demands. From 1974 onwards, the BSPP's role in state administration was firmly entrenched in the Constitution itself. In the mid-1980s, the party claimed that over 2.3 million people were involved in fortnightly party cell meetings and other Party activities.[24] In Kayah State, this new structure was established in those areas under central government control.

The new structure also foresaw the holding of elections to the various administrative bodies at different levels. For these elections, however, only candidates pre-screened and approved by the BSPP were allowed. While it was not mandatory that a candidate must be a member of the BSPP, in practice most of them were. In Kayah State, such People's Councils were thus set up at State level and in areas under government control at the level of village tract/ward, and township. At the central level of government, the *Pyithu Hluttaw* served as the country's legislature, with each of Kayah State's townships represented by at least one elected member.

The participatory elements of the structure were essentially abolished with the suspension of the 1974 Constitution in 1988, when Kayah State, as all other parts of the country, were again placed under direct military control and administration. The territorial organisation remained the same, the dominant role played earlier by the BSPP was essentially substituted by the military in the form of the State Law and Order Restoration Council (SLORC).

In Kayah, the 27 May 1990 elections for 485 seats in a new national parliament resulted in the NLD winning 4 of 8 seats, the Kayah State All Nationalities League for Democracy(KSNLD)[25] 2 seats, and the National Unity Party (NUP) also 2 seats. No woman member was elected from Kayah State. However, the 1990 elections were not implemented and did not lead to the formation of a national legislature, nor did they have any effect on governance arrangements in Kayah State. Several of the candidates who had won seats in Kayah State were either arrested or left the country.

In 1993, the military regime began efforts to rebuild direct links with the population and established the Union Solidarity and Development Association (USDA). It gradually became the largest state sponsored mass organisation (claiming in 2005 that it had grown to 23 million members). USDA branches were set up in townships across Kayah State, as in village tracts and wards where the government had control. Membership was "essentially compulsory for civil servants and those who sought to do business with or receive services from the state."[26] Division officers of the USDA were often prominent regional businessmen as well as military personnel and civil servants. In 1997, the SLORC was reorganized into the State Peace and Development Council (SPDC), which set up a pyramidal structure of similar committees down to the village tract/ward level.

In May 2008, the national referendum on the new Constitution was held. The new Constitution made Kayah State a constituent unit of the new Union of the Republic of Myanmar, equal in status to the other States and Regions. Accordingly, its institutions were set up following the 2010 elections.

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24 Taylor, The State in Myanmar
25 The SLORC later banned the Kayah State All Nationalities League for Democracy (KSNLD) by order 8/92 on 18 March 1992. It had received 11,664 votes in the 1990 elections.
26 Taylor, The State in Myanmar

The 2010 elections simultaneously elected representatives to the two Houses of the Union legislature (Hluttaw) and to the State legislature (Hluttaw). They resulted in a victory of the USDP, which had emerged from the USDA a few months before the elections and had inherited its assets, networks and leadership, and gained a majority of the elected seats in all elected bodies including all of the seats in Kayah State. Due to security concerns or a lack of control by the state administration of outlying areas, voting was cancelled in 74 out of 620 villages, or in almost 12 percent of all villages. Even where voting was possible, turnout in some constituencies was extremely low, with only 143 votes cast in Shadaw 1 constituency for the State Hluttaw elections in total. Outside Loikaw and Dimawso, less than a total of 2,700 votes were cast on average in each constituency.

On 7 March 2012, the Myanmar government agreed on a ceasefire with the KNPP in the presence of international observers.[27] In June 2013 the government of Myanmar and the KNPP finally signed a ceasefire agreement and the KNPP is subsequently involved in the on-going negotiations about the national ceasefire agreement and the discussions aimed at leading towards a lasting peace agreement.

As there were no vacant seats in Kayah State, no by-elections were held on 1 April 2012.

## Kayah State governance institutions

The elections for the members of the Kayah State Hluttaw were contested on the basis of townships, which were each divided in two separate constituencies. As the State has 7 townships, 14 territorial constituencies were formed. In addition, one constituency was set up for the Bamar ethnic communities of the State, for whom voters registered as Bamar were entitled to cast a vote in addition to their territorial constituency vote. Altogether, therefore, 15 members were elected for the State Hluttaw (see Table 3 and Figure 7).

Constituency	Party	Candidate	Votes
Hpruso–1	Union Solidarity and Development Party	U Oo yae @ U Hoo Hoo	7,617
	National Unity Party	U Thoe Ye	1,657
Hpruso–2	Union Solidarity and Development Party	U Richard	3,860
	National Unity Party	U Pae Ta Lu	1,311
Loikaw–1	Union Solidarity and Development Party	U Kyaw Swe	20,422
	National Unity Party	U Chit Tun @ U Lu Yae	4,692
	Kayan National Party	U Tin Aung	4,399
Loikaw–2	Union Solidarity and Development Party	U Koe Ye	19,822
	National Unity Party	U Kyaw Nyein	8,581
	Kayan National Party	U Lu Lu	1,851
Mese–1	Union Solidarity and Development Party	U Thein Tun	1,465
	National Unity Party	U Aung Win	73
Mese–2	Union Solidarity and Development Party	U Aung Naing Oo	1,149
	National Unity Party	U Tun Yin	172

Table 3:
2010 Kayah State Hluttaw election results(selected townships)

27. In 1995, the KA had already entered a ceasefire with the Myanmar army but it broke down after three months and was followed by an eruption of fighting and large-scales displacements, in particular across the border to Thailand's Mae Hong Son province.Rivals to the KNPP include the Kayan New Land Party (KNLP), and the Karenni National People's Liberation Front (KNPLF).
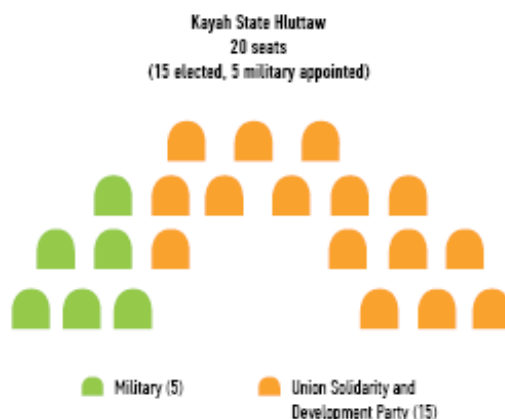
Figure 7: Votes received (number and percentage) by various parties in the Kayah State Hluttaw elections in 2010.

9%

17%

74%

Union Solidarity and development Party   National Unity Party   Kayan National Party
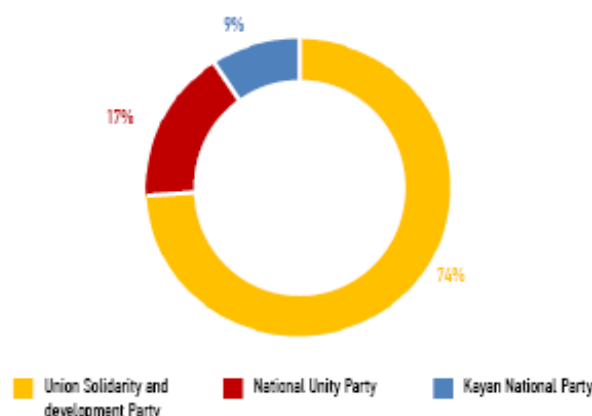
The State Hluttaw is formed by (1) two representatives elected from each township in the State; (2) representatives elected from each national race determined by the authorities concerned as having a population which constitutes 0.1 percent and above of the population of the Union; and (3) representatives who are the Defence Services personnel nominated by the Commander-in-Chief for an equal number of one-third of the total number of Hluttaw representatives elected under (1) and (2), i.e. one quarter of the total number of members.

In the State Hluttaw, the USDP holds all 15 elected seats. The military occupies 5 seats (see Figure 8). The National Unity Party, despite garnering 17 percent of the votes cast, did not get a seat. The USDP was the only party fielding candidates in all 14 territorial constituencies and the ethnic constituency, winning two of them unopposed. Kayah is the only State or Region Hluttaw in Myanmar in which the USDP holds all of the elected seats and in which no other party is represented.

Figure 8: Division of seats in the Kayah State Hluttaw

**Kayah State Hluttaw
20 seats
(15 elected, 5 military appointed)**

Military (5)   Union Solidarity and Development Party (15)

The term of the Region or State *Hluttaw* is the same as the term of the Pyidaungsu Hluttaw, i.e. five years. All *Hluttaw* members are men. The legislative activity of the Kayah State Hluttaw has been so far rather minimal. In 2012 and 2013, only the minimum required State laws essential for budgetary and planning purposes were adopted. As instructed by the central government, in 2013 a Municipal Law was also passed. [28]

28. These laws essentially comprised of the State Development Plans and the Budget Allocation Law. The Municipal Act was passed in 2013.

The head of the executive branch of the State is the Chief Minister. Members of the State Government are Ministers of the State. The institutional framework for Kayah State follows that of other States and Regions and is prescribed in detail in the 2008 Constitution, as well as the respective laws adopted for the State and Region Hluttaws and Governments in 2010. The State Government was established on 31 January 2011. Khin Maung Oo *aka* Bu Yei, was appointed as Chief Minister; Kyaw Swe, USDP, as Speaker and Maung Maung Aye, USDP, as Deputy Speaker of the State Hluttaw.

In addition to the Chief Minister, the State Government also comprises of 10 Ministers and the Advocate General of Kayah State.[29] The USDP holds all ministerial portfolios except the Minister of Security and Border Affairs which is by constitution held by a representative of the military (see Table 4). The single representative elected for the ethnic minority constituency in the State, i.e. the Bamar community is automatically member of the State Government. [30] All members of the Kayah State Government are men.

Name	Function	Party
U Khin Maung Oo	Chief Minister	USDP
Col Zaw Myo Tin	Ministry of Security and Border Affairs	Military-appointed
U Than Kyaw Soe	Ministry of Finance	USDP
U Poe Ye Yan Aung	Ministry of Agriculture and Livestock Breeding	USDP
U Ye Win	Ministry of Forestry and Mines	USDP
U Tot Ye	Ministry of Planning and Economics	USDP
U Chit Hla	Ministry of Transport	USDP
U Saw Hoo Hoo	Ministry of Electric Power and Industry	USDP
U Aung Naing Oo	Ministry of Municipal Affairs	USDP
U Koe Ye	Ministry of Social Affairs	USDP
U Sein Oo	Ministry of National Races Affairs (Burman)	USDP

Table 4: Composition of Kayah State Government.

The relatively large size of the State government[31] and the fact that both the Government and the Hluttaw are dominated by the USDP and the military means that there is no significant difference between the Hluttaw as the legislative and oversight body, and the State Government as the executive branch. Given that there is no 'opposition' party, the political dynamics in Kayah State are rather characterized by party consensus, with the main 'opposition' to the State government coming from those groups and parties which have so far remained outside the formal state structures and are part of the ceasefire and peace negotiations.

For the Union legislature, the Pyithu Hluttaw and the Amyotha Hluttaw, 7 and 12 representatives were elected for Kayah State respectively. As one of the smaller States, Kayah is one of the few States/Regions that have a higher number of representatives in the Amyotha Hluttaw (where it is the most 'overrepresented' constituent unit) than in the Pyithu Hluttaw (where it is also rather over-represented, simply due to its relatively small population. Of all States and Regions, Kayah has the smallest number of townships (7), the same number as Kayin, which has a much larger territory and population.[32]

29. August 2014
30. The representative was declared elected as he was an unopposed candidate.
31. Only Shan and Kachin State Governments have a higher number of members than Kayah. Mon State also has 13 members.
32. Chin has 9 townships; Tanintharyi and Mon have 10 each.

For the seats in the Pyithu Hluttaw, each township served as a constituency. Hence, altogether 7 members were elected from Kayah State to the larger one of the two Houses of the Union legislature. All of these 7 seats were won by the USDP (see Table 5).

Party	Constituencies contested	Votes	Percent	Seats
Union Solidarity and Development Party	7	92,496	78%	7
National Unity Party	7	21,714	18%	-
Kayan National Party	1	5,192	4%	-

For the Amyotha Hluttaw, each Region and State is assigned 12 seats. These are elected on the basis of groups of townships. As there are only 7 townships in Kayah State, Loikaw, Dimawso, Pruso, Shadaw and Pasawng were divided in two constituencies each, whereas Bawlakhe and Mesecounted as a single constituency each. The USDP won all of the 12 available seats in Kayah State (see Table 6). The NUP received about 18 percent of the votes, and the Kayan National Party 4 percent.

Party	Constituencies contested	Votes	Percent	Seats
Union Solidarity and Development Party	12	93,669	78%	12
National Unity Party	12	21,551	18%	-
Kayan National Party	2	4,676	4%	-

This dominance by a single political party, which stands for continuity with the preceding era, also informs and shapes the efforts, undertaken since 2012, of reintroducing some forms of popular participation at the local level, in particular the townships and the village tracts and wards. Understandably, voices critical of the prevailing power structures have not yet fully come to the fore in the State in the past three years, at least not within the institutional framework set up by the Constitution and subsidiary legislation. The elections to the Village Tract and Ward Administrators took place outside the scope of the wider political party spectrum, and returned many individuals who had already served in the system earlier. The process was managed by the General Administration Department, and likely excluded individuals considered having affinities with the ethnic armed insurgency.

Questions such as accountability and public participation in local decision-making processes cannot be considered entirely disconnected from the political dynamics in any given locality. While neither this summary nor the research undertaken by UNDP as a whole focuses on the

political dimension of transition in Myanmar, or in any given State or Region, not taking into account the overall historical and political context of governance reform would not do justice to a comprehensive mapping of the local governance situation on the ground. Increasingly, questions such as the spending of public funds for development projects, and the accountability of office holders for their administrative actions will gain a political dimension, as Myanmar gradually moves closer to a genuine multi-party environment.

In the ethnic States like Kayah, such questions will also play a key role in the further development of Myanmar's quasi-federal system overall, and the terms of settlement in the peace process specifically. A clear delimitation of roles and a definition of responsibilities between local administrators and civil servants on one side, and political or interest groups representatives on the other side, will be required. In particular, services should be provided on the basis of equal rights and equity, rather than on the basis of political favours and personal loyalties. The degree to which Kayah State will be successful in both reflecting its own ethnic diversity while at the same time sharing the benefits from its recourse extraction more fairly and delivering basic services in an equitable and effective manner will depend largely on the progress made in building local governance institutions and processes that are inclusive and responsive to the needs of the local population.

3.4 Introduction to the three townships participating in the study

The three townships participating [33] in this mapping exercise are together representative for Kayah State, with one township being more urban and the other two more rural in character (see Table 7).

Township	Access	District	Population size	Wards	Village tracts	Villages
Loikaw	Accessible by tar road and airplane	Loikaw	129,000	13	13	125
Hpruso	25 kilometres from Loikaw by tar road	Loikaw	29,000	5	14	115
Mese	180 kilometres from Loikaw by tar road	Bawlakhe	6,000	2	4	12

Table 7: Characteristics of Loikaw, Hpruso and Mese

Source: Department of Population, Ministry of Immigration and Population 2014; Population and Housing Census of Myanmar, 2014; provisional results and the Township GAD Socio-economic profiles.
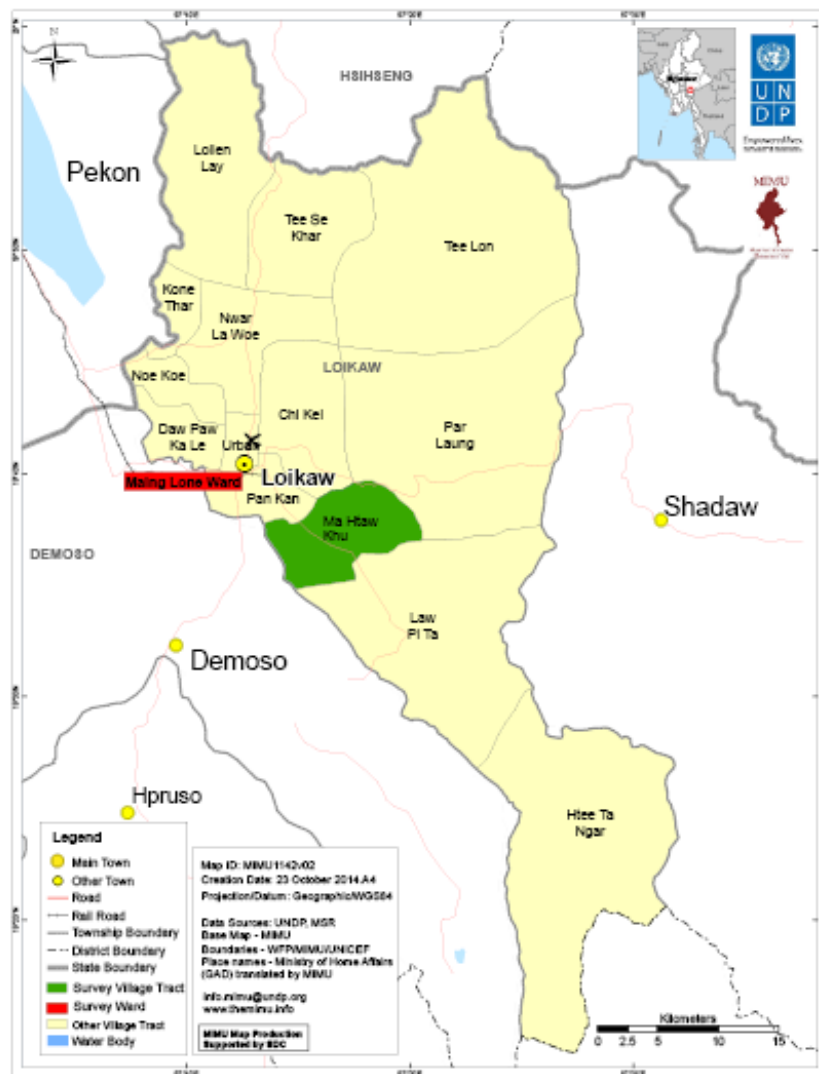
Loikaw

As the township with the largest population, the largest town and State capital (Loikaw), the most advanced infrastructure (health, education, roads, electricity, and telecommunications) and the most employment opportunities, Loikaw is the most developed township in Kayah State. Loikaw has also benefitted from the support of a number of NGOs and INGOs. It has largely lowland agriculture, with more access to irrigation than elsewhere in Kayah. While Loikaw is the transportation hub of the State, with road, rail and air access to the rest of Myanmar, there are still challenges with village roads, making it hard for farmers to access markets. There is generally adequate access to water in Loikaw,

33. Most information on the three townships comes from Schuler, Nina 2013; Kayah State Socio-Economic Analysis. EU, 2013 page 17-20.

however in Loikaw town the Balauchung River is still usedby many as the primary water source. Although there are more formal employment opportunitiesthan elsewhere in the State, unemployment is high among young people. Substance abuse (drugand alcohol) among young people is becoming an increasing concern within Loikaw town and township.[34] Loikaw is well-positioned as a potential economic hub for Kayah, with opportunities invalue-added industries related to timber, minerals, and tourism (as a result of the recent relaxation of travel restrictions). Perhaps most importantly, there are opportunities in agriculture and livestock.[35]

Figure 9: Map of Loikaw Township

34. According to the TMO in Loikaw.
35. Interview with the Loikaw Township Administrator. See also Schuler, Nina 2013; Kayah State Socio-Economic Analysis. EU, 2013.

Hpruso

While relatively close to Loikaw, the area of Hpruso is particularly mountainous and wooded. The road to Ho Yar is currently being improved (with some support from JICA), but a number of villages remain inaccessible by road. Hpruso has also benefited from the support of some NGOs and INGOs, but there are fewer of these than in Loikaw and villages in eastern Hpruso remain very remote and receive practically no services. There are some concessions for mining zinc and antimony, but the bulk of the economy is highland agriculture. Near Ho Yar, some demonstration farms are experimenting with high value crops such as tea and oranges. In addition to paddy, some farmers are growing millet, maize, green gram, soya bean, pigeon pea, etc. Health and education services are a challenge to deliver for the government in remote villages, although there has emerged some collaboration between government and CBOs to deliver health services through mobile backpack services.
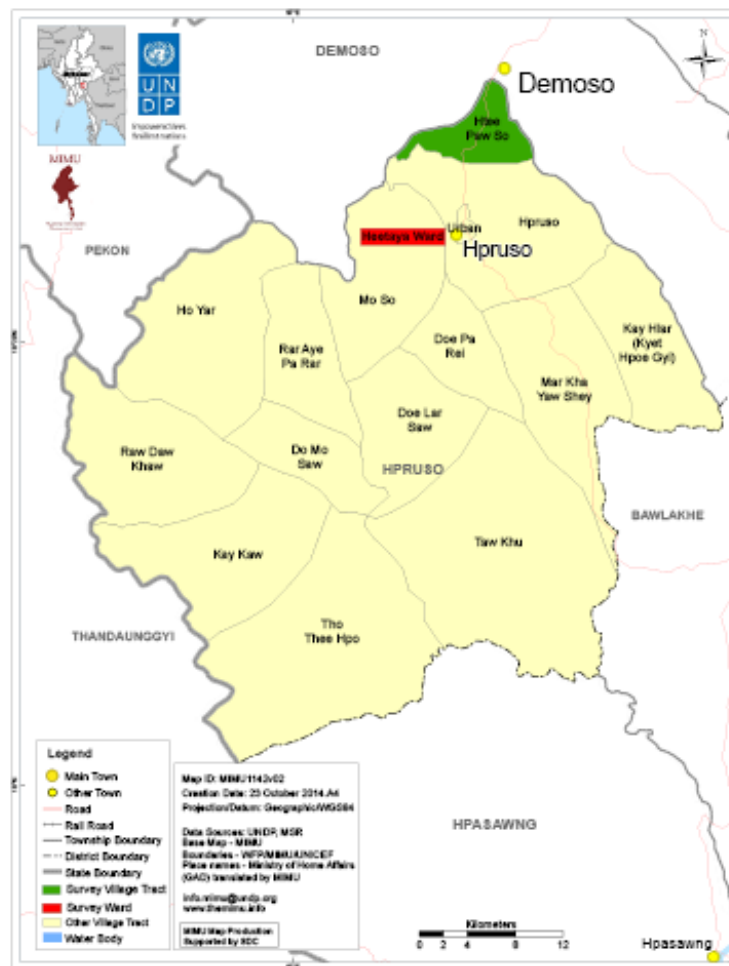

Figure 10: Map of Hpruso Township

Mese

Situated in the far south of Kayah State, Mese has an extensive border with Thailand. This border, notably through Border Points 13 and 14, is planned to be the primary focus for border trade. There is already considerable influence from Thailand, notably in communities such as Pan Tein, and significant potential for greater formal border trade to transform the economy of the township. Mese has a real frontier town character. Until the mid-1990s it was under the control of the Ethnic Armed Organisations and has only recently been split off from Bawlakhe and still operates more as a sub-township rather than a full township. Since a ceasefire was established, the government has invested a lot by providing Mese with a tar road, piped water, a market place and essential government buildings, but the economic development, based on trade with Thailand has not taken off as expected. Accordingly, the local residents who had fled to the refugee camps in Thailand during the fighting in past decades have not yet returned in force. All of Mese (9,922 acres) is currently designated as forestland, and for farming communities residing in the forests, there is some uncertainty about their rights and future. There is considerable logging underway too, with concessions given to three companies. Deforestation in Mese is a major issue, with forests threatened by legal logging, illegal logging and shifting agriculture. Forest fires are a problem during the hot season. Both the KNPLF and the Union Solidarity and Development Association (KNPP) appear to have considerable economic interests in Mese, most notably in timber. Along with its remoteness from Loikaw, Mese has been conflict-affected, and there are still landmines in some forested areas near the border.

Figure 11: Map of Mese Township
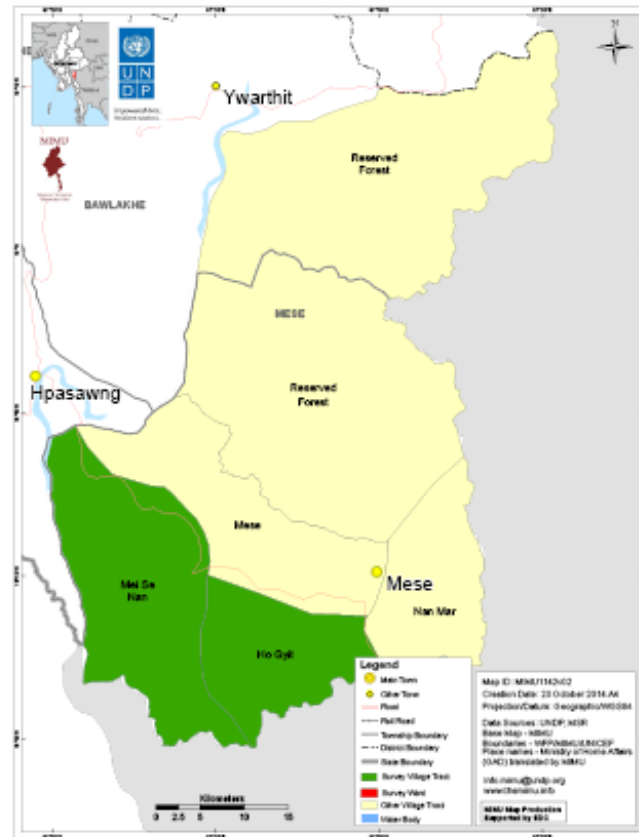
4. Governance at the front line – participation, responsiveness for service provision and accountability

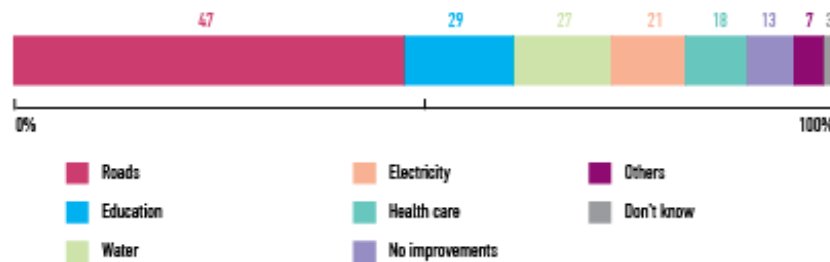## 4.1 Recent developments in Kayah State from a citizen's perspective

Before focussing on some of the governance issues in Kayah State, it is useful to place such findings in the broader context of how the people in the three townships perceive some of the major changes that have taken place over the last few years.

4.1.1 Citizens views on improvements and challenges in their village tract or ward

Majority perceived improvements and a small percentage of respondents (13 percent) mentioned that the government has not made any major improvements over the last three years.

Regarding the situation in their village tract or ward, the respondents were asked "what has been the most important improvement made by the government in your village tract or ward over the last three years". Figure 12 presents the responses. Majority perceived improvements and a small percentage of respondents (13 percent) mentioned that the government has not made any major improvements over the last three years, which is significantly lower than in the other six States and Regions (covered by local governance mapping till August 2014). Obviously, government activities are more visible to the people in Kayah State than in the other States and Regions. This can either be because the government in Kayah State is doing more (as is discussed below it has a much higher development budget per inhabitant than any of the other States and Regions), it responds better to the needs of the people or it informs people better about what it is doing. What will also contribute to Kayah State standing out is the fact that Kayah State has been, due to its remoteness and the long lasting conflict, a neglected area for a long time, which has only recently changed. When nothing has changed over a long period of time, any small change will be seen by its people as a big improvement.

Figure 12: Most important improvements made by government over the last three years

47 29 27 21 18 13 7 3

0%   100%

Roads | Electricity | Others
Education | Health care | Don't know
Water | No improvements

Source: UNDP, Local Governance Mapping, Kayah State, April 2014 n=288 note more than one answer was possible

Kayah respondents noted improvements in all service delivery areas.

The most often mentioned improvement made by government by the respondents was an improvement in roads, which was mentioned by 47 percent of the respondents, more than in any of the other States and Regions. Twenty-nine percent mentioned improvements in education, 27 percent mentioned improvements in drinking water, 18 percent in health care and 21 percent in electricity. In all these areas the Kayah respondents scored higher than any of the other States and Regions, meaning that in all service delivery areas improvements were noted. Similar improvements were mentioned during the Community Dialogue sessions (see Table 8).

Village Tract/ Ward	Improvement 1	Improvement 2	Improvement 3
Heetaye Ward Loikaw	Increased salaries for government staff	Signed ceasefire	Electricity along the roads.
Hti Paw Hso VT Loikaw	Advancement of peace in the State	Expansion of new school building and free primary education	A new healthcare centre building
Ma Htaw Khu VT Hpruso	New roads and bridges have been built	Better school buildings	Electricity and water have become available
Maing Lone Ward Hpruso	The school buildings have been upgraded so the schools are more secure	Improved school buildings, roads, bridges, and electricity	More CSOs are allowed to be established
Ho Seit VT Mese	More health facilities	More new school buildings	Water pipes have been installed in the village
Mei Se Nan V Mese	School buildings and health centres have been built	Water pipes have been installed	Better roads have been built

A similar trend of improvement was seen in food availability throughout the year, as perceived by the respondents to the mapping in Kayah State, which is slightly above the average figure for the seven States and Regions so far included under mapping. Sixty-six percent of respondents mentioned that they always have enough food to feed their families, while 27 percent mentioned that they do experience occasional shortages and 7 percent of the respondents mentioned that they almost always experience a shortage of food (see Figure 13). Food security was slightly better in Loikaw with 74 percent of the respondents mentioning that they always had enough food compared to 62 percent in Hpruso and 61 percent in Mese.
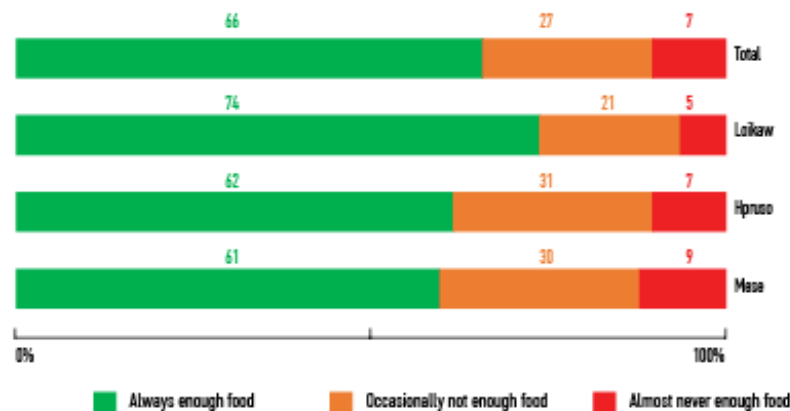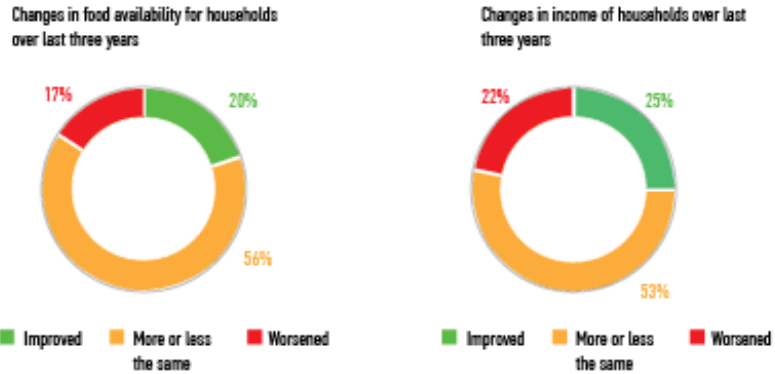
However, the food and income situation has not changed much for most households over the past three years (see Figure 14 a).

Changes in food availability for households over last three years

17%   20%

56%

■ Improved   ■ More or less the same   ■ Worsened

Changes in income of households over last three years

22%   25%

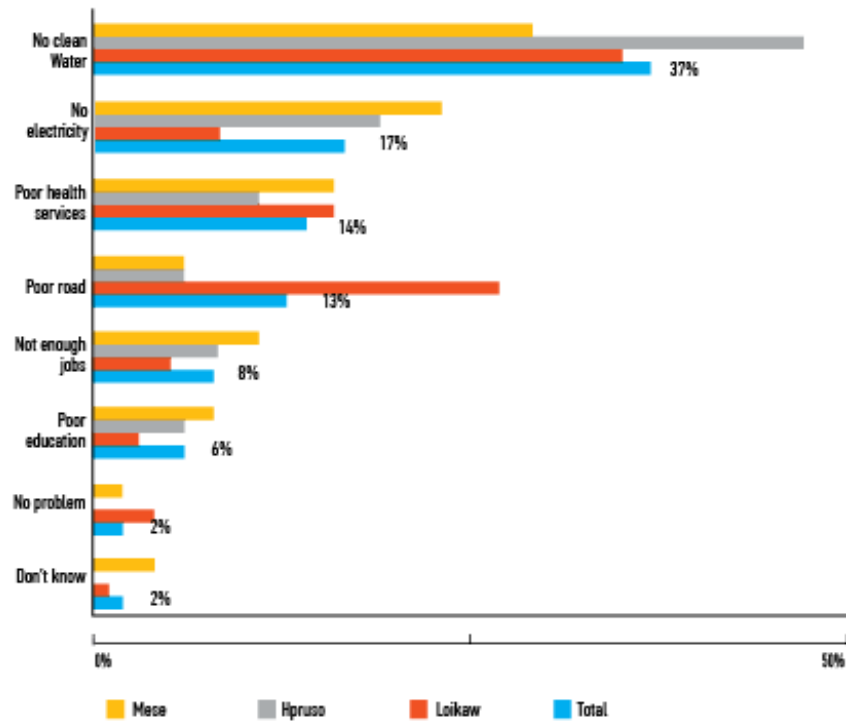53%

■ Improved   ■ More or less the same   ■ Worsened

For 17 percent of the respondents the food situation has worsened while for 20 percent it has improved. For the majority it stayed more or less the same. A similar pattern emerged with regard to changes in household income (see Figure 14b).

Respondents were also asked to mention the most important problems they experience at the moment in their village tract or ward (see Figure 15).

No clean Water — 37%
No electricity — 17%
Poor health services — 14%
Poor road — 13%
Not enough jobs — 8%
Poor education — 6%
No problem — 2%
Don't know — 2%

0%   50%

■ Mese   ■ Hpruso   ■ Loikaw   ■ Total

Overall, the lack of access to clean water came out as the most important problem by far, mentioned by 37 percent of the respondents, followed of access to electricity (17 percent), lack of good health services (13 percent) and roads (13 percent).

As can be seen from Figure 15, there were significant differences between the three townships. In Hpruso the lack of clean drinking water was mentioned by 47 percent of the respondents. In Loikaw, poor roads was mentioned by 27 percent of the respondents, but only by 6 percent of the respondents in Mese and Hpruso. In Mese, lack of water and lack of electricity were mentioned most often.

A similar difference in community level development priorities emerged from the Community Dialogue meetings (see Table 9). The three most important problems mentioned differed across the townships and village tracts/wards, and were contingent on local conditions and needs.

Village Tract/ Ward	Priority 1	Priority 2	Priority 3
Ma Htaw Khu VT Loikaw	Inadequate drinking water.	Not enough health centres	Only one primary school in the village.
Maing Lone Ward Loikaw	Electricity supply does not cover the whole ward.	There is no RHC in the ward.	Many traffic accidents due to narrow roads.
Heetaye Ward Hpruso	Scarcity of water supply.	Lack of regular electricity supply.	Poor telecommunications.
Hti Paw Hso VT Hpruso	Few employment opportunities.	No electricity for the whole village.	No telecommunications.
Ho Seit VT Mese	To get enough water.	To get electricity.	Not enough jobs
Mei Se Nan VT Mese	Lack of electricity.	Not enough drinking water.	Poor telecommunications.

Table 9: Most important development challenges for each village tract or ward emerging from the Community Dialogues.
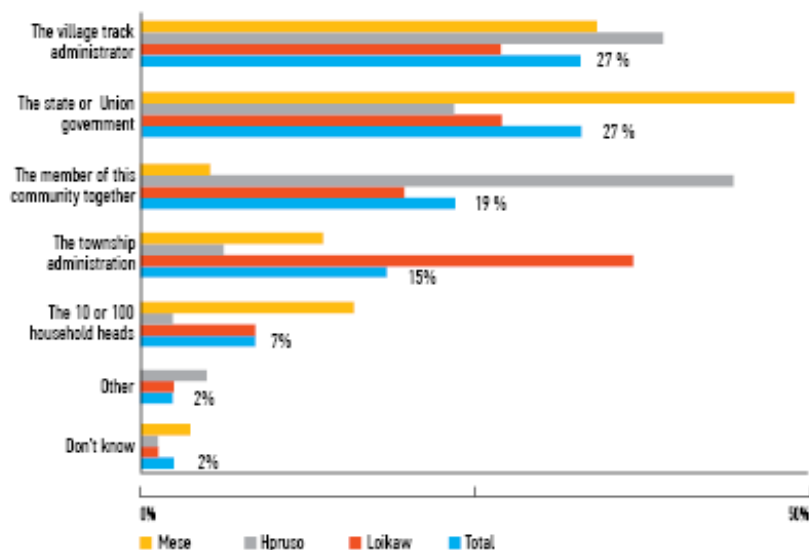
Source: UNDP Local Governance Mapping, CD meetings, Kayah State, April 2014.

While certain trends emerge across these six communities (water and electricity were mentioned most frequently), there are significant differences between the village tracts and wards as well. Since only one village tract and one ward were included in the mapping in each township, it is not possible to say whether other village tracts and wards have similar priorities or even add to the diversity of felt needs. What these figures do show however is that the needs and problems of people can differ significantly per township or even per village tract and that tailor made solutions and responses are required if government wants to become more responsive to these needs and become more "people centred". If so, it is critical for government to be able to assess and record these different needs on the one hand and have the necessary systems in place that enables it to respond to each of these issues adequately on the other hand. Further below, this report assesses whether the township administration and the various departments at township level have the necessary instruments, whether they have sufficient capacity and at least a minimum level of autonomy to become more responsive.

When the respondents were asked "who is, first of all, responsible for tackling the most important problem in your village tract/ward", 27 percent of the respondents mentioned the Village Tract Administrator/Ward Administrator (VTA/WA) and 27 percent mentioned the State or Union level Government (see Figure 16). Apparently, the notion that Government is responsible for service delivery and for solving problems at the village tract/ward level is well established. Likewise, the VTA/WA is expected to play an important role in that process, even more so in the perception of the community members than the Township Administrator (TA). It is remarkable that 40 percent of the respondents in Mese found the State/Union level Government first responsible and far less the members of the community themselves (only 4 percent), while in Hpruso it was the other way around, with 36 percent of the respondents saying that it is first of all the responsibility of the community members to resolve these problems and only 19 percent said it was up to the State or Union level Government. In Loikaw, the percentage of respondents saying that the TA was the first responsible to tackle the problems in the community was relatively high with 30 percent compared to only 5 percent for Hpruso and 11 percent for Mese. Again, these figures indicate that the local context is very specific, and that localities differ not only in terms of what problems and priorities are identified, but also in terms of who is expected to address these. This may be the result of personalities and other local dynamics, but needs to be monitored over time in order to be better understood with regard to the performance and responsiveness of governance institutions.

The village track administrator	27 %
The state or Union government	27 %
The member of this community together	19 %
The township administration	15%
The 10 or 100 household heads	7%
Other	2%
Don't know	2%

0%   50%

■ Mese ■ Hpruso ■ Loikaw ■ Total

4.1.2 Safety and security in Kayah State

In terms of safety and security, the ceasefire agreement of June 2013 between the Government of Myanmar and the ethnic armed organisations in Kayah starts to pay dividends for people in Kayah State.From the Citizen Report Card it became evident that 91 percent of respondents (or nine out of ten) mentioned that they felt safe in their village tract/ward at the moment (see Figure 17).
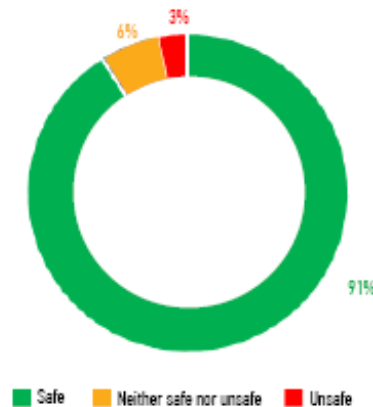
Remarkably, female respondents felt slightly safer than male respondents (93 percent versus 89 percent). Almost two-thirds of the respondents (65 percent) reported an improvement in the safety situation of their village tract/ward over the last five years, while only one percent mentioned that the situation had worsened (see Figure 18). If one looks at the differences between the three townships, more respondents in Hpruso and Loikaw mentioned an improvement in the safety situation than in Mese, in which more people (54 percent) mentioned that the situation has remained more or less the same over the last five years. This is noteworthy, since Mese was in the past most affected by the armed conflict of these three townships and could have been expected, after the ceasefire agreement became effective, to have experienced the most improvements.

In terms of safety and security, the ceasefire agreement of June 2013 between the Government of Myanmar and the ethnic armed organisations in Kayah starts to pay dividends for people in the State 91 percent of respondents (or nine out of ten) mentioned that they felt safe in their village tract/ward at the moment
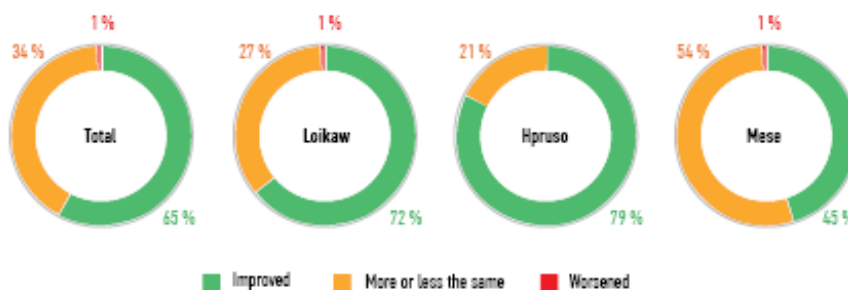
According to the 188 respondents who stated that the safety situation has improved, the most common reasons given were: "the area in which they live is now more peaceful" (81 percent), "law enforcement has improved" (39 percent) and "there is less criminality in the community" (16 percent).[36]

This improved sense of safety was confirmed during the Community Dialogue sessions in the six sampled village tracts and wards and during the group discussions with the support committees and the CSOs in the three townships. As one person in Ho Seit Village tract in Mese mentioned: "The situation is much better if people and authorities can work together". From both the individual as well as the group responses it seems that concerns over safety and security have shifted as well, away from concerns over violent conflicts in the area towards issues related to criminality and substance abuse in their own communities.

4.2 Development planning and citizen participation

One of the objectives of the administrative reform programme of the Government of Myanmar is to transform the development process in Myanmar and make it more 'people centred'. What this means in the Myanmar context is in general described in the Framework for Economic and Social Reforms of January 2013,[37] which mentionsthat the Government of Myanmar "attaches high priority to developing a participatory process of local budgeting, which should reflect local priorities and needs while corresponding with national policy directions" (FESR, page 34) and "....new forms of public participation are emerging as citizens seek opportunities to actively participate in shaping the policies that affect their lives" (FESR, page 37).

To facilitate this process, new consultative structures at the township and village tract/ward level have been established following Notification 27/2013 of the President in February 2013.[38] As a result, the Township Development Support Committees (TDSC) and the Village Tract/

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36. Note that more than one answer was possible.
37. See Government of Myanmar 2013, Framework for Economic and Social Reforms, final draft January 2013.
38. Notification No 27/2013, "Assignment of duties for formation of township andward/ village tract development support committees. The President's Office, 26 February 2013.

Ward Development Support Committees (VT/WDSC) were established in Kayah State in March 2013.[39] The Township Development Affairs Committees (TDAC) were established at the township level for town areas in early 2014 after the adoption of the Municipal Law by the Kayah State Government.

Box 1: Planning and budgeting processes

From a township level perspective there are for the time being three distinctive planning and budgeting processes that affect service delivery to the township population in which citizens could possibly be involved.

The first type of planning and budgeting processes that takes place at the township level is the development fund planning process related to the various development funds that are made available either by the State or Union level Government to the township and that are managed by the GAD. The details of this planning process and the implementation in the three townships will be described in this section.

The second and (in terms of volume of public resources utilised) most important planning and budgeting process, is the sector planning process. Each of the line agency departments at the township level, whether falling under the State Government (Schedule Two responsibilities) or under the Union level Government (Schedule One responsibilities), adheres to its own annual and sometimes multi-annual planning process. The details of this planning process will be briefly summarized in section 4.3 when reflecting on the planning processes in the health and education departments.

Thirdly there is a recently emerging municipal planning and budgeting process, which is still fairly new. It is similar to the sector planning process and is implemented by the Development Affairs Organization (DAO), a newly created organisation that exists in each State and Region, but has no equivalent at the Union level, as municipal affairs are a power assigned to the States and Regions in Schedule Two of the Constitution. Since the revenues for the MA are generated at the local level, the planning process is slightly different from the sector departments however. The details of this planning process will be described in section 4.3 under the drinking water section.

There is, at the moment, no integrated township level planning process which would take a more comprehensive analysis of the whole township including its challenges and opportunities as a starting point for analysis, and would result in a more strategic mid- or long-term development plan for the whole township. Ideally, it could inform each of the departments of their role in this process and their sector priorities. The township plans that are currently compiled by the Township Planning Officer have a 5-year perspective and include some township planning priorities and the longer term plans of (I)NGOs, but they are mainly a compilation of the sector plans for as far as they have a mid-to long-term perspective. No budget is available at the township level for their implementation and they are not used to inform the actual planning process of the sector ministries yet.

39. See Annex 3 for details of these and other committees, their composition and functioning in the three townships in Kayah state

4.2.1 Planning, implementation and monitoring of development fund projects

In Kayah State there are at the moment four development funds available at the township level:
1. The Poverty Reduction Fund (PRF)
2. The Constituency Development Fund (CDF)
3. The GAD Rural Development Fund
4. The Border Affairs Fund

The Poverty Reduction Fund

The Poverty Reduction Fund resulted from a presidential initiative to address rural development and poverty, and began in financial year 2012/13 with one billion Kyats (1 million USD) allocated to each State and Region. The funds were both budgeted and executed under the GAD, because State and Region Government institutions were newly formed and considered unable to manage these funds. The second round of poverty reduction funds for the financial year 2013/14 – also one billion Kyats (1 million USD) per State and Region – were budgeted and transferred directly to the State/Region 'administrative organization' budget category. However, execution of the State/Region administrative organization's budget is still the GAD Executive Secretary's responsibility, and therefore under the GAD's influence.[40] Projects under this fund can be submitted by wards/village tracts for school and health facility renovation, road improvement or bridges, water facilities and electricity connection. The projects are small (between 2-3 million Kyats each; 2,000 – 3,000 USD) and should be implemented by the village tract/ward itself under supervision of the VTA/WA. While the fund has been in operation since the financial year 2012/13, the recent introduction of support committees led to a new process of deliberation and decision-making on the awards from this fund (see below).

Approved projects are announced during the combined monthly committee meetings at the township level (which brings together all the members of the TDSC, TDAC and the VTA/WA -and the GAD finance officer informs each village tract/ward on the financial details. The TA is the drawing officer, while the Deputy TA is controlling officer.[41] The money is released in two instalments to the township GAD office which distributes the money in two instalments to the VTA/WAs. The VTA/WAs submit progress reports during each VTA/WA meeting. The Auditor-General's Office checks a sample of projects after completion.

In Loikaw the township has established a taskforce committee to manage the PRF known as the 'Township Development Operation Committee'. It is not a formal committee, rather it is given the title of 'taskforce committee' and its mandate is purely to manage implementation of the projects. The committee has seven members, TA (Chairman), TMO, TEO, Engineer, Information Officer, Social Welfare Officer, Municipal/Development Affairs Officer (Secretary).

According to the TAs, the GAD adheres to the basic principles of transparency and accountability when administrating these funds. All projects are documented with 'before' and 'after' photos along with detailed budgets and reconciliations are fully auditable as per Union level instructions.

In Loikaw the township has established a taskforce committee to manage the Poverty Reduction Fund known as the 'Township Development Operation Committee'.

40. Nixon, Hamish, and Jolene, Cindy; 2014: Fiscal Decentralisation in Myanmar: Towards a Roadmap for Reform (page 3)
41. The drawing officer can authorise payment if the necessary conditions are met and sign cheques, the controlling officer has to check the legitimacy of the payment and countersign any cheque.

Constituency Development Fund

The Constituency Development Fund was established by the Union legislature in 2013.[42] Townships form single-member constituencies for the election of members of the *Pyithu Hluttaw*, the larger chamber of the Union legislature, as well as the basic units for forming constituencies for the Amyotha Hluttaw and the State/Region *hluttaws*.[43] Representatives from the two houses of the Union legislature and Region/State *hluttaws* are thus enabled to help select township development activities in their constituencies to a maximum of five million Kyats (USD) per project. The CDF is now budgeted as current expenditure and revenue under the State/Region hluttaw budget. Priorities for these projects are to be water supply, renovations of rural roads and bridges, renovation of school buildings, renovation of buildings related to health and other township needs. The implementation of CDF projects is to be done by Township Development Implementation Bodies consisting of all four hluttaw representatives from the township as well as selected government staff.[44]

In 2013/14 each township received 100 million Kyats (100,000 USD) from the Constituency Development Fund for the implementation of small projects, irrespective of the population or size of the township. For this fund both village tracts and wards could submit proposals. Since the fund was announced only at the end of 2013, there has only been one round of submitting project proposals and actual implementation of projects prior to the mapping exercise. The project criteria are the same as for the Poverty Reduction Fund. Once the projects are identified and validated (see below) the proposed projects are submitted to the State Government including photos of the proposed sites and the written approval of the hluttaw members regarding the selected project. The State Government then determines the budget allocation for each project and advises the Township GAD of the approved projects.

Development Fund of the Ministry of Border Affairs

The Ministry of Border Affairs has its own development fund available for a selected number of townships in all States (those with a significant part of the population being of one the ethnic minorities or former conflict areas). The type of projects considered are similar to those for the Poverty Reduction Fund (mainly infrastructure maintenance) but usually more substantial (average costs of a project 30 million Kyats – 30,000 USD). In those townships where there is no Border Affairs Office, the GAD collects project proposals through its VTA/WA-TDSC meetings, checks if these are not included in other funding, and passes them on to the district office of the Ministry of Border Affairs. The Ministry of Border Affairs, which is by constitutional provision always headed by a military appointed Minister both at the Union and the State-level, decides on the selection and implementation. In case the village-tract/ward implements the project, the money is distributed via the GAD to the VT/WAs involved, but it is booked as an expenditure by the Ministry of Border Affairs. If the project is implemented by a contractor, the Ministry of Border Affairs conducts the tender at State level and contracts and supervises the contractor.

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42. Initially, the President refused to sign the law and sent it back to the Pyidaungsu Hluttaw with comments that the law was unconstitutional due to its granting the hluttaw executive power to implement development activities. However, the hluttaw proceeded to promulgate Order No. 83/2013 and No. 86/2013 with minor amendments.
43. For the election of 12 seats per State/Region in the Amyotha Hluttaw, the smaller chamber of the Union legislature, townships are either divided (if fewer than 12 townships exist) or grouped together (for States/Regions with more than 12 townships). For the division of electoral constituencies in Kayah State, see above.
44. Nixon, Hamish, and Jolene, Cindy: 2014: Fiscal Decentralisation in Myanmar: Towards a Roadmap for Reform (page 33).

GAD Rural Development Fund

Finally, there also is a GAD Rural Development Fund whichhas been getting smaller over the years and since it is rather marginal and has the same criteria and procedures as the Poverty Reduction Fund is often combined into a **Rural Development and Poverty Reduction Fund**. It was only mentioned separately in Hpruso Township, which received 6 million Kyats(6,000 USD) under this fund during the 2013/14 financial year.

In Hpruso, it was mentioned that two co-funding mechanisms were in place for the implementation of projects within the community: (i) a 50 percent contribution by citizens and a 50 percent contribution by government, or (ii) a 20 percent contribution by citizens by providing sand, gravel and voluntary workand 80 percent by government. It was not clear for which projects or under what circumstances which of these two co-funding mechanisms would be applied.

Compared to other States and Regions in the country, Kayah State receives 3.5 times the average amount of PRF and CDF funds per capita in 2013/2014 (5,527 Kyats per capita for Kayah compared to1,641 Kyatsper capita for all States and Regions)even excluding the Border Affairs Funds that are only available for selected townships in all States. The higher average amount available per capita may explain partly why the resulting development activities are better known by citizens in Kayahas compared to citizens in the other States and Regions included in this study. The government justifies these different allocations based on the particularly high reconstruction needs in some States/Regions due to conflict, or remoteness.[45]

If one looks at the total amount available under the various development funds per township and per citizen within Kayah State there are also significant differences (see Table 10and 11and Figure 19).

	PRF in million MMK	CDF in million MMK	Total in million MMK (excluding BA)	Border Affairs	Total in million MMK (including BA)	Citizens	per citizen in MMK for PRF and CDF	per citizen in MMK for PRF, CDF and BA
Loikaw	641	100	741	509	1,250	129,000	5,744	9,690
Hpruso	47	100	147	2,127	2,274	29,000	5,069	78,414
Mese	56	73	129	160	289	6,000	21,500	48,167
Total	744	273	1,017	2,796	3,813	184,000	5,527	20,723

45. Nixon, Hamish, and Jolene, Cindy; 2014: Fiscal Decentralisation in Myanmar: Towards a Roadmap for Reform page 31-36.

	PRF in million MMK	CDF in million MMK	Total in million MMK (excluding BA)	Border Affairs	Total in million MMK (including BA)	Citizens	per citizen in MMK for PRF and CDF	per citizen in MMK for PRF, CDF and BA
Loikaw	136	100	236	161	397	129,000	1,829	3,078
Hpruso	94	100	194	1367	1561	29,000	6,689	53,828
Mese	5	100	105	156	261	6,000	17,500	43,500
Total	235	300	535	1684	2,219	184,000	2,907	12,060
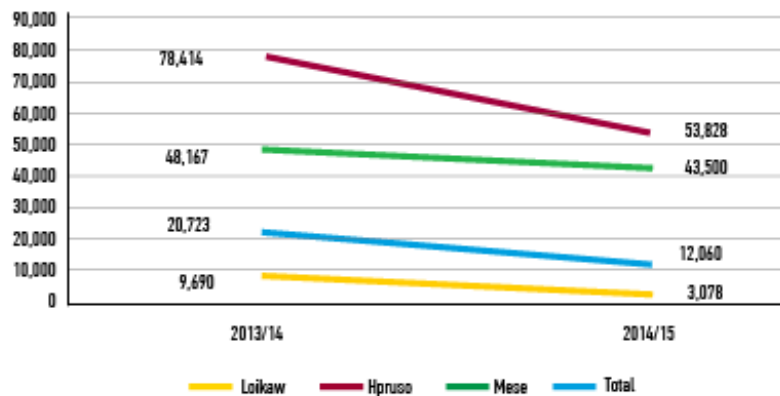
A comparison between the last two fiscal years shows that, notably, there is, for the three townships combined, a reduction of 42 percent in total development funds available between 2013/14 and 2014/15.

The amount of combined development funds available per capita in Loikaw was only 12 percent of the per capita amount available in Hpruso in 2013/14. In 2014/15, although both townships see a reduction in development funds available, the amount of combined development funds available per capita in Loikaw is only 6 percent of the per capita amount available in Hpruso. Figure 18 shows that the amount available in Mese is for both financial years in between the two other townships.

Participation of citizens in decision-making regarding the utilisation of the development funds

In theory, citizens can be involved at two levels in the planning process of development fund projects. First,they can be consulted either directly or indirectly at the village tract/ward level during the identification of potential projects and secondly they can participate indirectly through the participation of their VTA/WA and the TDSC and TDAC in the selection process at the township level (see Figure 20).

However a comparison between the last two fiscal years show that, for the three townships combined, there is a reduction of 42 percent in total development funds (PRF, CDF, Border Affairs) available between 2013/14 and 2014/15

Figure 20: Schematic presentation of consultation processes for the PRF, the CDF and the Border Affairs projects in Kayah State.

Source: UNDP Local Governance Mapping, Kayah State, interviews with key resources persons

In Loikaw and Hpruso the TDSC divides itself in various sub-committees of two-three members each. These sub-committees visit a selection of village tracts to inspect the proposed project side (take pictures) and discuss and assess the proposal. This is important given that, 82 percent of the respondents (76 percent of the male and 87 percent of the female respondents) mentioned that they had never been invited to a meeting in which the government wanted to discuss new development projects for their village tract or ward

In terms of collecting information from citizens, the TDSC members collect the needs and project proposals at the village/village tract level by liaising with elders, VTA/WAs and/or the 10/100 household heads [46] in the village tracts. The VT/WDSC and VTA/WA prepare one or more project proposals and if necessary engage an engineer to draft a plan and make realistic cost estimates.

In Loikaw and Hpruso the TDSC divides itself in various sub-committees of two-three members each. These sub-committees visit a selection of village tracts to inspect the proposed project side (take pictures) and discuss and assess the proposal. The logistical and procedural challenges associated with gathering information from villages that are difficult to reach by volunteer citizens who do not get any type of logistical support are tremendous and one cannot expect this new system to work perfectly a year after it has been established. The committees do not hold consultations with interest groups or CSOs in the township. The TDSC and TDAC members mentioned that according to them two information sources (government information and citizen information) were enough to make well-informed decisions and that other information sources were not required.

Eighty-two percent of the respondents (76 percent of the male and 87 percent of the female respondents) mentioned that they had never been invited to a meeting in which the government wanted to discuss new development projects for their village tract or ward. Figure 21 shows that being invited to such meetings is on average slightly higher in the rural areas (22 percent) as compared to the urban areas (11 percent).

46. The 10/100 household heads or village heads or village administrators, have been incorporated in the administrative system during the British colonial rule and still play an important role in assisting the VT/WA who usually oversees 4-6 villages. They are not part of the formal government structure, and are either elected by the community or self-appointed. The Village Elderly and Respected People (VERP) is a kind of advisory committee to the VT/WA. There is no division of responsibilities between members but one will often assume the role of chairman. They meet in an informal manner and on an occasional basis. The selection process for VERPs is not clear. Typically, they are chosen by the Village Tract Administrator with advice from other elders in the village or are self-appointed. Most of them are former VT/WAs/10/100 household heads who automatically assume a VERP position upon leaving their post. In some villages the VERPs occupy a more permanent position than the VT/WA and so outlast several VT/WAs. Members are generally older men of a medium to higher socio-economic background. With the establishment of the VT/WDSC they are sometimes incorporated in these new committees and sometimes continue to exist next to the VT/WDSC. See for more detail: Kempel, Susan 2012; Village Institutions and Leadership in Myanmar: A View from Below, UNDP 2012.
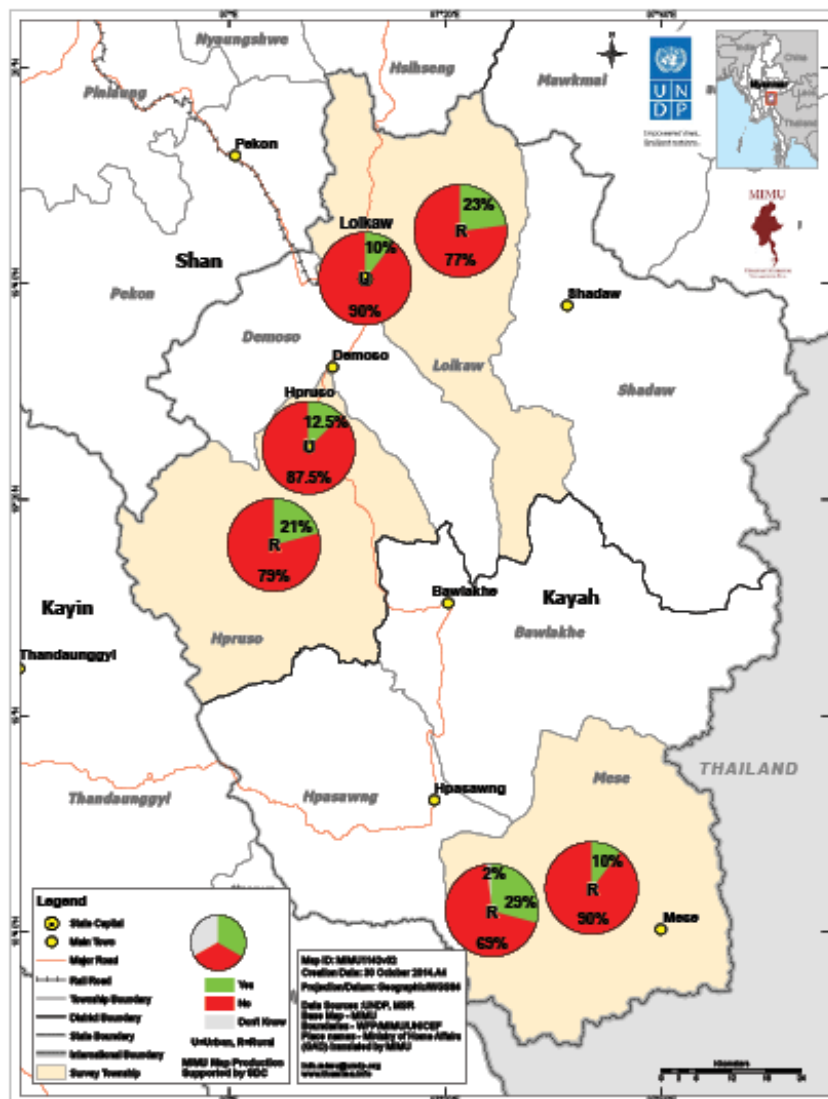
Participation of respondents in village tract or ward meetings in general is rather low. Only 50 percent of the respondents participate regularly in village tract or ward meetings. Female respondent participate less than male respondents (44 percent of the female respondents participate regularly vis-a-vis 56 percent of the male respondents).

During the Community Dialogue sessions, citizens on the one hand and the VTA/WAs and government frontline service providers on the other hand often reproached each other of this lack in consultation. Citizens mentioned that meetings are not organised, that they are not invited or that they take place at the wrong moment when they are in their fields, while the VTA/WAs cited lack of interest from the community members to come to the meetings that they organise to consult them as the main reason for lack of consultation (see Box 2). Based on the mapping findings it seems most likely that the truth lies somewhere in between these positions. From these and other similar responses made during the Community Dialogue meetings it seems however that the way in which community members are involved in project selection differs a lot from one community to another and depends a lot on the initiative and attitude of the VTA/WA to involve people actively.

Box 2: **Responses from community members regarding their involvement in project selection for the development funds**

- The Ward Administrator stated that he listened to the voice of the people and asked for advice from the people to build roads, but local people said they never got a chance to be involved in decision making.

  Heetaye Ward, Hpruso

- Community members mentioned that despite the existence of the various committees, the committee members are not representative.

  Maing Lone Ward, Loikaw

- "If the government wants to provide support the opinions of the people should be sought first. For example, a government minister bought chickens and pigs and told the people to raise them without providing any training. When some of the animals died, compensation had to be paid. This was very burdensome for the people."

  Hti Paw Hso VT, Hpruso

- "Authorities are now more receptive to people's suggestions. The VTA is also elected by the people's votes."

- "People are allowed to participate in social and other community groups."

  Mei Se Nan VT, Mese

The CSOs in the three townships were in general also critical about the consultation process related to the selection of development projects. They acknowledge that by involving citizens through the various committees the responsiveness from government to the needs of citizens has improved, but that the actual participation of people in project selection is still very limited.

During the State-level feedback meeting in which representatives from village tract/ward, township and State level participated to discuss the interim findings of this mapping and suggest possible remedies, the limited direct participation of citizens in project selection was discussed. In the group of State-level representatives a number of possible improvements were proposed. Participants recommended to make a plan of action as to how participation could be improved which would include both the Township and Village Tract and Ward level, which would include instructions, trainings and raising citizens awareness of the importance to participate actively in these processes.

The second level of participation is taking place at the township level. Notification no. 27/2013 mentions that; "the Township Management Committee (TMC), which includes the participation of township level Departmental Staff, must meet, coordinate and seek advice from" the TDSC and TDAC. In Kayah this consultation between TMC and TDSC/TDAC is mainly happening during the combined committee meetings in which the TDSC, the TDAC, all VTA/WAs and the TMC participate, which are held on a monthly or bi-monthly basis. Often (especially in Loikaw), the elected members from the State Hluttaw also participate in these meetings. Each committee/group prepares project suggestions and priorities. They present these at the monthly combined committee meeting and collective decisions are made about development priorities, which are then submitted to the TA as their collective advice. In essence, all committee members can provide input into all issues, regardless of the committee responsible for managing the issue. Since the combined budgets of these funds are rather limited and there are a lot of demands for projects in the areas of health, education, road infrastructure and rural development, the prioritisation process is important. Contrary to what happens in other States and Regions in which the actual selection is de facto taken in the combined meeting, the TAs in the townships in Kayah take a final decision, listening to the advice from the committees. As one TA mentioned: "it is the prerogative of TA to decide the best possible options for the welfare of the citizens". Nevertheless, the committee members expressed that they felt that they are involved in the decision making process and that their thoughts and opinions are respected and the information they collected from citizens was valued by the government.

While the TA decides on the final list of projects for the PRF fund, the four elected members for each township have to approve the project selection for the CDF fund to ensure that the projects prioritised meet the needs of the people. Since they participate actively in the combined meetings and participate in the selection process this final written approval is more a formality to put to record that they have actually approved the selected projects.

The TDSCs in the three townships are also involved in monitoring the progress of each of the projects implemented under the PRF or CDF and members make sometimes field checks to verify whether the reports submitted by the VTA/WAs during the combined committee meeting are accurate.

Committee members and government staff felt that the introduction of the TDSC and TDAC had increased the accountability and transparency within the township and greatly contributed to better project selection and overall improved township development. The TAs also believed that the introduction of the committees have had a positive impact upon citizens involvement in township development and upon project selection. They mentioned that the selection of committee members is important for feedback as well as providing recommendations for township planning, implementation and monitoring process.

While the TDSCs are active and play an important role that is respected by the TA, there were however questions raised about the capacity of the consultative committees and about their representativeness and legitimacy.

While a TA mentioned that "it is the prerogative of TA to decide the best possible options for the welfare of the citizens", the TAs also believed that the introduction of the committees have had a positive impact upon citizens involvement in township development and upon project selection. The township committee members in conformity expressed that they are involved in the decision making process and that their thoughts and opinions are respected and the information they collected from citizens was valued by the government.

Regarding their limited capacity, the TAs mentioned that despite that they are happy with the performance of the consultative committees in general, the different committees lack the capacity to involve citizen in the process of bottom up planning and micro-planning process. According to them, the real challenge in the townships is improving the interface between the committees and citizens. The committee members themselves recommended additional training for the members to better understand and implement their roles, particularly in the areas of management and public relations. None of the citizen members in these committees had received any training before they started functioning. In addition, they also recommended that the Township Administration should allocate office staff and office space to the committees, which would assist them in their functioning since finding a suitable area to hold a meeting outside the GAD office was a problem. In addition, they mentioned that it was difficult for them to travel to the more remote village tracts to carry out their duties as they were not provided with transport or any travel allowance.

Secondly there is the issue of representation. The representatives of the various groups in the townships who participate in the TDSCs in Kayah State, coming from the business sector, professionals, farmers, etc. are mainly from the urban wards and not from the village tracts, thus excluding a large part of the rural population in the townships in the deliberations on the use of the development funds. While this was done to make it easier for the TDSCs to meet on a regular basis, it excludes a large part of the more rural population. In addition, there are no female TDSC members in the three townships in Kayah State, meaning that by default 50 percent of the population is not represented in these committees. This can be explained by the fact that members of these committees were selected or nominated by the various groups in the township (businesses, labourers, farmers, elders) that have an almost exclusive male membership.

This issue of lack of involvement of women in consultation and decision-making was confirmed by participants during the State-level feedback meeting and several initial suggestions were made as to how this problem could be addressed. The township level representatives suggested to improve civic awareness on women's rights by providing information and training to both citizens and to the 10/100 households heads.

Lack of women's involvement in consultation and decision-making was noted and township level representatives suggested to improve civic awareness on women's rights by providing information and training to both citizens and to the 10/100 households heads.

This lack of representation as well as the fact that the members are selected and not elected has a negative impact on the legitimacy of these newly established institutions as was mentioned by various CSO representatives. According to them, the support committees do not reflect the diversity that exists in society and the different interests that different groups have within society. This is likely to impact negatively on their legitimacy as was mentioned several times especially by people not feeling represented or involved in these committees.

It is therefore not entirely unexpected that 97 percent of the common citizens interviewed in the three townships had never heard of either the TDSC or TDAC. A serious question therefore arises as to how these committees can represent the interests of citizens in the township if citizens in most cases do not even know of the existence of these committees, do not know who its members are and are not aware of whether or how these committees effectively represent their interests.

The issue of limited representation of the TDSCs was discussed during the State-level feedback meeting. Participants from the village tract/ward level mentioned that decisions made about project selection at the township level are not in line with the desires of the people, in part because of a lack of transparency and a lack of knowledge of the opinions of local citizens. Furthermore, participants mentioned that the decision-making processes do not follow a clearly defined standard proce-

dure. Participants suggested that the TDSCs should have a clearer mandate on which they should be trained and they should receive more information on budgets. In addition, the TDSC members should go out more often to the villages to meet with people and explain their role and function.

While the total combined budgets of the development funds per township are still rather small and all parties still seem to busy finding their role in this process, the planning and implementation of the development fund projects play nevertheless a very important role in the on-going reform process at the township level because:

1. The results are important to show citizens that the government is serious with improving service delivery, as was noticed during the Community Dialogues and Focus group discussions with CSOs;
2. The utilisation of these funds generate very important learning processes for all stakeholders involved related to:
-   Collaborative planning of these projects (e.g. TA and VTA/WAs need to work closely together).
-   Integrating the results from citizen consultation into planning at the community and at the township level.
-   Government-citizens dialogue about balancing local needs with national priorities starts to materialize (e.g. between TA and TDSC).
-   Management and accounting of public funds that are spent locally.
-   The involvement of various actors in project monitoring.

Participants from the village tract/ward level mentioned that decisions made about project selection at the township level are not in line with the desires of the people, in part because of a lack of transparency and a lack of knowledge of the opinions of local citizens.

4.3 Access to Services

One of the major stated objectives of the reform programme in Myanmar is to improve basic service delivery to the people through an allocation of more public resources and through a more effective and efficient way of service delivery that is more "people-centred".

In Kayah State, social services like education and health care are provided by a combination of government and non-government service providers, with the non-government service providers focusing on the more remote villages located in the contested areas.[47] The KNPP's Karenni National Education Department (KnED) provides 460 primary schools, 33 middleschools, and 12 high schools in Kayah State, with 1,677 teachers and 50,351 students. Meanwhile, the MoE provides education for 55,606 students through a total of 388 schools. Significanteducation services are also provided by Kayan New Generation Youth (KNGY), which maintainsunofficial relations with the KNLP, but precise data are not available.

Apart from government-run health services, healthcare is also provided by a consortium of Karenni and Kayan entities linked to the various armedactors called the Civil Health and Development Network (CHDN). A lion's share of the capacity andresources utilised by this network comes from the Karenni National Mobile Health Committee (KnMHC), which is the Myanmar-based wing of the KNPP's Karenni National Health Departmentbased in refugee-camps in Thailand. The KnMHC provides seven clinics and 20 mobile teamsaltogether, operating in Hpasawng, Hpruso and Shadaw townships with a total of 107 trained healthstaff.

In Myanmar generally, most service delivery at the township level and below is provided by sector Ministries and it is therefore important to describe and analyse the planning and organisation of service delivery at the township level. This section looks at three basic service sectors (primary health care, primary education and household water provision) and describes how they are organised and how state service providers interact with citizens/service users in the three townships in Kayah State both in planning as well as actual service delivery. The study looked at these sectors from a governance perspective and not at the quality of these services from a technical medical, educational or water and sanitation perspective. The picture described below presents therefore only a partial overview and should be seen as complementary to the more in depth and internally focused sector analyses that are taking place at the moment in each of these sectors, which would also need to relate to the totality of all service providers, including the state, non-governmental/non-state organisations, charities and NGOs, and private sector businesses.[48]

Before presenting the findings per sector, it is important to describe in more general terms the way in which service delivery and the related planning is organised at the township level in Kayah State. Depending on the size of township, most State or Union ministries or departments have their own office and representation at the township level, while some only have offices at the district level. All Heads of Departments in the township are accountable to their supervisor at the District or State level, while all (except for the Development Affairs Organisation receive their budget and plans from the District or State-level departments. The mandates and levels of authority and discretion

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47. Figures come from: Jolliffe, K.: Ethnic conflict and social services in Myanmar contested areas. The Asia Foundation, June 2014, page 19
48. See for a general overview of government spending on the social sectors: UNICEF, 2013; Snapshot of Social Sector Public Budget Allocations andSpending in Myanmar
See for the health sector among others: SDC, 2013: HealthAssesment in Southeast Region of Myanmar, August 2013.
See for the education sector among others: MDRI, 2013; A Preliminary Assessment of Decentralization in Education: Experiences in Mon State and Yangon Region, December 2013 and JICA, 2013; Data Collection Survey on Education Sector in Myanmar, Final Report, February 2013.

of the Heads of Departments differ per ministry, but are in general limited to implementing tasks and plans that are handed down from the top of the ministry downwards. The resulting structure is therefore strongly hierarchical and compartmentalized, meaning that each department is working in isolation focusing on its own mandate to achieve its national priorities.

While there are some minor variations in the planning and budgeting process between the various sector ministries, the actual planning and budgeting is still taking place at either the State or Union level. Heads of Departments collect the required baseline data on staff and facilities and provide an estimate of the recurrent budget required for the next year to their supervisors, but they are normally not involved in defining priorities or in the actual planning of investments. While most Heads of Departments are involved in implementing the operational activities and the recurrent budget expenditures throughout the year, they are only marginally involved in the implementation of the more substantial capital investments that are either implemented by the State-level Department and the State Government.

The approval for the allocated recurrent budget for each sector department usually comes at the start of the financial year(which runs from April to March) while the actual transfers follow in four tranches. The capital budget approval usually comes only in June/July, 3-4 months into the financial year. Both the recurrent and the capital budgets come without any explanation or justification, which makes it very difficult for township level officers to explain their budgets to the various committees and to the public in general. In this regard, Kayah State follows the trends observed in other States and Regions.

With the gradual expansion and improvement of service delivery and of development support activities by key departments at the township level, the need for horizontal (between departments) and vertical co-ordination (between the township administration and the VT/WA and other government representatives at the village tract and ward level on the one hand and government at the district and State level on the other hand) has increased substantially over the last few years. Good horizontal and vertical coordination could improve both the effectiveness and efficiency in service delivery, especially in the Myanmar setting in which the various resources available at the township level (qualified staff, budget and assets, like offices, vehicles and computers) are by far not enough to tackle all the needs of its population at the same time which makes it even more important to ensure that the limited resources are used the most optimal way. The Government has realised this need and intends to improve coordination between the departments through the establishment of the Township Management Committee (TMC) and the initiation of a township-level planning process.

As the main government institution at the township level, the GAD in general and the TA and his deputies in particular, are responsible for both horizontal and vertical coordination of all government activities at the township level and below.

In practice, this coordination role focuses on a broad group of functions:

- Coordination of the planning and implementationof projects and activities by the various township departments;
- Coordinating the work of various committees of which there are at least five per township (see annex 3 for an overview) and sometimes organising direct consultations with citizens;
- Coordinating and supervising the work of the VTA/WAs;

- Coordinating the planning, implementation and monitoring of development projects not falling under the responsibility of one of the sector departments;
- Coordinating any ad hoc activities taking place in the township (visits of dignitaries, elections, disaster management, etc.).

Despite the "coordinating" role played by the TA and the formation of various coordinating committees (see annex 3), horizontal co-ordination between departments remains a challenge in Kayah State according to most Heads of Departments interviewed. Township departments continue to plan and deliver services in a "vertical" fashion, following the instructions from higher levels within their own ministries. They therefore also continue to collect their own baseline data according to their own definitions and requirements, resulting in significant differences in very important and basic statistics, which makes integrated planning and coordination very problematic.

Within these structural limitations the various departments at the township level in Kayah State try their level best to coordinate their planning by discussing their plans in the TMC and Heads of Department meetings[49] and by sharing and discussing them with the TDSCs and TDACs.

The above challenges were confirmed and discussed during the State-level feedback workshop when the initial findings of mapping were discussed. In order to improve integrated data collection, a number of proposals were presented by the township level participants (see Box 3).

Box 3: Township makes suggestions to improve coordination and collaboration

- Improve collaboration between township, district and relevant government departments.
- Collect and organize the needs and requirements of the people.
- Sharing of workload from GAD and Township Administrators to relevant departments.
- Better coordination between GADs and Township Administrators at the time information is requested.
- Monitoring and evaluation of GAD services by a third party organization.

The State-level participants in the same meetings discussed the related issue of lack of clarity on budget ceilings at the beginning of the planning process, both for development funds as well as for sector budgets. They proposed:

- That the relevant State-level departments should provide a tentative budget to the departments at township level at the start of the planning process;
- That such a proposal should be submitted to the various elected bodies for discussion and approval.

The establishment of coordinating and support committees at the township level is a starting point for improved service delivery and people's involvement in planning. As long as the responsibilities and mandates of the heads of department at the township level remain more or less the same as before, the coordination and support committees serve more as bodies for information sharing, while their impact on improved effectiveness and efficiency of service delivery and actual involvement of people in planning and decision-making will remain rather limited.

49. See Annex 3 for more details on these committees

4.3.1 Basic Health Care services

After decades of stagnation in the budget for public health, the national health budget has increased over the last three years from MMK 92 billion in 2010-2011 to MKK 652 billion as budgeted for 2014-2015.[50] While this is a substantial increase, government expenditures on health as part of total government spending is at present only 3.38 percent, or as percentage of GDP only 0.76 percent, which is approximately half of the average amount spent by similar countries in the region on health care. It goes beyond the scope of this study to assess the reasons for these historically low figures but as a result, the provision of health care by the private sector is more substantial and as a result, the private expenditures by the people in Myanmar for health care has and still is much higher than elsewhere in the region. As a result, 60-70 percent of the health spending in Myanmar is paid for directly by the people according to the Ministry of Health.[51]

Besides increasing the public health budget, the Government of Myanmar realises that more structural measures are required to improve the quality of public health care. In its Framework for Economic and Social Reforms (FESR), which is the Government of Myanmar's major policy document for the 2012-2015 period, it mentions "The government also recognizes the importance of quickly updating its overall health strategy, reviewing current health policies and strengthening the National Health Law ".[52] Recently, the Ministry of Health published its National Health Plan 2011–2016. According to the WHO, the plan takes account of the prevailing health problems in the country, the need to realize the health-related goals of the MDGs, the significance of strengthening the health system and the growing importance of social, economic and environmental determinants of health.[53] The National Health Plan has identified 11 priority programme areas, but does not mention and proposed changes in the way health services are provided in Myanmar. "National health" remains a competency included in Schedule One of the Constitution, which fall under the Union Legislative List.[54] In practice, this has been interpreted as meaning that the provision of public health care services is the exclusive responsibility of the Ministry of Health at Union level, without any involvement of the State or Region Hluttaws or the State or Region Governments (either legislative or executive/administrative).

The mapping sought to ascertain how any of this 600 percent increase in health budget has trickled down to the lowest level of health care provision at the village tract/ward level in Kayah State and whether and how the people of Kayah have been experiencing any changes in health care services. A summary of the related findings is presented here below.

Basic Health Care Service provision in the three townships in Kayah State

Despite the complicating factors hampering good access to health services (mountainous area, poor infrastructure, and many small villages) Kayah State is still doing better on several health indicators if compared to most of the other States and Regions in Myanmar according to the Integrated

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50. Myanmar Times 5 May 2014
51. Based on 2010 health figures see: Myanmar Times 5 May 2014
52. Government of Myanmar, 2013. Framework for Economic and Social Reforms, page 30
53. WHO Country Cooperation Strategy Myanmar 2014-2018, 2014
54. The executive power of the Union extends to administrative matters over which the Union has power to make laws (Article 216). However, the Constitution also foresees that "moreover, it also extends to the matters which the Region or State Government is permitted to perform in accord with any Union Law. Additionally, Art. 259 states that the Region or State Government shall discharge the functions occasionally assigned by the Union Government. This means that the Union can delegate the administrative functions over what constitutionally falls under Union jurisdiction to the State/Region tier of government, either through a Union Law or through executive decision by the Union Government.

Household and Living Conditions Assessment (IHLCA) conducted by UNDP in 2005 and 2010. Immunisation of children against measles stood at 96.3 percent in 2010 compared to a national average of 82.3 percent. At the same time, also antenatal care was more than 10 percent higher than the national average. Both moderate as well as severe malnutrition of children below five years of age was far below the national average with 18.7 percent against 32.0 percent of the children suffering from moderate malnutrition and 7.7 percent against 10.0 percent suffering from severe malnutrition in 2010.[55]

As elsewhere in Myanmar, primary health care in Kayah is partly provided by private health facilities (like private clinics, dispensaries, traditional doctors and auxiliary midwifes) and partly by the Ministry of Health with support from various International and National Non-Governmental Organisations (see Table 12). In Kayah, especially in former conflict areas, the parallel structures under the ethnic insurgency movement have also been playing an important role.

Township	UN organisations, (I)NGOs active in health services
Loikaw	Friends for Help, Kayin Baptist Convention, Malaria Consortium, Myanmar Red Cross, Population Services International (PSI),Save the Children, Social Development Initiative, UN Children Fund, WHO, World Vision
Hpruso	Burnet Institute Myanmar, Friends for Help, Kayin Baptist Convention, Population Services International (PSI), Save the Children, Social Development Initiative, UN Children Fund, WHO
Mese	Burnet Institute Myanmar, Friends for Help (Baptist Convention), WHO

Table 13 presents an overview of the key health service data for government operated facilities in the three townships.

	Loikaw	Hpruso	Mese
Population (census , 2014)	129,000	29,000	6,000
No.of hospitals	2	1 (25 beds)	1 (25 beds)
Maternal Child Health Centres	1	1	
Rural Health Centres (RHC)	7	5	2
Sub-rural Health Centres	28	21	8
No.of healthcare staff sanctioned	107	28	128
No.of healthcare staff appointed	84	23	42
No.of vacancies	23	5	86

55. UNDP 2010. IHLCA 2009-2010 page 72-80.

The government infrastructure for rural health in Kayah is a mix of Rural Health Centres (RHCs) and Sub Rural Health Centres (SRHCs) that are staffed by health workers with basic treatment, midwifery, and health promotion skills. There is one hospital per township and a station hospital at the sub-township level in Demoso, Hpasaung, Loikaw and Mese. Many of the more remote villages benefit from mobile health services provided by civil society organisations. The Civil Health Development Network is the umbrella organization covering over 220 health providers (deployed by the KNPP, KNPLF, KNLP, KNG, KNPDP, and KNSO). These mobile providers have capacity to reach the most remote communities in Kayah, often under-served by the government.[56]

Besides the Township Medical Officers (TMOs), six public health facility managers and six health staff (three staff were midwives, and the other three were a public health supervisor, a nurse/head nurse and a female health visitor (FHV) working at these public health facilities) were interviewed in the selected wards and village tracts in the three townships. Note that the sample is only small and that their responses can indicate trends but no firm conclusions can be drawn from these data for all health facilities in the three townships or in Kayah State.

All 12 health staff interviewed were of the opinion that health services in the area has improved over the last three years. Most of them mentioned improvements in the supply of medicines (essential drugs) and medical equipment and an improvement in the qualifications of the medical staff. Basic infrastructure including access to water and electricity, and further improvement in the supply of medicines and medical equipment and the number of healthcare staff at the health facility were cited as the most important challenges for further improvement in the quality of health services. This reflects the priorities of the Ministry of Health over the last few years as mentioned by a Director in the Ministry's Health Planning Department. The official said that the budget increases since 2011 had initially been used to provide medicines free of charge and to replace outdated medical equipment and will now shift to improve the infrastructure of the health facilities.[57]

Four out of six health facility managers mentioned that they found it difficult to get the right qualified medical staff and that they had structural vacancies (lasting more than 3 months) in their facility over the last year, while four out of six health staff mentioned there was a shortage of medical staff at their facility.

According to the health facility managers and health staff in general there is a sufficient supply of medicines and medical supplies in the health facilities covered in the study. Four managers mentioned that a sterilizer and a refrigerator were not available in their facility. Shortage of desks, chairs and beds were common as well and these shortages were regularly brought up during inspection visits but hardly ever resolved. Lack of communication facilities (telephone) was mentioned by most health staff as a bottleneck as well.

Ninety percent of the health facility managers and health staff were of the opinion that the health workers in their facility were all properly qualified for their job and received regular in service training. They all said that they treated everybody in the same way irrespective of ethnicity, gender and wealth or (dis)ability. All health workers mentioned that they received a fair salary which was usually paid in time.

Basic output indicators for the monitoring of healthcare facilities are also in place. Township and State health administrative staff in Kayah State visit the rural health centres on a regular basis to

56. Schuler, Nina 2013; Kayah State Socio-Economic Analysis.EU, 2013 page 27-31.
57. Myanmar Times 5 May 2014

provide advice, and to check performance based on key health indicators. Five out of six healthcare facility managers interviewed mentioned that they had received at least one inspection visit last year either from the Health Assistant or from the TMO who conducted routine inspections, stock checks and audits. All six health facility managers qualified the support they received from their supervisors at the township level as good even though some of their most urgent request for more medical supply and furniture were not resolved.

Regarding payment for essential drugs, four managers answered that patients never have to pay for those drugs, while two managers stated that patients sometimes have to pay for essential drugs when those essential drugs are not available at the health facility.

In all except one of the communities there was a Village Health Committee (VHC) of which one was not active. Members are appointed by the Village Administrator or VTA/WA. These VHCs assist the staff by providing labour to carry out small repairs at the health facility and assist with non-medical care for patients. They are however not involved in the management of the health facility and are also not functioning as an intermediary between the population and the service providers.

Specific bottlenecks for improving public healthcare services were identified by the TMOs and health staff in the three townships (see Box 4).

Box 4: Challenges identified by TMO and health staff

1.   There still is a lack of RHCs (now one per 12,000 inhabitants on average in the three townships together while it should be one per 2,000 inhabitants);
2.   There is still a need for more and better skilled manpower (e.g. in Mese there is only one doctor in the whole township who also serves as TMO);
3.   No travel allowance for medical staff is available to travel to all health facilities to carry out the supervision tasks. As a result TMOs often use their private money to hire transport;
4.   More local people should be trained as health workers to work in their own area since this will create more confidence with patients and improve communication;
5.   There are hardly any ambulances to transport referral patients to better equipped hospitals, while patients cannot afford to hire their own transport;
6.   Health facilities in remote villages have no toilets and neither do community members in these villages have access to a toilet which creates health hazards.

The medical staff and heath facility managers made the following suggestions for further improvement of health care in the village tracts/wards in which they were working (see Figure 22).
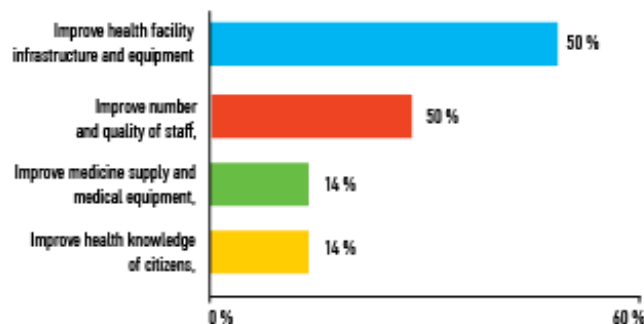
Organisation and administration of public basic health care services

In all townships in Kayah State, the TMO plays both a medical and administrative role, being responsible for staff planning, quality supervision of all health facilities, the distribution of medical supplies, as well as for collecting health baseline data (see Figure 23).

Role and responsibilities	Management and adminstration. The TMO in Hpruso and Mese is responsible for two streams of administration— hospital management and public health— in Loikaw Public Health falls under the THO TMO/ THO is responsible for distribution of essential drugs to RHCs Monthly reporting to district and state health department
Monitoring and evaluation	Monitors staff perfomance on a quarterly base using a performance management system comprising of 10 criteria. TMO/THO and staff visit rural health centres 4-6 times a year to provide oversight and maintain Township Health Profiles and key health peformance indicators. There is also a Township Health Monitoring Committee (THMC), with members from relevant departments, though meetings are not regular.
Co-ordination	The TMO/THO chairs Township Health Commitee, and attends the weekly HoD meeting, but is is not a member of the TMC, TDSC or TDAC. The TMO/THO co-ordinates with the DAO and the police on hospital building maintenance, and with the TEO in delivering basic health education at schools. In addition, there is cooperation with the (I)NGOs for malaria, Tuberculosis control, HIV/AIDS and STDs. The TMOs determine a monthly program with these INGOs and they coordinate as required.
Complaints	There is a notice board in every health facility telling the public where to go with complaints. First point of address is the health facility manager. More serious cases are addressed by the TMO/THO who is obliged to investigate, in some cases traveling to the site of complaints. For more serious cases there is a township level health board. Unresolved issues are then elevated to the statel level.

The TMO can nowadays recruit support staff for the various health facilities directly if there is a vacancy and budget allows, but is not in charge of hiring and firing or the transfer of medical staff between health facilities. If there is a health position vacancy, the TMO will submit a request to the district and State level. The time it takes to fill a vacancy depends on the level of the position; the higher the position, the longer this process takes.

Planning and budgeting

As a result of health care being a Schedule One power falling under the Union Government and little decision-making power has been delegated to lower levels in the Ministry of Health, the planning and budgeting in the health sector remains also centralized and is mainly taking place at the union level, with the THO/TMO and lower level health facility managers merely providing basic data as an input into the planning process. The TMO is requested to submit a proposal for the annual recurrent budget for township healthcare to the District Health Officer, who collates the various township requests and submits them to the State level. As there are no township strategic (health) plans, most TMOs calculate their recurrent budget needs based on the previous year actual budget and add to that any additional requirements based on e.g. an increase in number of medical staff in their township. One major change in the planning process has been the delegation of the procurement of medical supplies from the Union to the State and district level, which is now handled and managed by the State DoH for more efficient allocation. As a result of these changes, the THO/TMO can now transfer medical supplies between RHCs in order to deal with acute shortages. The THO/TMO is not involved in the planning and implementation of capital investments (new RHCs, renovations, etc.), which is all dealt with by the MoH at the State and Union level.

While salaries are paid from the recurrent budget and are usually paid out in time, there is hardly any operational money available for the staff to actually carry out their duties and functions which contributes to an inefficient use of manpower resources. While the THOs/TMOs are for example supposed to supervise and visit the Rural Health Centres on a regular basis, there is no, or in some cases, only a very limited budget for travel or transport available, forcing the staff to pay for these travel costs from their own pockets. This lack of operational budget combined with a highly centralised decision-making structure in most departments has a serious impact on the efficiency and effectiveness of service delivery and on the optimal use of the limited manpower available.

As a result of the centralised planning system in the Ministry of Health the ability of the THO/TMO to coordinate planning with other sector departments and with other health service providers in the township is very limited. In addition, the TMO does not have the means or the mandate to respond to locally specific needs or bottlenecks in service delivery, while they are in the best position to identify such bottlenecks.As a result it takes for instance a very long time to place or replace medical staff once there are vacancies available.

People's views on health services

Regarding the use of public or private health facilities, 189 respondents (or 66%) said they usually make use of public health facilities (including NGO provided services), like mobile teams, (S)RHC, clinic, station and township hospitals, while 89 respondents (or 31%) make most of the time use of a private health facility, including private clinics, auxillary mid wifes and traditional doctors. There were large differences between the three townships with more respondents making use of private health facilities in Loikaw than in Hpruso and Mese (see Figure 24) simply because private facilities are hardly available in Hpruso and Mese.
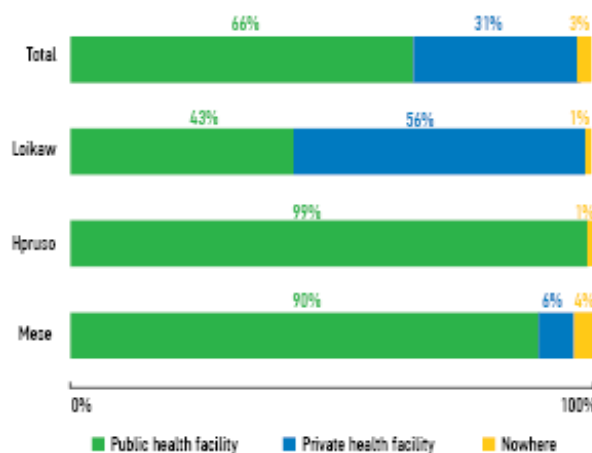
Reasons for using a either a private or a public facility were according to the respondents are provided in Figure 25a and b.

For both types of users proximity is the most important reason to make use of a certain facility. It is remarkable that cost considerations (i.e. free medicines) were hardly mentioned at all (only by 10 percent of the respondent using a public health facility) as a reason for chosing a public health facility.

In order to get an impression of the awareness of citizens of the improvements made by government in the healthcare sector, the respondents were asked whether health services in general (public and private combined) have improved in their village-tract or ward over the last three years (see Figure 26). Sixty-seven percent of the respondents mentioned that the health services in their village-tract or ward have improved, while 25 percent mentioned that these services had stayed more or less the same. Only 5 percent mentioned that the quality of health services had deteriorated over the last three years.

67 percent of the respondents mentioned that the health services in their village-tract or ward have improved, while 25 percent mentioned that these services had stayed more or less the same. No significant difference was found between urban and rural residents but more women perceived improvement in health services
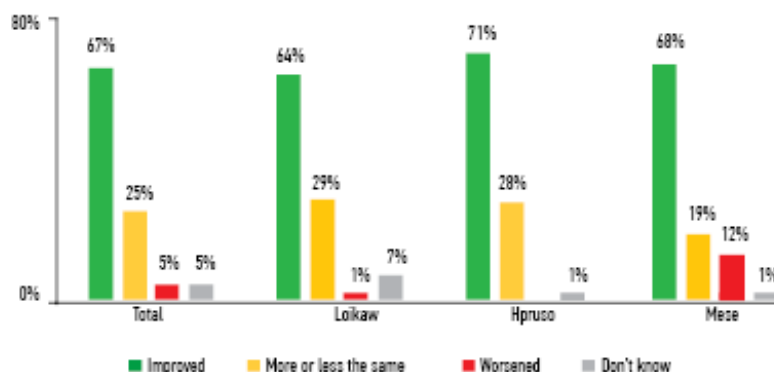
There is not much difference between the three townships except for the number of respondents who mentioned that the health services had deteriorated, which was slightly higher in Mese than in the other two townships (which were justified by poor quality of buildings or a lack of medical equipment). There was no significant difference between urban and rural respondents, while slightly more female respondents (72 percent) mentioned that the health services had improved than male respondents (62percent).Of those respondents who mentioned that the situation had improved (n=199), the main reasons mentioned are presented in Figure 27.
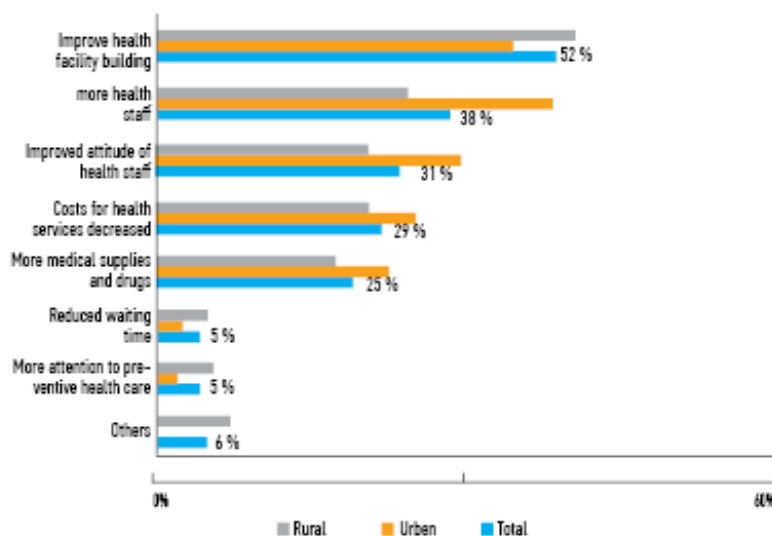
Figure 27 also shows that there was not much difference between urban and rural respondents as to why respondents thought the health services had improved (rural respondents mentioned slightly more often improved buildings, and urban slightly more health staff and improved attitude of staff).

All respondents were asked whether they were satisfied with the quality of healthcare services in their village tract or ward. Fifty-six percent of the respondents (49 percent of the male and 62 percent of the female respondents) said that they were satisfied, 33 percent qualified the services to be "not good, not bad" while only 10 percent were not satisfied with the quality of the health care services (see Figure 28 and 29).
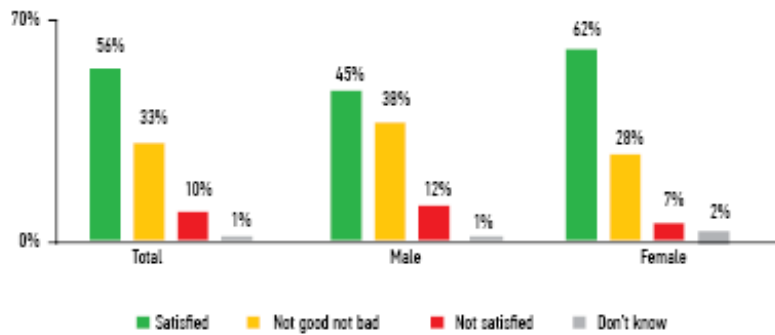
Loikaw urban area recorded the highest level of satisfaction with 67 percent of the respondents satisfied with the quality of health services, while Hpruso rural recorded the highest percentage of respondents not satisfied with the quality of health services (21 percent) (see Figure 29).
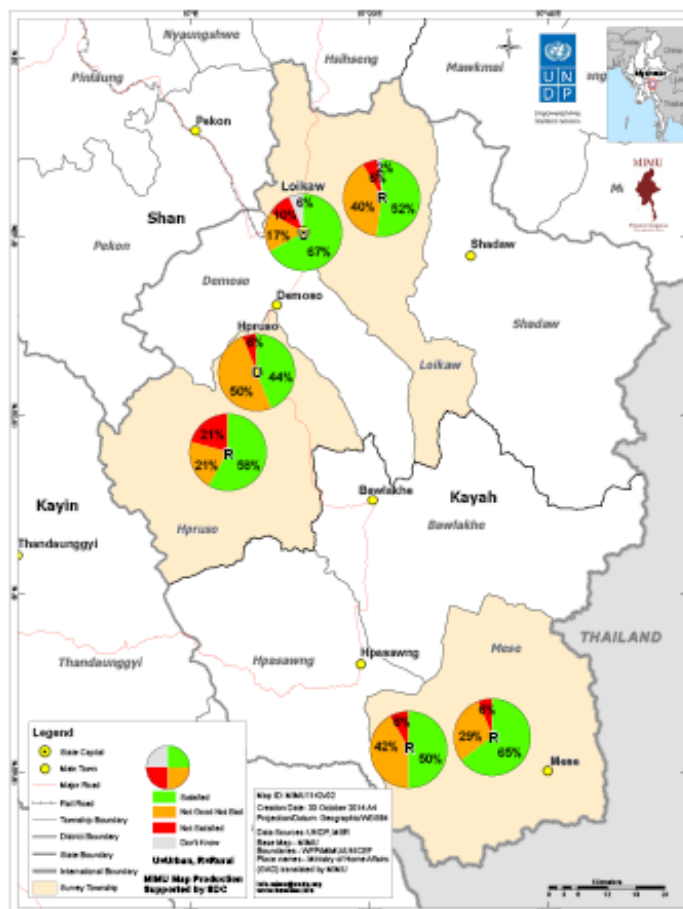
These figures are encouraging since people seem to appreciate the efforts of government to improve health services in Kayah State. However, one should be cautious using these figures as an absolute indication that the quality of the health services has improved dramatically.

During the Community Dialogue sessions the participants (both government staff and community members) were more critical about the quality and availbility of health services in their communities (see examples of improvements and challenges in Box 5 below).

Box 5   Examples of improvements made in health care services as well as challenges as mentioned by the communities during the Community Dialogues

Improvements

- "Health staffs are kind and warm unlike in the past. In the past, patients with fever had to take care of themselves. Now, health staffs take care of them."
- "It will be better if there are more discussions about health to increase knowledge among the people."
- "More medicines are provided. Medicines for malaria are available."

Mei Se Nan VT ,Mese

- The Ward Administrator proposed that he would cooperate with township management to repair the ambulance. The participants responded that they would contribute money to repair the ambulance.

Heetaye Ward, Hpruso

Challenges

- "The Ministry of Health needs to support the basic requirements of the local healthcare centre – electricity, drinking water, hospitable beds, medicine cupboards, etc."
- "People were unable to get travel expenses covered from the government for basic medicine training."

Hti Paw Hso VT, Hpruso

- "There should be a RHC closer to the village tract so people can have better access to medical care/treatment."
- "During monsoon, female health staff should visit homes during the night if necessary."

Ma Htaw Khu VT, Loikaw

The 189 respondents who usually make use of a public health facility were asked whether or not they had to pay for the medicines they received from the health staff. Their responses are presented in Figure 30 below:
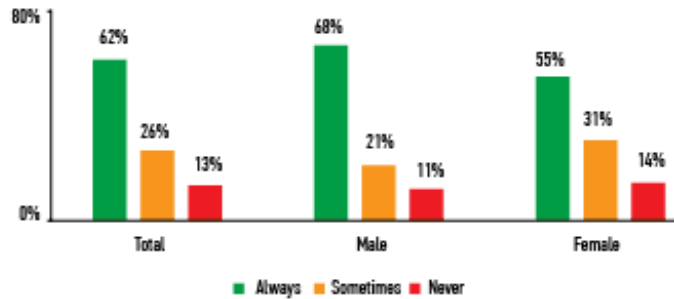
Sixty-two percent of the respondents said that they always had to pay for medicines in a public health facility while most medicines (i.e. essential drugs, if in stock) should be provided for free, 26 percent mentioned that had to pay sometimes and the remaining 13 percent never had to pay for medicines. More male (68 percent) than female respondents (55 percent) mentioned that they always had to pay for medicines.

Of the respondents who mentioned that they always had to pay for medicines 73 percent stated that they never received an explanation from the medical staff as to why they have to pay for these medicines (see Figure 31). These experiences contradict with what the health facility manager and the TMOs stated, who mentioned that only in exceptional cases people have to pay for medicines.

Of the respondents who mentioned that they always had to pay for medicines 73 percent stated that they never received an explanation from the medical staff as to why they have to pay for these medicines but this view was not fully supported by the health staff
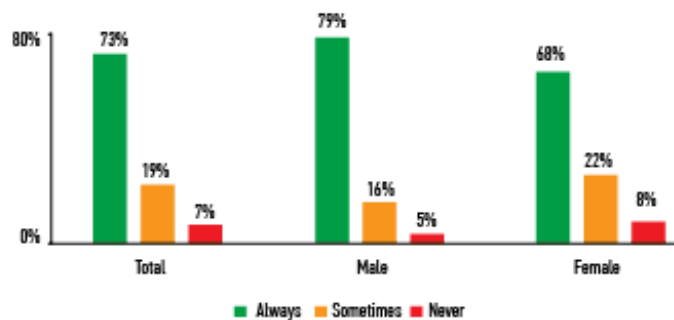
In 2013, the MoH made generic (non-specialist) essential drugs available to patients at public-health facilities free of charge. Four out of six public healthcare facility managers interviewed confirmed that patients were not required to pay for essential drugs, while two mentioned that patient have to pay if government provided free essential drugs are not available anymore. In addition, five out of six health

facility managers interviewed mentioned that essential drugs are almost always available at their health facility. Further, all of them stipulated that health staff at their facility refrained from selling drugs that should be for free.

These data, while worrisome, are also understandable in Myanmar's current context. Yet, they cannot be used as direct proof of mismanagement of healthcare resources, seeing as the rules related to the distribution of drugs and medical supplies are not clearly articulated, and there are some specialist medicines in circulation that are not subsidised by the MoH. In addition, health staff often assist patients with non-government supplied medicines once their regular stock is depleted, and charge people for the actual costs.

Whether they also sell the drugs provided by government or make a profit on the drugs bought on the market is not clear from this research. At the very least, these results are indicative of a poor articulation and understanding on both sides on the entitlements of health service users and patients. This points to gaps in mutual understanding between service providers and users, which, at best, can erode trust between citizens and the public sector, and at worst, lead to systematic and unchecked corruption in the delivery of basic services. In either case and even if there is no mismanagement of drugs, such lack of clarity will lead to allegations of misuse because people are told that in general drugs provided at the health facility should be free of charge.

Regarding equity in treatment, almost all respondents (97 percent) and both male and female respondents who made use of public health facilities felt that they received the same treatment as any other person in their village tract or ward, i.e. there was no discrimination against particular groups within the community.

Direct participation of people in the planning of health care improvements is still very limited. Only 6 percent of the respondents said they ever participated in a meeting organised by government to discuss the quality or planning of health services in their village tract or ward.

In order to improve the quality of and access to health care in their community the respondents made the following suggestions (see Figure 32):
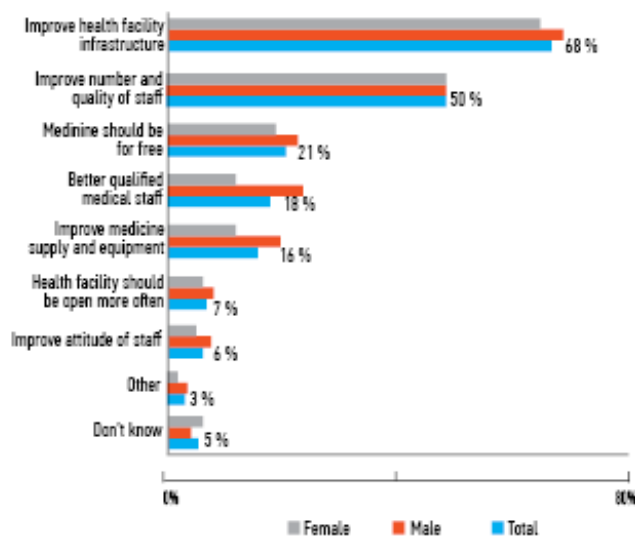
These suggestions are more or less the same as those made by the health staff to further improve health care in the communities.

4.3.2. Primary education

Similarly to public health care, the quality of primary education (and of other forms of education as well) has been rather poor in Myanmar for decades if compared to internal standards and performance improvements in other countries.[58] The Government of Myanmar has recognized this deficit and has started to address this backlog first of all by gradually increasing the education budget from MMK 310 billion in 2010-2011 to MMK 1,142 billion for the current fiscal year 2014/15, which constitutes an increase of 368 percent within 5 years.[59] Nevertheless, despite this increase, the planned expenditure on education is still only 5.92 percent of the total government's budget for the year 2014/15, which remains very low if compared to other countries in the region. As a result, Myanmar this year spends 1.33 percent of its GDP on education while other countries in the region spend on average approximately 3 percent of their GDP on education, with Thailand leading the group with more than 5 percent.[60]

Not only has the education sector been subject to severe underfunding for decades, in addition, "the education system is characterized by poor quality, outdated pedagogy and insufficient geographic coverage, with rural and border areas being poorly served".[61] As a result of both factors, roughly half of Myanmar's children (2011 figures) do not complete primary school.

In addition to the budget increases, the education sector is under revision. Based on the initial outcomes of a "Comprehensive Education Sector Review" several minor reforms are already being implemented or being prepared. Regarding the management of education the CESR concluded:

58. Zobrist, Brooke and McCormick, Patrick 2013. A Preliminary Assessment of Decentralisation in Education: Experiences in Mon State and Yangon. Subnational governance in Myanmar Discussion Papers. Centre for Economic and Social Development (MDRI-CESD), December 2013.
59. As mentioned by President U Thein Sein during the 2014-15 fiscal year budget meeting of the Financial Commission on 7 January 2014.
60. UNICEF, 2013: Snapshot of Social Sector Public Budget Allocations and Spending in Myanmar.
61. Zobrist, Brooke and McCormick, Patrick. A Preliminary Assessment of Decentralisation in Education, page 10.

"1) The relevant ministries, administrative bodies and schoolsare not fully serving their intended functions without appropriate coordination and demarcationof roles to serve for a unified and coordinated purpose;

2) The existing laws and policieshave become outdated and do not reflect the realities of the education sector today".[62]

The 2008 Constitution of Myanmar guarantees that "the Union shall provide free, compulsory primary education system." For now, there is however no overarching policy document that presents the ideas and strategy of how government will transform the sector. One of the significant factors affecting any large-scale transformation in the sector is that, together with health care, the provision of education services falls exclusively under the "Schedule One" services provided by the Union government, meaning that these services are solely provided by the union tier of government, rather than the States and Regions. This is generally interpreted as "meaning that the State and Regional *Hluttaw* cannot enact any legislation in that sector. Nor is there formal provision for the State/Region governments to have a role in education, or practical means for them to do so." [63]

The government's review of the school system began in 2012 and is expected to be completed this year. The first phase of the review, known as the "rapid assessment," included a quick look at the current situation to identify priority areas for reforms. Reports for the second phase, which examined the initial recommendations in more detail, have been reported to be completed. The third and final phase of the review will see the development of an education sector plan through 2021.However, some quarters of the population including civil society and ethnic groups have expressed concerns.[64]

Given this rough sketch of the state of primary education in Myanmarin general, the mapping tried to find out how local service providers and service users in the three townships in Kayah State perceivethe quality of primary education and appreciate changes in the way in which it is delivered.As a conflict-affected rural border State, it was expected that educational standards and services would fall behind even the low country-wide standards.

Primary education service provision in the three townships in Kayah State

Regarding the availability and quality of (primary) education in Kayah State, the recently conducted Socio-Economic Assessment of Kayah State[65] concludes that: "The barriers to accessing a quality education in Kayah are complex and multi-layered, particularly above the primary level. These barriers concern both the challenges of supplying remote communities with teachers and schools, as well as the challenges in encouraging rural demand for education, particularly in agricultural communities. These findings suggest that attempts to address education will likely need to move beyond just supply-driven approaches (providing infrastructure and services) but also look at how to generate demand for education." Particular bottlenecks noted by this assessment were: lack of facilities and teachers in remote villages, high dropout rates due to lack of interest in schooling from students/parents combined with the need for extra labour on the farm, and the long distance between house and schools related to long traveling time and concerns about the security of the children when they travel.

62. JICA 2013: Data Collection Surveyon Education Sectorin MyanmarFinal Report. February 2013. Page 10
63. Zobrist, Brooke and McCormick, Patrick. A Preliminary Assessment of Decentralisation in Education: page 8-9.
64. The Irrawaddy, 2014
65. Schuler, Nina 2013: Kayah State Socio-Economic Analysis. EU, 2013 page 35

And yet, despite these bottlenecks, available recent statistics indicate that Kayah is not doing badly as compared to other States and Regions on several education indicators. The net enrolment rate for primary education was shown to be 96.3 percent in 2010 compared to the national average of 87.7 percent, while the literacy rate had apparently gone up from 76.5 percent to 84.7 percent between 2005 and 2010, coming closer to the national average.[66]

Primary education in Kayah State is provided by the Ministry of Education with support from various (I)NGOs (see Table 14), while in the most remote villages parents often make their own provisions for building a school and paying for the salaries of a teacher. Once established, these "private" schools are often taken over by government and integrated into the regular system. In addition, the KNPP's Karenni National Education Department (KNED) provides 460 primary schools in the more remote areas,[67] as it does in the refugee camps across the border in Thailand.

Township	UN organisations, (I)NGOs and CBOs active in education
Loikaw	Association for Volunteer International Service (AVSI) Foundation, Kayin Baptist Convention, Save the Children Myanmar, Social Development Initiative, United Nations Children Fund, World Vision
Hpruso	Association for Volunteer International Service (AVSI) Foundation, Kayin Baptist Convention, Save the Children Myanmar, Social Development Initiative, United Nations Children Fund
Mese	Kayin Baptist Convention

Table 14: Non-Governmental Organisations active in the education sector in the three townships.

Source: MIMU: Overview of the April 2014 3W and VT MAP Kayah State

Looking at the figures for primary education in the three townships (see Table 15), one can notice the marked difference in teacher-student ratios in the three townships.

	Loikaw	Hpruso	Mese
Total population	129,000	29,000	6,000
Primary schools	80	75	9
Primary school students	14,212	3,982	1,073
Average, student teacher ratio	1:28	1:21	1:36

Table 15: Key education data for government operated facilities, Kayah State townships.

Source: UNDP Local Governance Mapping. Kayah State April 2014. GAD township profiles and data provided by the TEOs.

While these figures are reasonable compared to the national standard of 1 teacher per 30 students, Mese has a far higher ratio than the other two townships. While interviewing the TEOs in Mese, it became clear that it remains difficult for a more remote township to attract enough qualified teachers, even though the security situation has improved significantly over the last few years.

66. See UNDP IHLCA study 2010 page 89-93
67. Jolliffe,Kim 2014; Ethnic conflict and Social Services in Myanmar's Contested Regions.Asia Foundation, June 2014 page 19

According to the ten teachers and six principals interviewed in the village tracts and wards that participated in the survey, almost all agreed that the quality of education has improved over the last three years. Reasons for improvement were primarily improved infrastructure (buildings and classrooms) and the higher availability of teachers. Five out of six principals mentioned that teaching materials (text books, pens, and practice books) were always available and the respondents considered it to be their responsibility to purchase these materials. Among the principals there was however no clarity as to who should check the expenses of the school (principal, TEO or District Education Officer).

Teachers believed that improvements to school accessories and teaching support materials are the most cost effective way to further improve the quality of teaching. In addition, more structural basic infrastructural improvements by the Ministry of Education are also required, although overcrowding of classrooms has reduced a lot (most classes have 30 or fewer than 30 students while only a few have between 30 and 40 students).

All principals experienced a shortage of teachers during the 2012/13 school year, which was confirmed by the teachers. Especially in the more remote villages in Kayah due to poor infrastructure and the still precarious safety situation for people from outside the area it is very difficult to recruit enough qualified teachers. In addition, most principals reported low cost problems, such as the need of more school chairs, desks and textbooks, to the TEO and these were for the most part successfully resolved. On larger issues such as low teacher salaries or unqualified staff, however, respondents either felt that the procedures are too complex, or were fearful of reprisals from the higher authorities, and therefore refrained from reporting them.

Both teachers and principals as well as the TEOs mentioned that dropout rates remain rather high and enrolment rates relatively low especially in the more remote villages due to poverty (parents not being able to afford sending their children to school and requiring them to work on the farm) and/or people not fully appreciating the benefits of education for their children.

Nine out of ten teachers found their salary to be reasonable for the work they are doing, while they all received their salary in time. Eight out of ten teachers had completed teachers college, while the other two had received other post-secondary training as well. They all received regular in-service training. All teachers believed that they adhered to the code of conduct from the Ministry of Education, that they are punctual, report honestly on their performance to the education office at township level, listen to the parents about their children's education and take any complaints that were made by parents seriously. All the six principals mentioned that they do not request or pressure parents to give payments or gifts. As a result, all teachers were of the opinion that given the circumstances they provide good quality teaching to their pupils.

The concept of performance management was understood by education staff as the timely reporting on basic indicators. Standards and practices for monitoring are fairly well-established for primary schools, for which there are regular inspection visits conducted typically by the Assistant and Deputy TEOs, with the objective to conduct routine inspections, evaluate personnel and audit stock, and collect data for 12 basic output indicators for primary schools (7 quality, 5 physical infrastructure). Though inspectors are supposed to check on teachers as well, no data is collected with respect to staff performance (i.e. teacher absenteeism, or quality of teaching). All principals interviewed reported at least two inspection visits from the township education office in 2012/13, while they were also visited at least once by an (I)NGO. Most principals considered the support they got from the Township Education Office to be of good quality.

All schools had a Parent Teacher Association (PTA). These PTAs are mainly involved in implementing small maintenance works and in collecting donations from the parents. In two schools the PTA was also involved in checking finances and stock.

Both principals and teachers were asked for suggestion to further improve the quality of education at their school. Their responses are presented in Figure 33.
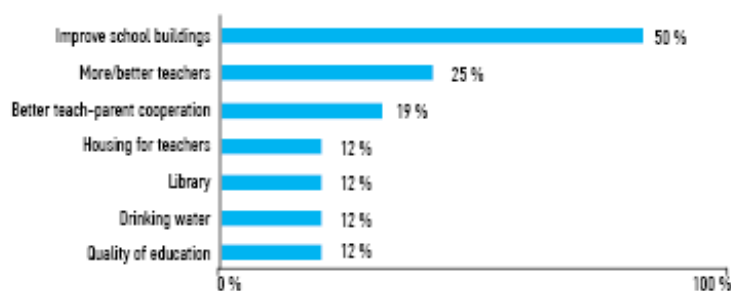
Figure 33: Suggestions made by primary school principals and teacher regarding a further improvement of primary education in their village tract/ward.

Source: UNDP Local Governance Mapping, Kayah State, April 2014 n = 16

The organisation and administration of primary education

The job of TEO is one of the most demanding jobs in the township. Together with a few assistants, the TEO manages roughly 60-70 percent of all civil servants in the township including their salary administration; monitors the quality of all levels of education; collects relevant educational baseline data and, resolves a multitude of practical issues especially with regard to the structural shortage of teachers in

the more remote areas. This is despite the fact that the TEO's autonomy and ability to respond to these problems is very limited, due to the centralised way in which the Ministry of Education is organised. The administration of primary education at the township level in Kayah State is in line with standard procedures within the Ministry of Education (see Figure 34).

Role and responsibilities	• The TEO is in charge of the management and adminstration of all education facilities and staff (including salary payments). • The TEO reports on a monthly, quarterly and annual basis to the district Department of Education (DoE). Reports consist of education statistic (enrollment, dropouts, etc.), staffing and infrastructural needs. • The TEO provides data for planning and budgeting to the district and State level. • The TEO proposes teacher transfers based on staffing needs of schools.
Monitoring and evaluation	• School inspections (Assistant TEOs for primary schools) are conducted at least twice a year. The inspection focusses more on the state of educational facilities than on actual performance of teachers. • TEO also monitors the construction of new buildings in cooperation with GAD.
Co-ordination	• TEO is secretary of the township education commitee. GAD chairs, members are TMO, TDSC/TDAC members and NGOs. They meet on an ad hoc basis. • There is ad hoc coordination with the health department on school health programme and anti-narcotics campaigns. • TEO sends statistics and information to the GAD on request. • TEO in Loikaw coordinates with UNICEF on training to upgrade primary school teachers.
Complaints	• All complaints that cannot be handled by the headmaster are channelled to the TEO. • If so, the TEO coordinates with the school and the parents. The Assistant TEO will visit the school to facilitate the resolution of a complaint. Unresolved complaints can be elevated to the Township GAD.

For monthly salary payments, the TEO issues cheques to each high school and middle school headmaster who pays the teachers. They return the signed salary sheets the following month.

If a township needs to hire new teachers the TEO needs to submit a request to the State level, which will submit it to the Union level for approval. The Union level only appoints new teachers once a year when they know how many teachers have graduated from the teachers' colleges. In order to deal with acute staff shortages it has become easier however for the TEO to recruit local teachers, especially in the more remote townships or villages. The TEO can recruit teachers on a daily wage basis (meaning that they are not part of the establishment, they do not receive any additional benefits like pensions, and are not paid during school holidays).

If there is a serious shortage of teachers in a certain school, the TEO can only request other schools/ teachers to assist temporarily, as he/she does not have the authority to transfer any of the qualified teachers permanently. The last resort to resolve the shortage of teachers is for the PTA of a school to recruit a teacher locally and pay for him/her by collecting money from the parents. These teachers fall outside the official education system and records. The TEO does not keep a record of these teachers and does not check their qualifications or actual performance.

Planning and budgeting of primary education in the three townships

Using the inputs provided by every school, the TEO drafts a recurrent budget proposal based on the previous year's figures, including the newly arrived teachers, and submits this via the District Education Officer (DEO). A copy of the recurrent budget request is sent to the TA. In addition, the TEO provides the DEO with the basic data for the Department of Basic Education at the Ministry of Education to conduct its planning. Based on the actual needs, the TEO can submit requests for capital investments but is not involved in the actual planning of new education facilities. The TEO only knows where a new school is going to be built when the actual construction starts. Not knowing the capital investment plans of the Ministry beforehand, and not having a copy of the contract or specifications, makes it very difficult for the TEO to monitor construction progress.

School construction projects are supervised by a school construction committee which are formed at both township and village level. The committee is chaired by one of the parents and has the headmaster, a VT/WDSC and a PTA representative as members. To pass the instalment payments, the Headmaster signs the completion certificate on behalf of the school construction supervision committee.

As a result of the centralised planning system, similarly to the TMO, the TEO is very limited in coordinating planning with other sector departments and with other education service providers in the township beyond very practical coordination of e.g. anti-drug campaigns that are carried out jointly with the TMO or THO at primary and secondary schools.

People's views on primary education

Just like in health care, a large majority (75 percent) of the respondents were of the opinion that primary education in their village-tract or ward had improved over the last three years, while 18 percent mentioned that the quality had stayed more or less the same. Only 3 percent mentioned that the quality had deteriorated. One should note however that this is a relative score, presenting the perceptions of people who were asked to compare the quality of education in the past with the quality at present and it therefore does not say anything of the satisfaction with regard to the quality of education, which might be much higher already in the Regions/States that record a lower score on improvements. Nevertheless it still is an important indicator as people recognize and acknowledge that improvements are taking place.

If one compares the responses between townships (see Figure 35) there is a slight difference between the three townships with Mese recording the highest score of relative improvements. The same caution as above should however be applied when interpreting these responses.

Majority (75 percent) of the respondents perceived improvement in primary education in their village-tract or ward over the last three years due to more schools, more teachers in these schools and better attitude of these teachers
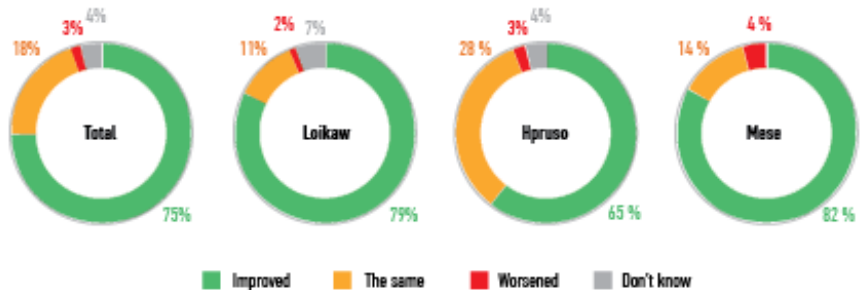
Total — 18% / 3% / 4% / 75%
Loikaw — 11% / 2% / 7% / 79%
Hpruso — 28% / 3% / 4% / 65%
Mese — 14% / 4% / 82%

■ Improved   ■ The same   ■ Worsened   ■ Don't know

Those who responded that there had been an improvement in primary education were asked what the reasons were for these improvements (see Figure 36). These reasons for improvement are more or less the same as those mentioned by the education staff in Kayah State.

Reason	Percentage
A new or improved primary school	66%
Costs of primary education has decreased	12%
Attitude of the teachers has improved	30%
More teachers at the primary school	35%
quality and quantity of teaching materials and furniture has improved	11%
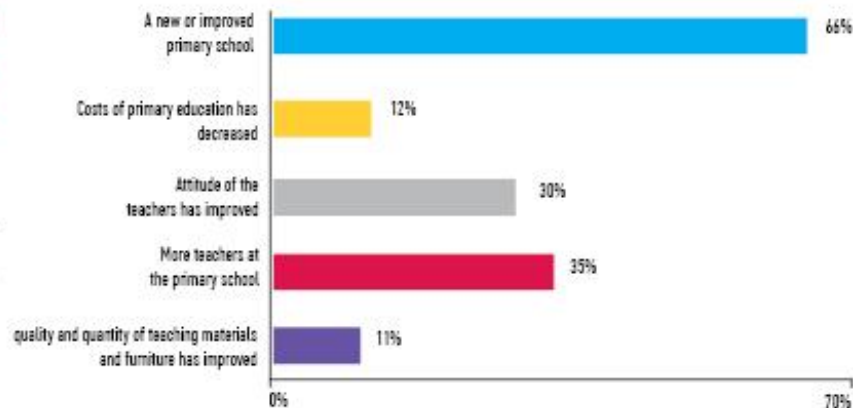
116 out of 288 respondents (or 40 percent of all respondents) had one or more children attending primary school at the moment. Of all these children attending primary school, 77 percent had to walk between 0-15 minutes to school, 22 percent between 15 and 30 minutes and the remaining 1 percent more than 30 minutes.

The respondents with children attending primary school were asked about their satisfaction with the quality of education, taking all the above issues into consideration. 70 percent of the respondents with children attending primary school were satisfied, 23 percent mentioned "not good/not bad", and 7 percent were not satisfied The three townships present a similar picture with the rural respondents recording a slightly higher level of satisfaction than the urban respondents, with Hpruso urban scoring relatively low (see Figure 37).
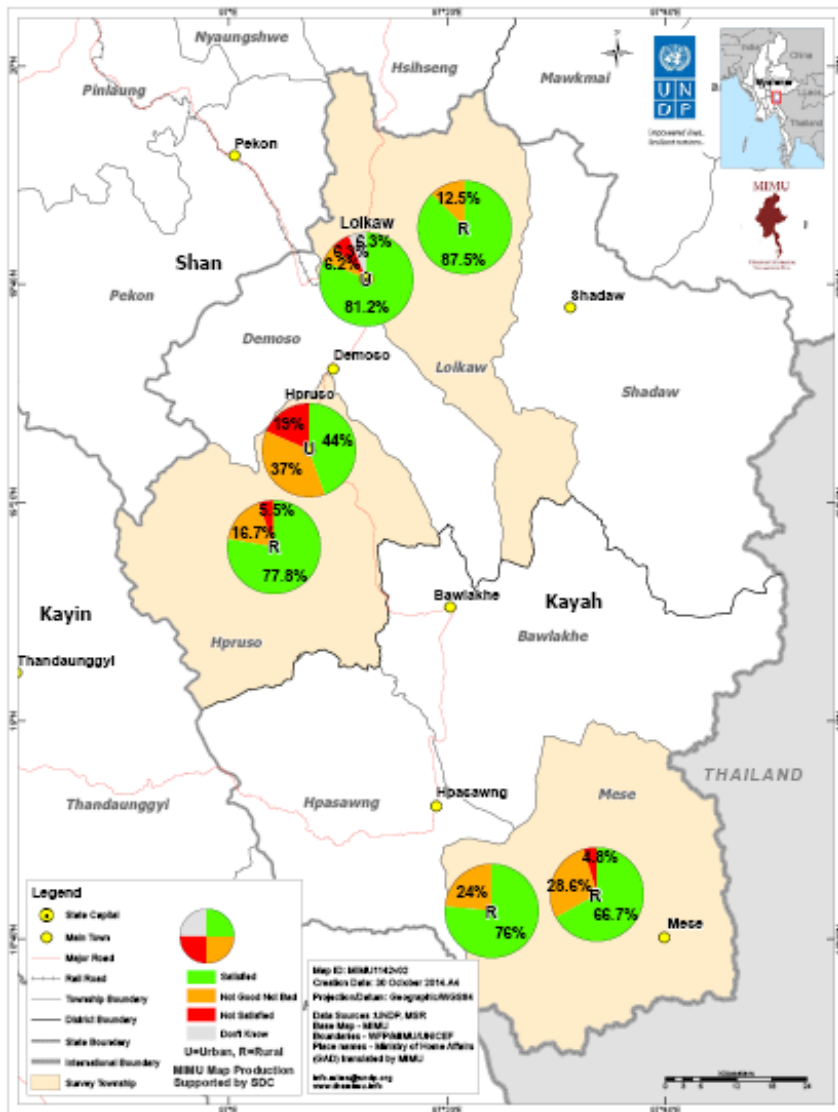
Ninety-two percent of the respondents with children at school mentioned that in general the teachers at the primary school were observing regular working hours (i.e. they are present when the school is open), and 91 percent said that the teachers are polite and friendly to the parents and their children.

On the question of gift-giving, i.e. whether respondents had to pay or provide a gift to the teachers, school principal or the school, at any time during the school year, for the education of their child/children, 50 percent of the respondents with children at school mentioned that they never, 43 percent mentioned that they sometimes and 7 percent mentioned that they always gave a gift. Of those who always or sometimes had to pay or provide a gift almost one-third (31 percent) felt they were obliged to do so while the other two-thirds did so on a voluntary basis.

Ninety-seven percent of the respondents with children at primary school felt that their child was treated in the same ways as all the other children. According to 73 percent of the respondents, different needs of boys and girls (like separate toilets) are always taken care of by the schools.

Government is not actively discussing education-related matters with the parents of children attending school. Seventy percent of all the respondents with children had never been involved in such a meeting.

Results from the Community Dialogues show a similar picture (see Box 6 below). People acknowledge an improvement in education but also noted areas for further improvement. The language barrier between teachers from outside Kayah State and local children was noted in several village tracts as a bottleneck for good education as well as the availability of school supplies and teaching materials.

Box 6: Examples of improvements made and challenges in primary education as mentioned by the communities during the Community Dialogues

Improvements

"When students have to go to the town for competitions, poor students are provided with food and fuel for motorcycles."

Mei Se Nan VT, Mese

"Students learn faster compared with the past."

Ho Seit VT, Mese

Challenges

"As teachers are not from the State, there are language difficulties with teaching – children don't understand everything, and teachers can't express or explain how they would like."

Hti Paw Hso VT, Loikaw

"A change in the current education system would be a solution to the current quality of education - where no student fails at the primary school level."

Hti Paw Hso VT, Loikaw

Language barriers ("Young children do not speak Myanmar language; teachers do not speak ethnic languages.")

Ma Htaw Khu VT, Hpruso

"Since unqualified students are allowed to pass, the quality of education has not been improving."

Ho Seit VT, Mese

During the Community Dialogues suggestions were made as to how bottlenecks in primary education could be resolved (see Box 7).

Box 7: Suggestions made by citizens and service providers to resolve bottlenecks in primary education.

- The Government staff proposed that the principal should submit information about the bad physical state of some school buildings to upper level management. The citizens responded that they would do voluntary work in building better roads to the school.

  Heetaye Ward, Loikaw

- It was agreed that if the State government provides support for things required for the school fences, dilapidated school buildings and furniture then local citizens will support in any way they can. In order to advance the education of children, parents and teachers can collaborate in holding study groups.

  Hti Paw Hso VT, Loikaw

- It was acknowledged that "the integration of efforts by parents and teachers is poor." As for the Ward Administration, it offered to support as much as it can to improve the current situation. To improve the quality of children's learning, it was agreed that parent-teacher conferences should be held more frequently than before.

  Maing Lone Ward, Hpruso

- In order to provide more learning opportunities for students, parents and teachers will discuss what could be done. Talks about children's rights, essay competitions and other public talks will be held. It was agreed to allocate specified hours for physical training and moral education.

  Ma Htaw Khu VT, Hpruso

4.3.3. Drinking water

Drinking water provision

Access to safe drinking water means having access to a private or public tap, a deep well or a protected hand-dug well or a protected open water source within 30 minutes walking distance. According to the Integrated Housing and Living Conditions Assessment of 2009-2010 access to safe drinking water stood at 88 percent for Kayah State in 2010, which is above the national average of 69.4 percent but had not improved since 2005 when the same figure was recorded.[68] According to the Multiple Indicator Cluster Survey conducted in the same year, access to safe drinking water in 2010 was only 70 percent for Kayah, almost the same as the national average.
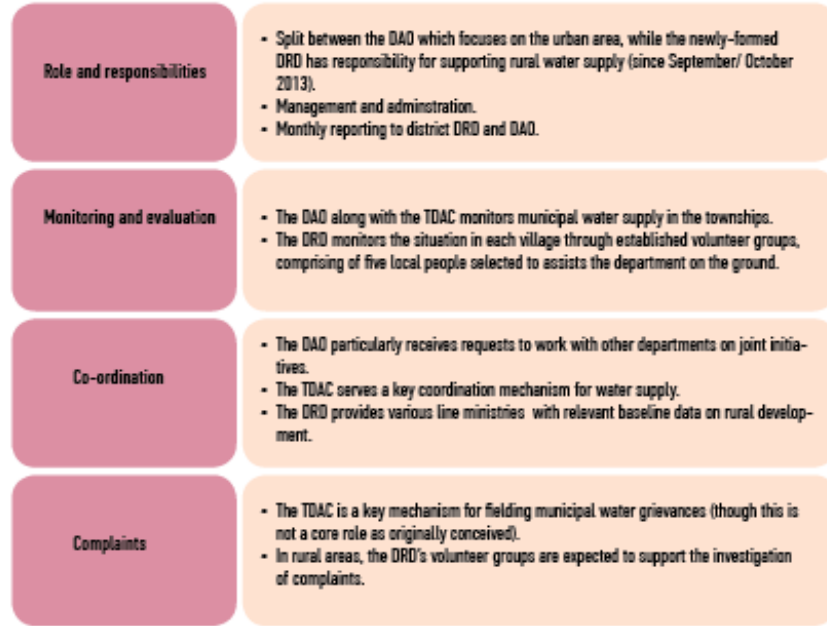
The responsibility for drinking water provision is shared by the Department of Rural Development (DRD) and the DAO(see Figure 38). The DRD is,among other things, responsible for drinking water provision in the rural areas (village tracts), while the DAO is responsible for drinking water provision in the urban areas (wards). The departments were only established late 2013 and are still in the process of being established in most townships, identifying what their priorities should be. Especially the DRD is still seriously understaffed.In all three township only 25 percent of the established positions are filled. In Kayah State, the DRD plays an intermediary role between citizens and line ministries. It collects baseline data on water supply, roads and bridges, number of livestock etc., and carries out needs assess-

68. IHLCA 2011; Integrated Housing and Living Conditions Assessment 2009-2010; Poverty Profile page 64

ments, and passes on this information to the relevant line ministries. Besides rural water supply, it also provides rural energy (mainly solar power) and micro-finance assistance. It has its own development budget for implementing development activities. All major works are carried out by contractors who are engaged by the State-level DRD.

Role and responsibilities	- Split between the DAO which focuses on the urban area, while the newly-formed DRD has responsibility for supporting rural water supply (since September/ October 2013). - Management and adminstration. - Monthly reporting to district DRD and DAO.
Monitoring and evaluation	- The DAO along with the TDAC monitors municipal water supply in the townships. - The DRD monitors the situation in each village through established volunteer groups, comprising of five local people selected to assists the department on the ground.
Co-ordination	- The DAO particularly receives requests to work with other departments on joint initiatives. - The TDAC serves a key coordination mechanism for water supply. - The DRD provides various line ministries with relevant baseline data on rural development.
Complaints	- The TDAC is a key mechanism for fielding municipal water grievances (though this is not a core role as originally conceived). - In rural areas, the DRD's volunteer groups are expected to support the investigation of complaints.

Most of the municipal revenues are generated locally and these revenues remain at the State level that also decides about the distribution but Hpruso DAO for example does not generate enough revenue from services and licences to run the DAO and therefore receives support from the Ministry of Development Affairs at the State level

The DAO is answerable to the Ministry of Development Affairs at the State level. As municipal matters are a constitutional Schedule Two competency falling under the State and Region level only, there is no equivalent Union Ministry. The financial management set-up of the Ministry of Development Affairs thus differs from all other departments of the State government, because it is notsubordinate to a parent Ministry at the Union level. Most of the Ministry'smunicipal revenues are generated locally through the provision of licences (restaurants, abattoir, and market fees) or as payment for services provision, like garbage collection and maintenance work. These revenues remain at the State level that also decides about the distribution of funds to the various townships as recurrent and capital budget which partly depends on the amount of revenue collected by the DAO. Hpruso DAO for example does not generate enough revenue from services and licences to run the DAO and therefore receives support from the Ministry of Development Affairs at the State level. Of the allocated budget per township, 5 percent of the budget is allocated to water supply, 45 percent is allocated to roads and 50 percent is allocated to other urban development projects.30 percent of revenue can be used for paying the salaries of staff members. If sufficient money is available the township DAO will submit an application to the State Ministry for a new staff position.

The Ministry of Development Affairs does not receive any grants from the Union level except for ad hoc emergency relief matters. In terms of the planning process, water supply priorities are submitted by townships to the State level. The Ministry stated that it completes an annual plan and a long-term plan for 30 or 50 years. The main purpose of the long-term plan is to secure loans from international development partnerswith whom the State Government has entered into a partnership to complete future water projects in the State.

ments, and passes on thisinformation to the relevant line ministries. Besides rural water supply, it also provides rural energy (mainly solar power) and micro-finance assistance. It has its own development budget for implementing development activities. All major works are carried out by contractors who are engaged by the State-level DRD.

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Box 8: citizen participation

As part of the planning process, the DAO collects three types of information, i.e. information from other departments, information from committee members and information from citizens directly. Citizens come to the department's office and present their needs to staff. The department has anopen door policy for citizens to come and present their ideas, concerns and feedback. Other input from citizens is collected by department staff when they conduct their field visits to or when they are collecting taxes and fees.

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In the future the DAOis expected to work in close cooperation with the TDAC, and together they define priorities for intervention. The role of the TDAC in township development in Kayah State has been defined in the recently adopted Kayah State Municipal Law, but still needs to be translated into clear guidelines and regulations for each township. It will be interesting to see to what extent the Executive Officer of the DOA will become accountable to the committee and to what extent the committee will be able to define priorities for a department that is primarily controlled by the State government. Ultimately, it remains an open question to what extent these structures can develop into a genuine form of elected local government for the urban areas of Myanmar, and in what way the systems and mechanisms for urban and rural areas will continue to diverge or converge.

Besides the DRD and DMA there are several (I)NGOs active in providing water, sanitation and hygiene services in the three townships (see Table 16).

Township	UN organisations, (I)NGOs and CBOs active in education
Loikaw	Danish Refugee Council, International Rescue Committee, Japanese International Cooperation Agency (JICA), Save the Children in Myanmar, Social Development Initiative
Hpruso	Action Contre la Faim, Save the Children in Myanmar
Mese	None based in Mese

Table 16: (International) Non-Governmental Organisations active in Water, Sanitation and Hygiene in the three townships.
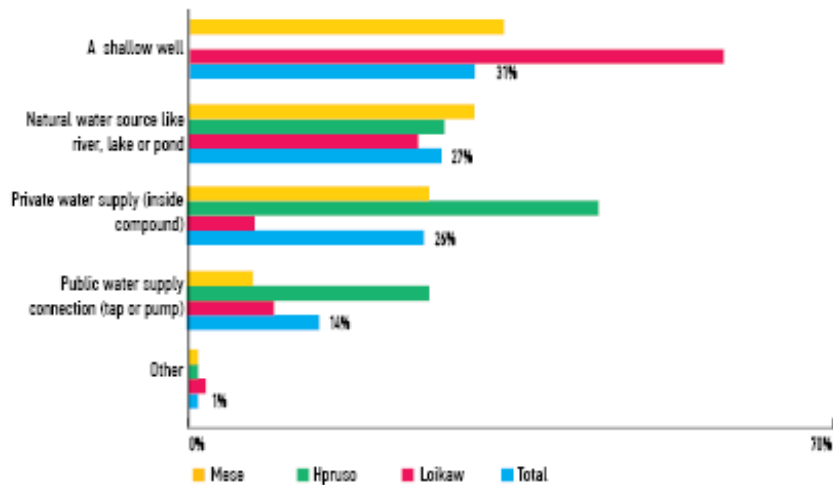
Source: MIMU: Overview of the April 2014 'Who, What, Where' and VT MAP Kayah State. Note that this overview does not include local organisations active in water, sanitation and hygiene.

Citizens' perspectives on safe drinking water provision

Figure 39 presents an overview of the main drinking water source indicated by respondents with regard to their households. It shows that there are big differences in water sources for different households even within a village tract or ward depending on local conditions.

A shallow well — 37%
Natural water source like river, lake or pond — 27%
Private water supply (inside compound) — 29%
Public water supply connection (tap or pump) — 14%
Other — 1%

Mese   Hpruso   Loikaw   Total

In total, 89 percent of the respondents mentioned that they live within 30 minutes access to drinking water, while there were no significant differences between the three townships (see Figure 40).

0-5 minutes — 63%
5-15 minutes — 19%
15-30 minutes — 13%
30-60 minutes — 7%
more than 60 minutes — 4%

Mese   Hpruso   Loikaw   Total
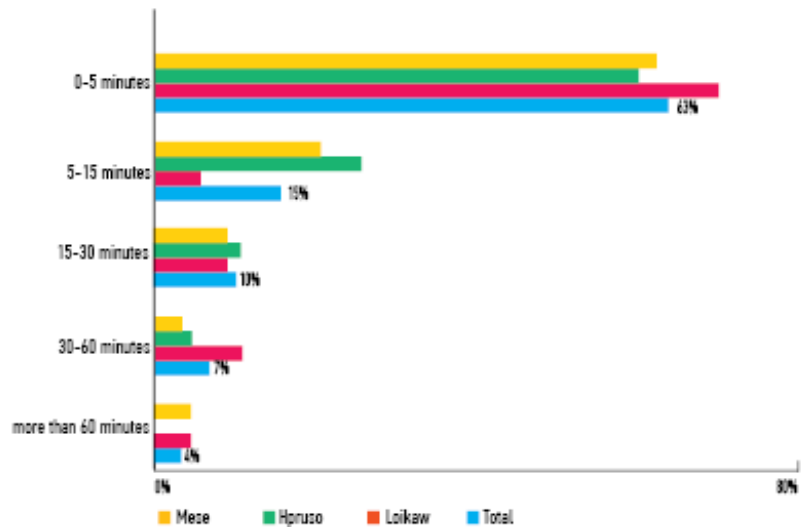
For most of the respondents the quality of drinking water was good or acceptable (44% and 45%, respectively) (see Figure 41).

Good   Acceptable   Bad

While Hpruso has the highest number of private water sources and recorded the most improvements (see below), it scores however lowest on the quality of drinking water if compared to the other two townships.

Regarding access to safe drinking water, the respondents were asked whether the drinking water situation has improved in their village tract or ward over the last three years (see Figure 42).
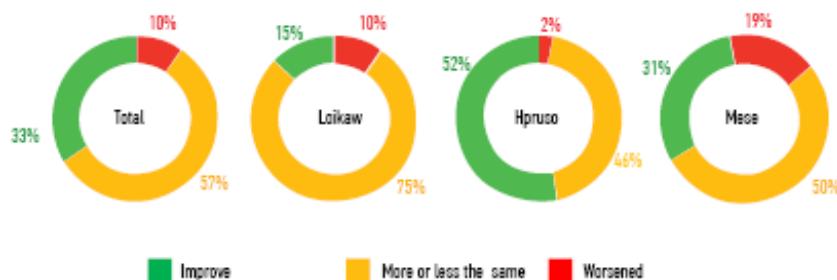
Improve   More or less the same   Worsened

Only 33 percent of the respondents mentioned that the provision of safe drinking water has improved over the last few years in the three townships, which is much lower than the perceived improvements for health care and primary education, while also 10 percent mentioned that the situation has worsened, mainly because the water source is now further away than in the past. In paragraph 4.2 we saw already that the provision of safe drinking water is high on the list of needs in most village tracts and wards. The mapping findings indicate that the provision of safe drinking water seems to be an area where there is a serious discrepancy between the needs of the people and the allocation of resources by government to address these needs.

Figure 41 also shows the differences per township, with Hpruso standing out positively with 52 percent of the respondents mentioning an improvement, while Loikaw has a relatively high percentage of people noticing no change (75 percent) and Mese with a relatively high percentage of respondents mentioning deterioration in access to clean drinking water (19 percent). Note that this does not mean that in all village tracts and wards in Hpruso the access to clean drinking water has improved. Neither can it be concluded that hardly any changes have taken place in all village tracts and wards in Loikaw. These figures only emphasise what is mentioned earlier, that there are big differences between individual village tract and wards that require tailor-made responses from in this case DRD and DAO in order to identify and respond to the most important needs. This requires that in addition to higher resource allocations, mechanisms of data collection and analysis, consultations, feedback and monitoring

Access to drinking water emerges as an issue of concern for the three townships in Kayah but Hpruso township citizens perceive improvements more than other two townships. It however has received limited attention from the government

and evaluation are urgently required. Since the DRD is increasingly collecting such relevant baseline data per village tract, it can be expected to gradually become better able to improve its service delivery.

Of the 94 respondents who noticed an improvement in water provision, the main reasons mentioned by them were:

- New taps or pumps have been installed (67%).
- The water source is protected/cleaner (30%),
- The water source is nearer (21%),

Only 23 percent of the respondents said that they had in the past been involved in a meeting with government staff to talk about the improvement of water provision in their village tract or ward. While this figure is low, it still is much higher than in the other States or regions involved in this study so far.

While the situation regarding water provision seems rather good in Kayah State, it nevertheless came up as a serious problem both during the individual interviews and during the Community Dialogues. Not having access to safe drinking water came out as the most important problem in their village tract or ward, raised by 26 percent of the respondents.

Given the fact that access to safe drinking water features high on the priority list of the people, but receives only very limited attention from government in terms of resources allocation shows that there appears to be a serious discrepancy between citizens' needs and government's response.

Concluding remarks on service delivery

These findings are encouraging, especially related to citizens' perceptions regarding the improvements in the quality of health and primary education. They show that service providers and people see that improvements are taking place in their community. However, one has to be cautious using these figures as an indication for the actual quality of primary education or primary health care in Kayah State or in Myanmar at large. Myanmar continues to perform poorly on a number of international rankings both for primary education and health care, particularly when viewed against global standards set through initiatives such as Education for All (to which the country is signatory).[69]

So while user perceptions of improvements indicate a positive change, one should also be cautious using these as evidence that the quality of primary education or primary health care has improved substantially. In the absence of any established standards which can help ordinary citizens compare the actual situation against the "ideal" situation, *any* positive change is seen as a big improvement. Moreover, given past experiences, many people are still very cautious of expressing any criticism of the authorities, in particular among ethnic minority communities. Overall, the recent developments in terms of service delivery, while still falling short of more ambitious targets, represent a significantly positive change compared with the decades of armed conflict, displacement and deprivation the people in Kayah State have had to endure.

Concluding the interviews were the respondents were asked what government could do more or better in future. Table 17 presents an overview of the suggestions, including only those that were mentioned by 5 respondents or more.

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69. Most recent figures (2012) from the MDG global data base (www.mdgs.un.org/unsd/mdg/Data.aspx) for Myanmar on progress regarding the achievement of the MDGs. In education, enrolment rates are still low, and completion rates from primary school remain poor. In health, Myanmar has improved on most MDG indicators but still lacks behind as compared to other countries in the region (e.g. under 5 child mortality rate is 52.3 compared to 28 as average for the region, maternal mortality ratio (per 100,000 live birth) is 200 compared to 150 as average for the region)

	Total	Loikaw	Hpruso	Mese
Improve access to water	49%	42%	51%	54%
More electricity connections	42%	20%	31%	74%
More / better roads	41%	46%	32%	46%
Build a Rural Health Centre	23%	43%	20%	6%
Assign more / better health care staff	16%	19%	15%	12%
School to be upgraded	15%	11%	19%	13%
Assign more educational staff	11%	8%	17%	8%
Create job opportunities	9%	7%	11%	9%
More medical supplies/equipment	7%	7%	5%	8%
Free health care/ free medicine	5%	4%	2%	7%
More teaching materials / school furniture	3%	1%	5%	3%
Improved communication	2%	1%	1%	4%
Initiate a soft loan program	2%		1%	4%
Improve quality of services through training	2%	2%	3%	0%
Free education	2%	1%	3%	1%
Library	2%	4%	0%	1%

4.4 Information, Transparency and Accountability

Transparency of government and accountability of office bearers are critical elements for a well-functioning and sustainable democratic society. In Myanmar, given its long history of a closed government that was not democratically accountable to its population, that did not share key information or justify decisions made, progress towards more transparency and accountability is very slow since it is difficult to change attitudes of both government staff and citizens that have become entrenched over extended periods.

Administrative accountability, the answerability to higher levels within the administration, and the related reporting and accounting mechanisms as well as the minimal internal checks and balances are fairly well developed and implemented in Myanmar. However, they cannot prevent mismanagement or corruption if they are not complemented by effective political and social accountability mechanisms. Despite the adoption of the *Anti-Corruption Law* in August 2013, the Support Committee members interviewed in Kayah mentioned that much more work is required in the area of developing the legal framework and adopting preventive measures. The CSOs interviewed were not at all convinced that government is taking any serious measures to prevent corruption.

During the State-level workshop the issue of insufficient policies and mechanisms for fighting and preventing corruption at the township level was raised by the township level participants as well. The participants suggested the following corrective measures:

Box 8: Measures to improve transparency

- Set up a township-level corruption prevention committee;
- Promulgate information to the public about the anti-corruption committee and the work it carries out;
- The anti-corruption committee should take action where deemed necessary;
- Respective independent monitoring organizations should be involved;
- More transparency in state information provision;
- Use a banking system when making payments to the government;
- Establish the possibility for citizens to complain to a monitoring committee if not satisfied with government payment system;
- To have the freedom to ask questions openly to government without repercussions.

Nevertheless, some changes in the interaction between government and citizens are taking place at the township level and below that can contribute to a start in the restoration of basic mutual trust between the citizens and the state. Some of these processes as they present themselves in Kayah State are described in the section below.

4.4.1 Aspects of Institutional and Social Accountability

Changes in accountability at the township level

The government institutions at township level (both administration and departments) are an integral part of the State or Union government in Myanmar, and do not form a separate tier of government that is primarily accountable to its own citizens, either directly (which can be called social accountability) or indirectly via elected representatives (which can be called political accountability). As in other States and Regions, being merely an extended arm of the State-level government prevents the TAs and Heads of Departments from playing a more independent role in improving governance at the local level in Kayah State.

Formally, there have only been minor changes in the accountability structures at the township level over the last few years. From the beginning of 2014, the TA accounts for the use of the Poverty Reduction and Constituency Development funds also to the State Chief Minister, who is in turn responsible to the State Hluttaw, as these funds fall under the State budget, but his main line of administrative accountability is to the Secretary General of the State GAD via the District Administrators. Secondly, the adoption of the Municipal Law by the Kayah State Government has changed the relationship between the TDAC and the Executive Officer of the DAO (see below).

The VTA/WAs, as elected office-holders responsible for their village tract or ward, the TDAC and the support committees (TDCS and VT/WDSCs) can submit questions to the Heads of Departments or the TA. However, it is not clear from the laws and regulations to what extent they are obliged to provide any explanations as they are not answerable to these structures and there are no ways in which these bodies can demand answers or implement sanctions on mismanagement, except for reporting matters to higher levels in the administration.

The State and Union-level *Hluttaw* members often participate in meetings at the township level (when the Hluttaws are not in session) especially in Loikaw, usually in the combined VTA/WA-TA and advisory committee meetings. However, they have no formal oversight function over the township administration except in the implementation of the recently introduced Constituency Development Fund in which they play an executive and oversight function at the same time. In addition, the fact that all of them belong to the same political party as the State (and Union) Government, and that all of them are men, could mean that certain perspectives and priorities of the local population may be less reflected in this already weak form of horizontal accountability.

The TA's formal role and responsibilities in the townships of Kayah State are not different from that of their counterparts across the country. Primarily, the TA is responsible for leading the GAD to promote peace and security, maintain law and order, assist development and improve livelihoods. Over the last few years a gradual shift in the role of the GAD at the township level in general and that of the TA in particular can be noticed. Next to representing the government at the township level and fulfilling his administrative, oversight and control functions, the TA is increasingly expected to play a more developmental and coordinating role, responding to the needs and serving the interests of the township population as well. The fact that TA's almost always come from outside the area, and are deployed on a rotational basis for a relatively short period of time, however means that TA's rarely put the wishes and expectations of the local community on the highest level of their priority list.

These new roles (both developmental and coordination) stretch the capacity of the GAD at the township level (in terms of number of staff, competencies and resources). The TAs interviewed in the three townships acknowledged the importance of these additional tasks and of involving citizens more actively in governance and service delivery.

The new Municipal Law might, if implemented according to what is described in the law, be a first example of a change in the relationship between citizens and local administrations. The Municipal Law establishes the TDAC, whose members include two government staff and local citizens representing various interests groups in the municipal area of the township, although the TDAC cannot be considered an elected, representative body of local government. The Law gives the TDAC executive responsibilities and a statutory foundation in State law, rather than Union law, which is rather innovative in the Myanmar setting. The TDAC can, on advice from the Executive Officer of the DAO, determine local taxes and levies. It can also instruct the Executive Officer to carry out certain works, and analyse draft regulations and notifications of the DAO. The Executive Officer remains directly accountable to the Minister of Development Affairs at the State level, while the Minister of Development Affairs can overrule any decision of the TDAC. The Minister's decisions can only be appealed to at the State Chief Minister, but not the Union government. As a consequence of this new law, the Executive Officer of the DAO becomes to a certain extent also accountable to the TDAC. Since this law is still fairly new, it will be interesting to see how all parties deal with these rather complicated and multiple accountability lines in practice in future.

Changes in accountability at the village tract/ward level

The *Ward or Village Tract Administration Law of 2012* specifies the formal accountability of the Ward or Village Tract Administrators to the TA, i.e. within the state structures, but is not clear on whether there is also a downwards accountability towards the community. To become a VTA/WA one has to meet certain basic criteria. Following an important change in the legal framework from earlier practice, the VTA/WA is now elected from and by the group of 10 household

heads [70] (in practice many different election procedures were applied). The TA appoints the VTA/WA, and provides him/her with a monthly subsidy and can assign functions to the VTA/WA. The VTA/WA reports to the TA and in case of misconduct, the TA can dismiss a VTA/WA. While the VTA/WA is not a civil servant following the usual rotation scheme, he/she is formally engaged by the government, and the main accountability line is upwards.
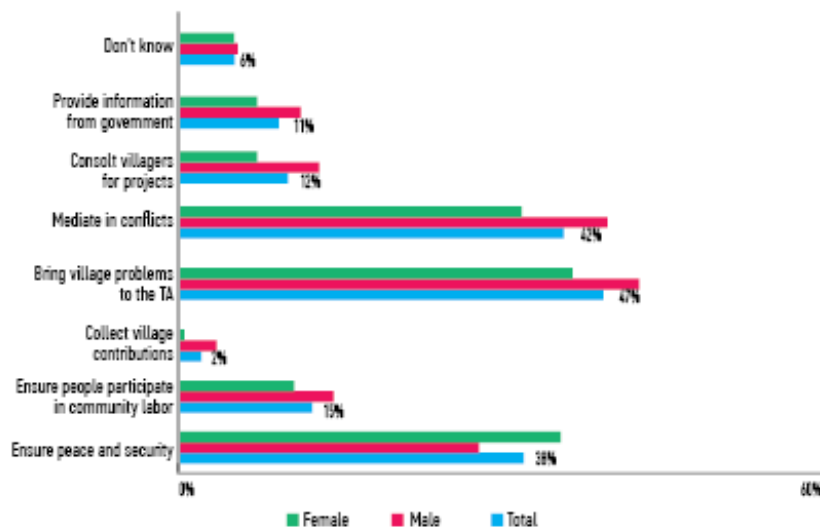
Presidential Notification 27/2013, which instructed all States and Regions to establish Ward or Village Tract Development Support Committees (VT/WDSC), also stipulates that the VT/WDSC has to cooperate with the VTA/WA in performing his/her duties but does not make the VTA/WA accountable to the Committee. Implicitly, it does however add the task of village tract/ward representation to that of the VTA/WA as it lists as one of the Committee's functions(under 7c): "To submit matters which cannot be resolved at the ward or village level to the meeting of the Township Management Committee". It also provides for a direct line of communication from the VT/WDSCs to the TMC and the TDACs which has however hardly become operational in practice.

In terms of the powers and functions of the VTA/WA, the 2012 Law essentially retains those that had been associated with this office for decades. It assigned 32 duties to the VTA/WA of which 22 are directly related to maintaining law and order, eight functions are more general administration functions and only two are a more developmental in nature:

- 13d): Helping and assisting in implementing the works relating to the rural development and poverty reduction.
- 13dd): Coordinating and assisting the functions and duties of department organization at the level of ward or village tract.

In Kayah State this formal mandate of the VTA/WA, which originally dates back more than a century, may be significantly different from the role the VTA/WAs play in practice and how members of the community perceive this function. Partly due to the emergence of the various development funds that require the involvement of communities, in Kayah State the VTA/WA has in practice become more of an "elected representative" of the village tract or ward, acting as the intermediary between the village tract/ward and the township by informing community members on the one hand and bringing relevant village tract/ward problems or needs to the attention of the TA. This is in addition to his/her formal role as mentioned in the 2012 Law being in charge of maintaining law and order, while also playing an important role in mediation and settling disputes which could be seen as an extension of the maintaining law and order functions (see Figure 43). The fact that VTA/WAs come from and belong to the community in which they serve, contrary to the TA and other government officials, puts the VTA/WA into an important position of connecting the people's perspectives to the requirements and demands of the state. The recent election of the VTA/WAs has contributed to further strengthening this link, as was also evident from the views of VTA/WAs interviewed as well as from the expectations among the communities themselves.

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70. While the Ward or Village Tract Administration law of 2012 does not explicitly refer to 100 household leaders and only to 10 household leaders, they continue to function in practice.

Figure 43: Functions of the VTA/WA according to the respondents.

Source: Local Governance Mapping Kayah State April 2014. n = 288.Note that more than one answer was possible.

The bottom three functions are the formal functions of the VT/WA, while the top four functions are the informal functions.

Only 6 percent of the respondents could not mention any function at all, while other respondents could mention one or more functions. "Bringing village problems to the attention of the township administrator" (one of the functions not mentioned in the law) and "mediating in conflict situations" (also not mentioned in the law) came out as the two most important functions mentioned by the respondents, while "Ensuring peace and security" (one of the legal functions) followed with 38 percent. Female and male respondents provided similar answers with female respondent stressing the "ensure peace and security" role a bit more and male respondents the informal functions of representation and mediation.

The VTA/WAs of the six village tracts and wards interviewed also emphasized their bridging role. Remarkably, all six mentioned their mediating role in land disputes, traffic incidents, domestic affairs and misbehaviour of community members while "maintaining peace and security" was seen by only four of them as one of their most important tasks. In addition, several mentioned "bringing the needs of the people in the village tract/ward to the attention of the government at township level" and "bringing government information to the people" as well.

Also during the Community Dialogue sessions in which the VTA/WAs participated they disclosed that they felt to be the link between their village tracts or wards and the township and that they are at least informally accountable to the people in their community (see also annex 2 with examples of village tract ward action plans, which often include as an important component the VTA/WA reporting the problem to the TA). On the one hand, VTA/WAs are integrated into the government machinery (since they report to the TA, receive instructions from the TA, and are remunerated by the GAD) while on the other hand they are elected by, and feel responsible for the well-being of the community. The VTA/WAs are therefore often caught between the genuine demands and needs of their communities that they bring to the attention of the administrationat township level and the limited ability of the township administration to address all issues at the same time.

Citizens perceived VTAs main roles as sharing village problems with TA and mediating conflicts. The VTA/WAs of the six village tracts and wards interviewed also mentioned their mediating role in land disputes, domestic affairs as well as bringing the needs of the people in the village tract/ward to the attention of the government at township level and bringing government information to the people as well.

In practice however, the interviews with the VTA/WAs showed that since they are now elected (either through secret ballot by all male and female community members (4 out of 6) or by the 10/100 household heads or village elders (2 out of 6), most of them do feel accountable to their community members.

Grievance redressal

A common theme across the three townships in Kayah is that citizens are lacking knowledge of the most effective and efficient way to file complaints. This is related to both the limited availability of information about citizens' rights and to a lack of awareness of processes and procedures, even among government staff. Managing and delegating complaints form a large proportion of the work of the TAs.

Loikaw and Hpruso Townships have established a Grievances Scrutinising Committee to deal with grievances from citizens (see for its composition Table 18).

Role	Loikaw
Chair	TA
Member	Police Officer
Member	Law Officer
Member	Land Registration Officer
Member	Department of Electricity Officer
Member	Immigration Officer
Member	Municipal Officer
Member	TED
Member	TMO

The committee deals with social, economic and criminal complaints in addition to land management issues which cannot be resolved at the village tract level or by the Township Land Management Committee (TLMC) at the township level. The committee meets once a week, which is comparatively often. When complaints are lodged, the committee forms an inspection group of 3 or 4 people to investigate the complaint, depending on the character and gravity of the issue (see Figure 44). The most common complaints are land disputes between citizens, family problems and inheritance conflicts. The committee either solves the complaints it can handle itself or refers them to other departments as required. It is not clear what criteria are used by the committee to decide whether it can handle a case by itselfor whether it needs to be referred. Anything that cannot be resolved by the committee is elevated to the State level. In addition, in order to reduce the number of complaints, the Township Administration has improved its information flow to the village level about government rules and regulations.

The establishment of this Committee appears to be an innovative initiative by the Kayah State Government, as it is not found in this form in other States and Regions and does not appear to be based on any formal legal provision or guidelines. While the setting up of such a mechanism is laudable in principle, the fact that the basis for decision-making is not clearly defined, and that the Committee obviously lacks the characteristics of an independent administrative tribunal or adjudication mechanism, leaves the sustainability and fairness of such a mechanism in doubt. A more detailed analysis of the work and decision-making of these Committees would be required to come to any firm conclusions in this regard, however.

Complaint arrives at GAD or to any committee. Can be verbally communicated via committee members or written.

The Grievance Scrutinisng Committee reviews and forms investigation team or allocates to appropriate department.

Investigation conducted (one week).

Report and recommendations presented to Complaints Scrutinising Committee (within three days)

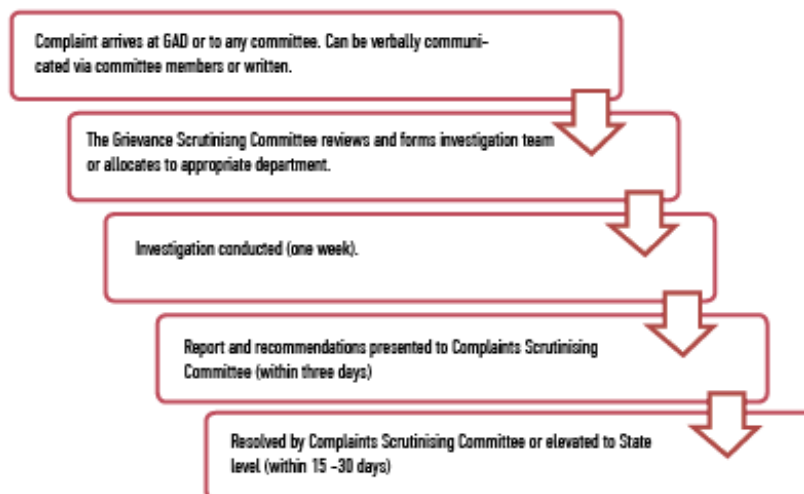Resolved by Complaints Scrutinising Committee or elevated to State level (within 15 –30 days)

Figure 44: Complaints handling mechanism by Grievances Scrutinising Committee

Source: UNDP Local Governance Mapping, Kayah State, interviews with TAs

Within the sector ministries similar procedures have been adopted, see the example of education in Box 9.

Box 9: Complaints handling in primary education

As part of the Citizen's Report Card survey, respondents with children at a primary school were asked whether complaints by parents are taken seriously by the school management and are properly dealt with. While still a large percentage of 27 percent mentioned that they do not know how complaints are dealt with, most likely because they have never made a complaint, 73 percent of the respondents mentioned that complaints would always or usually be treated seriously, while nobody mentioned that complaints are not taken seriously. Regarding complaints, the TEOs reported that there were not many complaints. If one does arise, the Township Education Office coordinates with the school and the parents. The Assistant TEO visits the school to facilitate the resolution of the complaint. Unresolved complaints can be elevated to the Township GAD.

At the village tract/ward level the VTA/WA is the first person to approach by most citizens to resolve civil cases like domestic issues or land disputes (see Figure 45). It was noted that the Township Land Management Committee that deals with land disputes was not mentioned by anyone as an institution people would turn to directly to resolve a land dispute. According to the land registrar, land issues and conflicts related to inheritance and renting land are dealt with by the court. The TLMC only deals with disputes about the rightful ownership of land.

Figure 45: First person to approach to resolve a possible land dispute
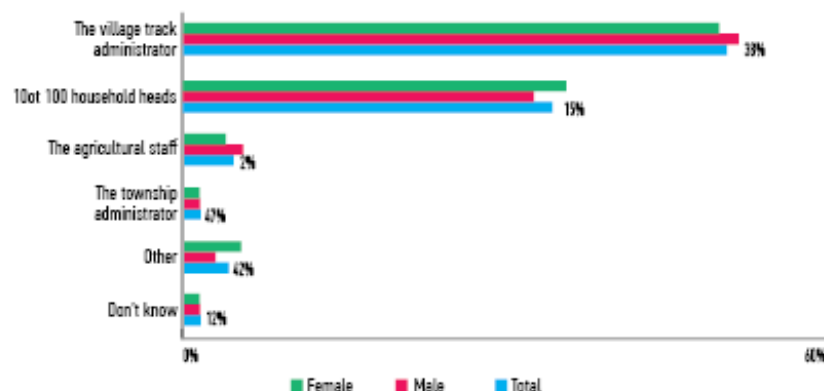
Thirty-nine percent of the respondents said they would turn to the TA in case they wanted to appeal against a decision of the VTA/WA.

The fact that nowadays more complaints are being channelled to the GAD justifies more in-depth research as part of an effort to further improve the complaint handling mechanisms of the government. Some questions that emerged but could not be tackled by the research team were: Why are other conflict handling mechanisms like the regular court system not used more often by the people? Are they not trusted or are they not functioning adequately? Are most of these grievances/conflicts between citizens and government or between citizens themselves? Are these conflicts the result of the implementation of "new" regulations and government actions, or do people feel more confident to bring up issues of land grabbing cases that took place in the past without fear of reprisal, indicating an improvement in both civic awareness about their citizen's rights and confidence in the fairness of the present mechanisms and of receiving a fair treatment by government?

4.4.2 Transparency and access to information

Easy access to information from government by citizens is a prerequisite for a government to become more transparent and accountable to its citizens. In Kayah State, the traditional hierarchical channels of official information provision (the 10/100 household heads, the Village Elders and Respected People and the VTA/WA) play an important role in the information flow from government to citizens at the village tract/ward level as is shown below.

Seveny-three percent of the respondents mentioned that they received information on new laws and directives from government or about community meetings through their 10/100 household headsand 42 percent through the VTA/WA(see Figure 46), which makes them the most important sources of information for most citizens.
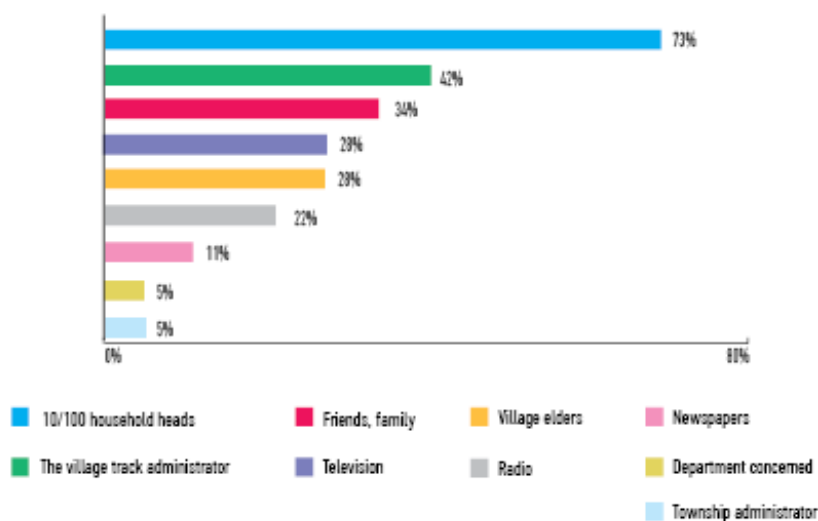
Figure 46: Ways in which respondents are informed about new laws or directives from government.

Source: UNDP Local Governance Mapping, Kayah State, April 2014 n = 288. Note that more than one answer was possible.

Legend (Figure 46):
- 10/100 household heads
- The village track administrator
- Friends, family
- Television
- Village elders
- Radio
- Newspapers
- Department concerned
- Township administrator

The same pattern emerged regarding the way in which respondents were informed about the national elections in 2010 (see Figure 47). Seventy-eight percent received information via the 10/100 household heads and 48 percent via the VTA/WA. There were no significant differences between male and female respondents.
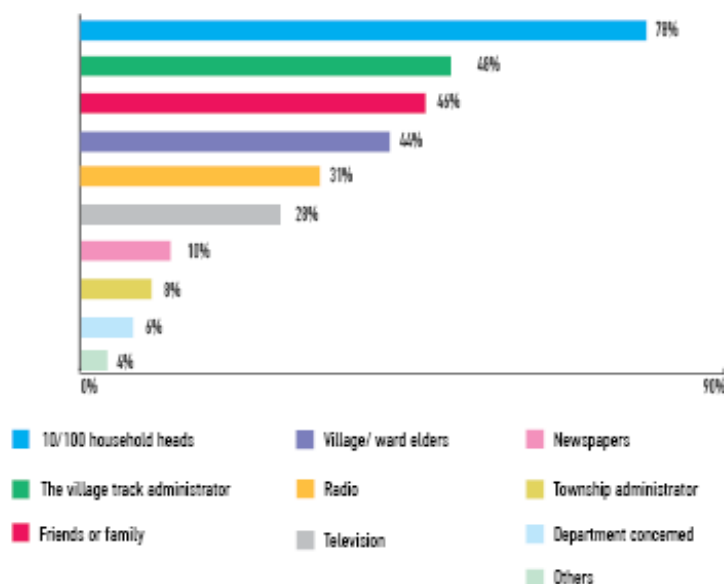

Figure 47: Ways in which respondents were informed about the national parlia-mentary elections in 2010.

Source: UNDP Local Governance Mapping, Kayah State April 2014 n = 288. Note that more than one answer was possible.

Legend (Figure 47):
- 10/100 household heads
- The village track administrator
- Friends or family
- Village/ ward elders
- Radio
- Television
- Newspapers
- Township administrator
- Department concerned
- Others

In order to get an idea about the familiarity respondents have with government, they were also asked to mention the name their VT/WA, the name of the President of Myanmar, and the name of their elected representative in the StateHluttaw (see Figure 48).
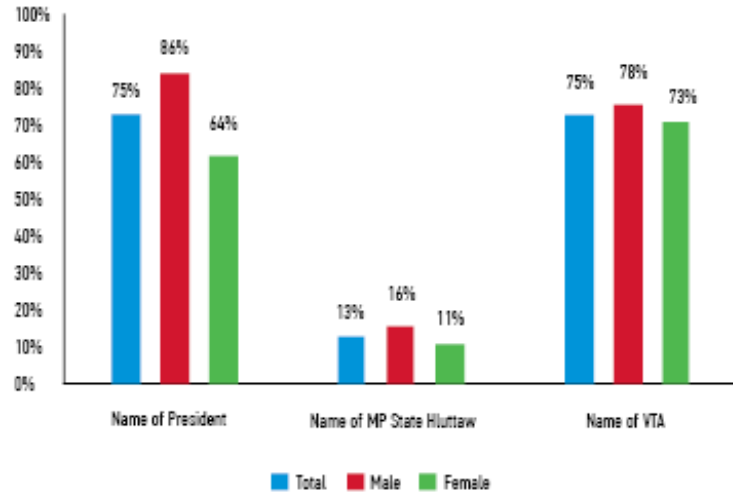
Seventy-five percent of the respondents knew the name of the President of Myanmar and the name of the VT/WA, while only 13 percent knew the name of the elected member representing them in the State Hluttaw, which is an indication for how well people know the State level parliament.Male respondents had a slightly better knowledge of the names of these government representatives than female respondents.
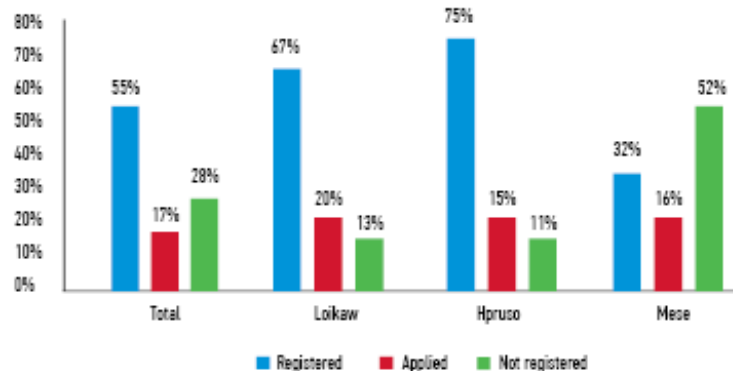
Only three percent of the respondents had heard about the newly established support committee at the township level (TDSC) or the municipal committee (TDAC).

Citizens' knowledge of what is happening in government institutions and processes at the township level is very limited. As mentioned earlier, only three percent of the respondents had heard about the newly established support committee at the township level (TDSC) or the municipal committee (TDAC).If these committees are intended to represent the interests of (groups of) citizens and the government wants to use them in order to involve citizens more actively in planning and decision-making, and if these committees themselves are to become more accountable to the communities they supposedly serve, there is clearly a need to raise more awareness about their existence, and their role and functions, as well as their actual discussions and deliberations.

In order to gain insights into the knowledge people have about services provided by government, the survey asked those respondents who mentioned crop farming as their main economic activity (198) and owned the land on which they grew their crops (169) whether they had registered their farmland. Registering land has been possible since 2012 on the basis of new legislation and not only provides more security for the household against land grab and claims from others, but the land can be used as collateral to obtain a loan (see Figure 49).

Fifty-five percent of the farmland owners had registered their land, while an additional 17 percent had applied for registration, but were still waiting for the outcome of the application or for the certificate. Figure 48 also shows that the difference between the three townships is rather big.Mese recorded a much lower percentage of crop farmers who have registered their land than the other two townships. This could either be related to Mese being more remote and therefore people have less knowledge of and access to farmland registration or the fact that more farmers in Mese practice shifting cultivation techniques, for which registration is less useful and more cumbersome. The history of conflict and displacement, and the relatively recent establishment of the township as an administrative unit may also be factors in explaining the low level of land registration in Mese Township.

A total of 121 respondents had therefore either registered their land or were in the process of registering their land only two years after the new legislation has been introduced, which shows that this information reached most people quite fast. The way in which these crop farmers who own the land on which they are farming were informed about the possibility to register their land is shown in Figure 49.
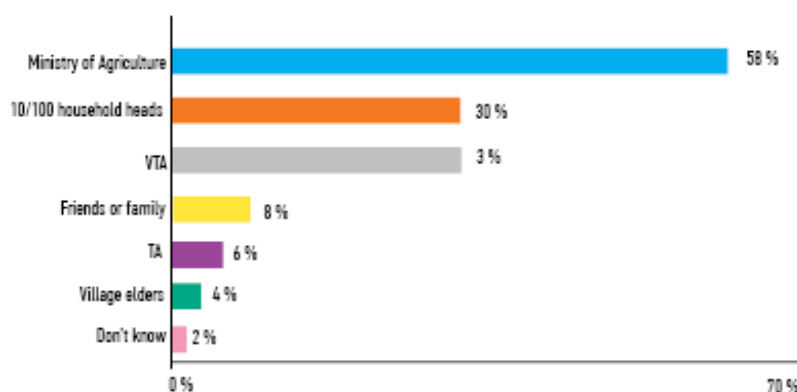

Ministry of Agriculture — 58 %
10/100 household heads — 30 %
VTA — 3 %
Friends or family — 8 %
TA — 6 %
Village elders — 4 %
Don't know — 2 %

0 %   70 %

Figure 50: Main source of information regarding farmland registrationfor those respondents who own the land on which they are farming.

Source: UNDP Local Governance Mapping, Kayah State, April 2014
n = 169

Regarding information on development activities, the six VTA/WAs interviewed all mentioned that the township administration and other government departments inform them sufficiently about the plans they have for new projects in their community regarding construction and renovation of schools, roads and health facilities etc. (three qualified the information provision as "good", three as "not good, not bad"). The most important means of receiving information from the township level was either directly from the TA or by sharing of information during the TA-VTA/WA meetings.

Government staff at the township level as well as the VTA/WAs interviewed were of the opinion that they are informing citizens well enough about important government directives or news and about planned projects in their villages, either through notice boards and or via the VTA/WA or support committee members. This however stands in stark contrast with the views of citizens about information provision. Seventy-twopercent of the citizens interviewed mentioned that the information provision by the township administration about important government information and new projects was not enough (see Figure 51).

While all the VTA/WAs mentioned that the township administration and other government departments inform citizens sufficiently about plans and projects, 72 percent of the citizens interviewed mentioned that the information provided is not enough.
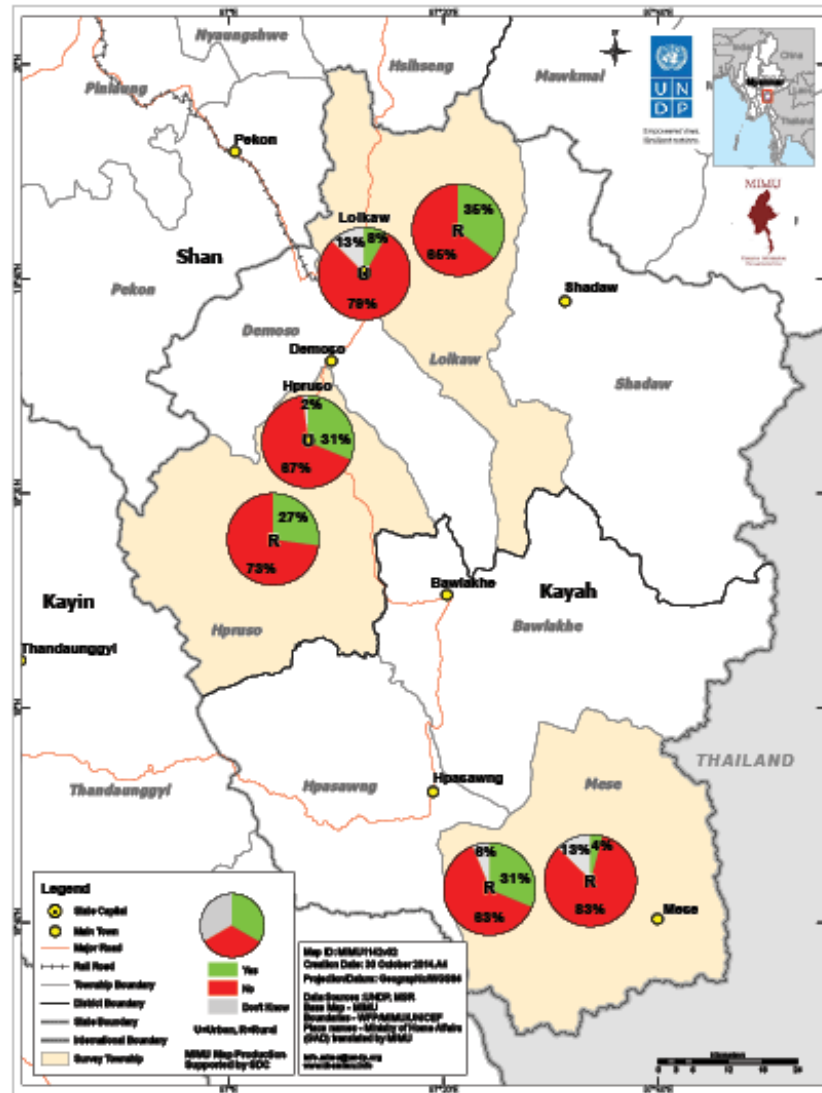
These perceptions of individual respondents were confirmed during the Community Dialogue meet-
ings (see Box 10 for examples). On the item of information provision, the gap between how the com-
munity appreciated the quality of information provision on the one hand and how government staff
thought they were informing citizens on the other hand was very large. The community members usu-
ally gave information flow a "bad" score, while the government staff gave it a "good" or a "not good/not
bad score", and the two groups were usually not able to come to a consensus during the plenary session.
It shows that there is a difference in interpretation about what government staff think people need to
know and what people would like to know.

Box 10: Suggestions made during the CD meetings regarding the improvement of information–supply to community members at the village tract/ward level

- "The method of disseminating information through committees and 10–100 HH heads is not effective. Only those people close by or close to those holders of information are actually informed."

  Hti Paw Hso VT, Hpruso

- "It will be better if VTA/WAs serve longer terms, not the 6-months or 1-year term as it is now. Information will flow back and forth better between the village authority and people if the administrator already knows what he is supposed to do."
- "There are challenges in cooperation between the administration and the people. Administrators are trained and soon after they learn how to do their job, their term is ended."

  Ma Htaw Khu VT,Loikaw

- Community members mentioned that "there was a meeting regarding the population census, but since 100/10 household heads do not get paid, they do not want to inform households about such meetings."
- "It is important for both sides to have mutual respect. Authorities have to respect the people and the people also have to respect the authorities. We would like to be informed using the public address system whenever we need to know something."
- Response from VTA and service providers: "If the public address system is used to inform people, people can receive the information. However, if they are in the fields working, they won't know. It will be better to use the information notice boards."

  Ho Seit VT,Mese

- The WA and service providers said that they did well in promulgating the distribution of SIM cards and other projects. Nevertheless, they cannot inform each and every one of the citizens directly.
- "If there is a better plan to share the information, any suggestion would be welcomed by the WA."
- Community response: "It is good that the WA announces the information on the loud speaker. However, the WAs should announce information precisely and they should promulgate all the information in order to create agreeable situations between the public and the WA."

  Maing Lone Ward, Loikaw

TDSC and TDAC committee members who participated in the Focus Group Discussions acknowledged that although more and more government information is available nowadays and is actively shared by the township administration, there still is a gap in information flow, as it is often not reaching the citizens in the communities yet. CSOs and NGOs qualified the information sharing by the township administration as "very bad".

In order to understand and if possible overcome these bottlenecks, these findings need to be placed in the historical context of Myanmar. Government and administrative information has not been shared

freely with the public in the recent past, and communication between government and citizens focused more on informing people about their duties than on their rights and entitlements.

In the past, Government staff were not required to explain or justify decisions made by government to the public, while government staff at the township level were themselves often not informed by their superiors about departmental plans and budgets. Neither were they provided with an explanation for decisions taken. In practice, this attitude still persists which "disempowers" lower-ranking government staff and inhibits them to become more proactive. It still depends a lot on the discretion and attitude of the TA and other senior officials as to what type of information is shared with the population of the township and in what way such information is communicated. Citizens on the other hand are not used to ask for information and explanations and are still reluctant to do so. This is particularly the case in rural post-conflict areas like Kayah State where ethnic and linguistic barriers form an additional hindrance to developing stronger accountability relationships.

Within the present organisational culture in which lower level staff generally do not take action unless they are told to do so, it was suggested that the Kayah State Government would take the initiative to draft an information and communication policy in which it clearly described what type of information is available to citizens if they ask for it and what type of information should be made available by the township administration and departments and the means through which such information should be disseminated.

These problems in information flow from government to citizens were discussed during the feedback workshop at the State level, especially by the village tract and ward participants who made the following suggestions to improve the information flow:

- Government should provide 10/100 household representatives with a salary or stipend;
- Information needs to be disseminated on notice boards in highly accessible places and via loudspeakers to insure that both literate and illiterate people are reached;
- The Township Administration should provide punctual and precise information to the Village Administration.

4.4.3 Civil society's role in enhancing transparency and accountability

Ideally, being independent from government and working closely with citizens, civil society, including the media, can be expected to play an important role in improving the quality of governance. Media and civil society organizations can play this role if they can operate freely and without fear and have the capacity and ability to monitor government's performance. In practice, this idea of civil society can be hard to find, in particular in Myanmar where democratic space has been extremely narrow in the past and government did not welcome any dissent or criticism. This is particularly so in the case of a small and remote post-conflict State such as Kayah.

The number and size of civil society organisations (CSOs) in Kayah State is still limited, but CBOs, NGOs and INGOs appear to be increasingly active in Loikaw and Hpruso Townships and are diverse in their structure, size, origin, and funding. They focus on improving the livelihoods of elder people, health, education and water, sanitation and hygiene (see Table 19).

CBO/I/NGOs	Main functions
Faith-based Organizations	Buddhist, Christian, Kaehtobo(traditional spiritual) organisations provide religious guidance, promote and support traditional practices and festivals, maintain religious and cultural structures (churches, monasteries), and conduct religious ceremonies (burials). Some organizations take on community development activities such as education and support for the most vulnerable.
Women's Groups	Support for cultural, religious and community activities such as cooking for funerals and religious events; support for childcare and some maternal health activities. Some women's groups raise 'donations' for community activities.
Farmer's Associations	Farmer's associations are formed in response to specific development interventions. They are often initiated by outside organizations and are used to maintain infrastructure and sharing knowledge
Youth Groups	Participate in community affairs and raise funds for village development, community activities, and funerals.

The main challenges mentioned by the various CBOs and CSOs during the focus group discussions in the three townships were:

- Lack of confidence and capacities of CSOs to play a more active role in local governance;
- Lack of technical competencies to work with Government;
- There is no space or platform for collaboration between the various civil society organisations;
- There is lack of mutual trust between CBOs and CSOs on the one hand and the township administration on the other hand.
- There is not enough administrative will of the township for sharing and learning;
- Lack of knowledge on strategic planning to work in a systematic way.

The TAs in the three townships acknowledged the relevance of the work of the CSOs and the need to inform each other better. With the recent increase in the number of NGOs active in Loikaw Township, the TA has planned to establish a coordination mechanism to facilitate information sharing.

During the State-level feedback meeting, the village tract and ward level representatives acknowledged that the CBOs and CSOs in the three townships have a perspective limited to service providing which does not include significant outreach, lobby and advocacy or civic education. They recommended to:

- Draft specific laws and by-laws that regulate the authority of the township administration and departments to act so that government implementation can be more effective;
- For CBOs and CSOs to be effective they need to have firm permission from higher levels, such as township level;
- Need to encourage and support both VT/WAs and CSO/NGOs to work together.

5. Conclusions

Given the very low starting point and its history of conflict and mistrust between people and government, and the lack of pluralism the Kayah's governance institutions, even such moderate steps should be commended as promising and pointing in a direction of more representative, responsive government.

The signing of the ceasefire agreement in 2013 between the Government of Myanmar and the KNPP can be seen as the start of a change in the relationship between the Government and its citizens in Kayah State that is gradually taking place and will take many more years to normalize. Already, the agreement has contributed to more stability and economic development in the State as people become more optimistic and are willing to invest for future wealth creation. A complete and permanent ceasefire is a prerequisite for further socio-economic development in the State. Ultimately, only a lasting peace settlement that is perceived as fair and equitable will unleash the development potential of Kayah State and enhance the human development of its people, including the thousands of displaced persons that have yet to return from across the border. But economic and social development and a restoration of trust between citizens and their government are also necessary preconditions for an intensification of the dialogue process and a settlement of the existing conflicts between the various parties and therefore for the establishment of a more sustainable peaceful situation in Kayah State. One will not be achieved without the other.

The information collected by this mapping, both from government officials as well as from citizens residing in the three townships in Kayah, confirms that the way in in which government is providing services and interacts with its citizens is starting to change in Kayah State. Not only is government allocating more resources in terms of funds and manpower to Kayah State and within the State to the more remote townships and villages, it has also taken some initial steps to change the way in which it involves citizens in the development of their village tracts and wards.

Since 2011, service delivery has in general improved in Kayah State, especially in the health and education sector in which government has invested a lot more during these last few years. Service providers acknowledged that improvements have been made in the physical infrastructure of the health facilities and primary schools, that salaries of professional staff have increased and that more staff has become available, even though shortages in staff and facilities still occur.

Most people interviewed confirmed that they have noticed improvements in actual service delivery over the last three years as well. In the health sector, 67 percent or two-third of the respondents noticed that the situation had improved over the last three years and in education 75 percent of the respondents had noticed improvements. Compared to other States and Regions included in the survey, these figures are relatively high. An explanation for these higher figures in Kayah could be that after a long period of experiencing no improvements at all any small improvement might be seen as a big step forward.

Regarding access to clean drinking water, the respondents were in general less positive. Only 33 percent of the respondents had noticed an improvement in the provision of drinking water, while it featured on the other hand high on the priority list of needs of both the individual people interviewed as well as the various groups that participated in the Community Dialogue sessions. Access to clean drinking water therefore seems to be an area where the expectations and needs of the people differ a lot from the ability of government to respond or the priority it receives in terms of allocating enough resources. It is also a sector in which a reorganisation of responsibilities has recently taken place. As a result of the recent establishment and division of responsibilities between the DRD and the DAO both departments are not yet functioning optimally and it might still be too early to see the impact of these changes on their ability to respond to these needs, especially since the DRD is still severely understaffed in most townships.

Whether much more could have been achieved with the same amount of extra resources available is difficult to say as all three sectors do not monitor performance or effectiveness and efficiency in service delivery systematically at present and there are no long term strategic plans at the township level (neither sectorial nor integrated) against which progress could be measured. In addition, the practice of planning and delivering services has not changed much in most ministries over the last few years according to the key service providers at the township level. While more information is collected at the grass-roots level to feed into the planning system, the actual planning is still done in a top-down manner. "Bottom-up planning" up to now appears to be not much more than "bottom-up information provision" to State and Union-level decision makers. Since the actual planning and the decisions regarding the allocation of resources is still taking place at the State or Union level in most Ministries, it is almost impossible for Heads of Departments at the township level to adjust their plans to any agreed upon township priorities or to the plans of other departments. Their ability to become more responsive to the needs of the township citizens and to coordinate their plans and activities is as a consequence very limited. In that sense, the situation in Kayah State is not much different from the other States and Regions in Myanmar.

Even though only six village tracts and wards were included in this survey, the inventory of most important problems either through the individual responses or through the Community Dialogues showed that the needs and problems of people or communities differ significantly per township or even per village tract/ward and that tailor-made solutions and responses are required if government wants to become more responsive to these needs and become more "people-centred". Even though the DRD in some townships is starting to make a more systematic inventory of the government facilities that are available at the village and ward level, government is not yet able to systematically assess and record these different needs on the basis of transparent and equitable criteria and it does not have the necessary systems in place that enables it to respond to each of these issues fairly, systematically and adequately. It is hampered to respond adequately, partly because government at the township level lacks sufficient resources (like development funds or income from taxes/levies and services) which it could allocate at its discretion to address more of the needs mentioned by its citizens but also because sector departments are limited in their ability to respond to local needs as described above.

Effective citizen participation in the allocation of resources that are for a large part within the discretionary mandate of the township to allocate (mainly the Poverty Reduction Fund and Constituency Development Fund) is still limited but improving. At the community level no systematic consultations take place yet as it depends a lot on the discretion of the VTA/WA how he involves the community members in the consultation process. Some organise larger meetings in which everyone could be involved while others involve only the VT/WDSC and/or the group of Village Elders and Respected People.

At the township level, the newly established TDSCs and TDACs seem to work as they were intended by the Presidential Notification and the State Municipal Law that established them, respectively. The TDSCs are actively involved in project identification and in the decision-making process and they meet on a regular basis with the TA and the TMC.

The TDACs have only recently been formalized through the Municipal Law that was drafted by the Kayah State Government and adopted by the State Hluttaw in early 2014. The law allocates executive and oversight functions to the TDAC in which citizens' representatives participate as well, and makes the Executive Officer of the DMA at least partially answerable to this new municipal committee. Since the TDACs are only recently established it is still too early to see any results, but it will be interesting to see how this revised relationship will work out in practice. It became clear from the discussions with

the non-government members on the TDACs in the three townships that they are not fully aware of their role and executive functions as described in the Municipal Law and it will be important that they receive adequate guidance and tailor-made training in order for them to deal properly with the complexities and the executive responsibilities that they have been allocated.

Despite the fact that the township committees are functioning relatively well, there remain several areas of concern that require the attention of the State and Union level government as they are beyond the authority of the township administration to resolve. The first one is the question of selection and representation. The non-government members of both township committees were selected from various groups in society in accordance with the Notification and the Municipal Law. None of the members is female and only a limited number come from the rural village tracts. As a result, the support committees do not reflect the diversity that exists in society and the different interests of the various groups in society. This will most likely impact negatively on their legitimacy as was mentioned several times especially by people not feeling represented or involved. Given the fact that there are no strong organisations that will push for equal representation of women in the State and that women themselves are not yet very vocal to claim their rights, it could be worthwhile to consider some form of quota system for all representative institutions (like the VT/WDSC, the TDSC and the TDAC) to ensure that women are more involved in consultation and decision-making processes and gain experience and confidence in playing a more active public role in society.

In addition, it also became clear during the discussions with the non-government members of these committees that they do not consider themselves to be a representative or spokesperson for the group they are supposed to represent, but instead they seem to be participating and acting in their personal capacity. As a result, they do not inform or meet with the group they are supposed to represent, which limits the dissemination of information and the depth of the consultation process. Without these feedback mechanisms it is very easy for these members to become absorbed into the bureaucratic system and losing their downward accountability relationship, thus becoming more an extension of the administration than a true countervailing power at the local level.

The second important issue that requires attention is the fact that only three percent of the respondents among common citizens had ever heard of the TDSC and the TDAC while hardly anyone knew what their functions are, although they have been established to increase citizen participation in township affairs. While it is debatable whether at this stage membership by representation of groups through nomination or membership based on direct elections should be preferred, all citizens should at least know that these committees exist and in some way represent their interests as citizens at the township level and take decisions that affect them.

The issue of limited representativeness of the TDSCs was discussed during the State-level feedback meeting. Participants from the village tract/ward level confirmed that decisions made about project selection at the township level are not in line with the desires of the people, in part because of a lack of transparency and a lack of knowledge of the opinions of local citizens. Furthermore, participants mentioned that the decision-making processes do not follow a clearly defined standard procedure. Participants suggested that the TDSCs should have a clearer mandate on which they should be trained and they should receive more information on budgets. In addition, the TDSC members should go out more often to the villages to meet with people and explain their role and function.

Regarding transparency and accountability of government at the township level, only small improvements have been made in Kayah State over the past few years according to the various stakeholders involved in the mapping. Access to information is critical for improving transparency and account-

ability. More information is flowing downward from the township administration and departments to the VT/WAs and to the committee members but this information is not reaching citizens at the community level yet. In addition, it is left to the discretion of the Heads of Departments and the TAs to decide what information they share with the public, making the availability of information dependent on the personality of these government staff rather than on clearly defined procedures and rights of access to information.

With regard to complaint handling and grievance redressal, the research noted the important role that the VTA/WAs and TAs play in these processes, either as resource persons who can refer a case to the right institution or to resolve or mediate in an actual case. In Loikaw and Hpruso a Grievances Scrutinising Committee has been established to deal with the more serious cases. While a committee consisting of more government officers from different departments limits the arbitrariness in the handling grievance redress cases, these committees seem to operate without clear procedures and instructions, resulting in a lack of transparency on how decisions are made as parties involved are not able to check adherence to fair and clear rules and procedures. A further specification and clarification of the regulations regarding complaint handling and dispute resolution would help to create more clarity and limit the space for arbitrary rulings and possible mismanagement.

Formally, there have been no changes in existing accountability mechanisms as each government officer is only accountable to his/her supervisor in the same department or ministry and there are no political and social accountability mechanisms in place at the township level. Informally however, the fact that VTA/WAs are now elected has changed the relationship with their communities as they feel more than before to be the representative for their community and the link between the township and the village tract/ward. This is also because they are actively involved in the consultations regarding the use of the development funds and as a result they do feel more answerable to their communities.

The number and size of civil society organisations in Kayah State is still rather limited. Most organisations are active in health and education, providing direct support to people in need. Even though their outreach is limited, their work seems to be appreciated by committee members and government staff. From the discussions with the CSOs, it became clear that they are still rather ambivalent with regard to intensifying their relationship with the government at township level. On the one hand, they would like to meet more often as a group of civil society organisations and also meet with the township administration to coordinate activities and to discuss issues that are of their interest such as registration, taxation, etc. Moreover, they are also hesitant to do so as they are uncertain as to how government would respond to such initiatives. Some of the TAs mentioned however that they would appreciate such initiatives from the CSOs.

Important first steps have been taken to change and improve the relationship between citizens and government in Kayah State that could gradually lead to an increase in mutual trust which in turn is an important prerequisite for more fundamental changes that are required for fuller democratic governance and lasting peace in Kayah. In order to fully reach the objectives of the government reforms, namely improved service delivery, clean government and people-centred planning, these institutional arrangements are indeed only the first small steps in a reform process and they need to be complemented or followed up by more structural changes in the governance system in Myanmar. For Kayah State, the past few years of reforms and absence of conflict have provided a relief after decades of strife, as well as lessons on what more can be done to rebuild a local governance system that more fully incorporates the voices and aspirations of the people of Kayah.

6. Annexes

Annex 1: Citizen Report Card interviews

In April 2014, 288 respondents in four village-tracts and two wards across the three townships in Kayah State were interviewed on their perceptions and experiences regarding service delivery and local governance by means of a Citizen Report Card (CRC) questionnaire. The Citizen Report Card requested people to reflect on the basic social services provided by government (like education and health) and to assess the quality of these services from a citizen perspective. In addition, they were asked to appraise the quality of governance by answering questions about key governance issues (like participation, access to information, corruption, etc.) that have a direct impact on their livelihoods.

In Loikaw and Hpruso townships, one ward and one village tract were selected while in Mese township two village tracts were randomly selected, and in each of these 48 adults were interviewed using a random selection process.

Demographic and socio-economic characteristics of respondents

By alternating between male and female respondents it was ensured that 50 percent of the respondents were male and 50 percent were female. All age groups were represented in the survey as is shown in figure 1.1. Not knowing the actual age distribution of the total population in these ward and village tracts makes it difficult to say whether the age distribution of the respondents was representative. While the total number of female and male respondents was the same (144 each), female respondent were comparatively slightly overrepresented in the younger age groups and male respondents more in the older age groups.

Figure 1.1: Number of respondents per age group and per sex.

Source: UNDP Local Governance Mapping, Kayah State, April 2014. n= 288
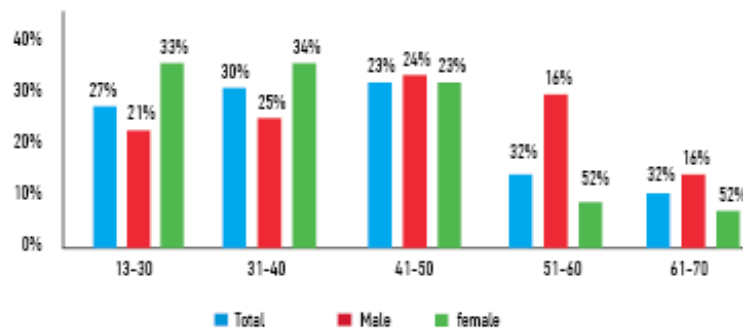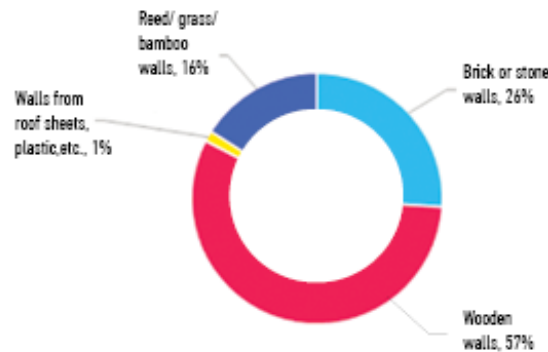

Figure 1.2: Type of housing of respondents

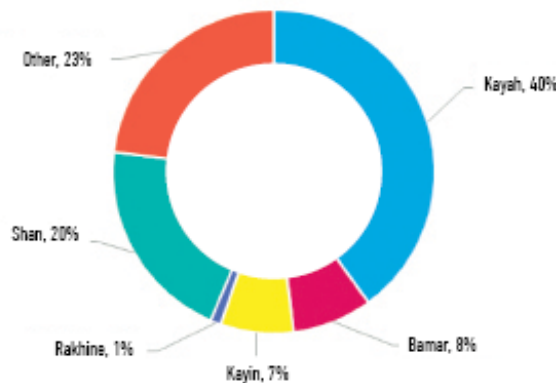Source: UNDP Local Governance Mapping, Kayah State, April 2014. n= 288
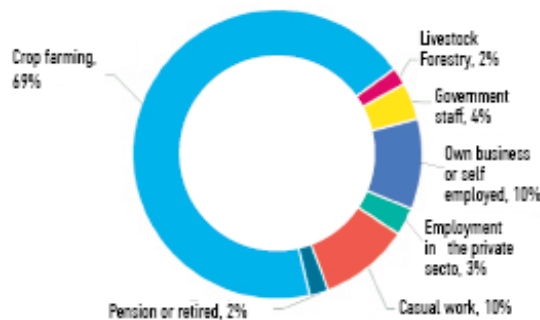
One-third of the respondents (33 percent) had not received any education or had not finished primary education. Another one-third (30 percent) had completed primary education as highest level obtained (see Figure 1.4). About one-quarter of the respondents (25 percent) reported to have finished middle school (grade 9) while only 11 percent of the respondents said to have completed high school (grade 11) or higher. The number of female respondents without education or not finished primary school was slightly higher (36 percent) than for the male respondents (31 percent).
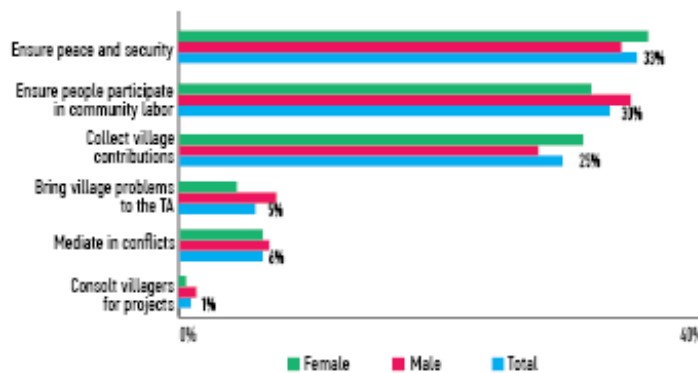
Annex 2: Community action plans

At the end of each Community Dialogue session the citizens and services providers agreed upon a simple action plan to resolve some of the issued identified in the meeting that could be resolved at their level. These rudimentary action plans are presented below not with the intention to monitor actual progress, but more to show how a half-day dialogue session can be instrumental in bridging the differences in perception between service users and service providers and in stimulating community self-help activities.

Village Tract/ Ward/ Township	Quality of primary education	Equity in Primary Education	Quality of primary health care	Equity in Primary Health care
Heetaye Ward Hpruso	The government staff discussed that the Principal should submit a complaint about bad ceiling of some school buildings to upper level management. The citizens responded that they would do voluntary work in building better roads to the school.		The Ward Administrator proposed that he would cooperate with township management to repair the ambulance. The participants responded that they would contribute money to repair the ambulance.	
Hti Paw Hso VT, Hpruso	If the State government provides support for things required for the school fences, dilapidated school building and furniture then local citizens will support in any way they can. School head teachers can submit proposals to those relevant at State level to support the requirements of the education sector. In order to advance the education of children, parents and teachers can collaborate in holding study groups.	Teachers will teach students with more patience and care. Parents will discipline their children to be more polite and better behaved.	Villagers can form a group to carry medicines from the town. Villagers can help with the furniture used in the healthcare centre — help build, carry, etc.	
Ma Htaw Khu VT, Loikaw	People in the village will provide support as much as possible either in terms of money or labour. Government staff: "Even though there are challenges, we are trying our best." Teaching and learning materials have been donated by parents/ teachers committee and NGOs. The school compound is now fenced through donations from parents. Regarding the insufficient number of teachers, the school will inform and request the education department. In regard to insufficient water supply, the department concerned has been informed and budget has been requested.	In order to provide more learning opportunities for students, parents and teachers will discuss what could be done. Talks about children's rights, essay competitions and public talks will be held. Schools will allocate specified hours for physical training and moral education.	The village administration will report and request that need to higher level administration.	

Maing Lone Ward, Loikaw	Government staff- Even though there are enough class rooms in some schools, a school needs more than class-rooms. A library, for example, should be built. The condition of insufficient class rooms is not that bad. The government supports the students with stationary and it built buildings in some schools. It is true that the integration of parents and teacher is poor. As for the Ward Administration, it would support as much as it can to improve the current situations. To improve the quality of children's learning, parent-teacher conferences should be held more frequently than before.	Government staff- If there is discrimination, parents should report it. - Tuitions should be taken because of the unbalanced ratio of teachers and students. Teaching is not effective because a teacher is teaching 60 students in a class room.	Government staff- Children under the age of five and pregnant women can receive treatment free of charge. Everyone can go to Township Health Centre and receive free of charge health care. As for a ward, it is unlikely to have a RHC. The WA would ask the TA to conduct health campaigns and health talks and organize the people to attend to the talks. If there was a RHC in the ward and there were full time health services, the basic health care services would be improved. The responsibility for that rests with the government.	Government staff- There should be a mutual understanding between the health staffs and the service users. The patients feel that they are shouted at by the health staffs but they are very busy with the crowd of patients. Government should employ more staff.
Ho Seit VT, Mese	As the school is located on higher land, it's difficult to get water. It will be good if a tube well is built. If the government builds a concrete road, it would work best. "We want teachers set good disciplines for students." "We want to see the government carries out projects, which people cannot implement on their own." Government staff- "It's possible to install water pipes but it's probably better to sink a tube well." "Teachers can set disciplines but it's not possible for teachers to make very slow learners become good students. Teachers will inform parents about children who are slow learners and will not let those students pass if necessary. If parents want their children to pass, we will let them pass. " "We want organizations to build a library."		Efforts will be made to increase the number of health staff and to receive sufficient amount of medicines.	
Mei Se Nan V, Mese	Government staff- "In order to fence the school compound, people in the village can cooperate by contributing their labour."			

Village Tract/ Ward/ Township	Trust in Government	Informing people about new project and plan by the government	Involvement of citizen in decision making	Maintaining peace and security
Heetaye Ward, Hpruso		The 10/100 household heads responded that they would try to disseminate the exact information to the people the best that they can.		
Hti Paw Hso VT, Hpruso	The local government administration will submit a proposal to the relevant department for the needs of the schools in the village tract.	Local government and those with responsibility for disseminating information can inform people on the information that they should know every Sunday at the local monastery before respects are given to the monks. The VTA can disseminate information if the township supplies a PA system. People who have received information can pass on that information to people close to them.	Local government administration will submit local citizens' requirements, wishes and desires to relevant heads of organizations. If township-level government administration needs to give advice to citizens then they will make sure that local citizens are invited to that they can speak openly. If local citizens receive sufficient news and information then they will give suggestions about it openly.	
Ma Htaw Khu VT, Loikaw	The previous mode of communication through sending letters has not been effective. The dissemination of information is now faster and easier thanks to mobile phones. To improve transparency, the village authorities will explain instructions and pass on information from higher levels of government more clearly and in a timely manner.		We need to provide trainings for leaders of those volunteer services groups. Supporting materials should also be given. That way, they can help people more effectively and efficiently. Community volunteer service groups can be formed in a more systematic manner. These groups can take turns to ensure security in the community.	
Maing Lone Ward, Loikaw		Government staff said that they did well in the distribution of SIM cards and other projects. Nevertheless, they cannot inform each and every citizen directly. If there were a better plan to share the information, any suggestion would be welcomed by the WA. It is good that the WA announces the information on the loud speaker. However, the WA should announce the information precisely and they should promulgate all the information in order to create the negotiable situations between the public and the WA.	Government staff said they promulgated the amount of budget allocated. They informed the public and organized to involve in the projects as work forces. The WA should do more to make the people involve widely.	The WA usually calls 10/100 household heads for the security of the ward. The 10/100 household heads or anyone report to the WA if there are something strange in the ward. And the WA in turn, report the TA if necessary. There are men who have trained as fire fighters in the ward. There is a fire engine parked near the house of the WA, however there is no activity.

| Ho Seit VT, Mese | | It's important for both sides to have mutual respect. Authorities have to respect the people and the people also have to respect the authorities.

"We would like to be informed using the public address system whenever we need to know something."

If the public address system is used to inform people, people can receive the information. However, if they are in the fields working, they won't know.

"It will be better to use the information notice boards. Authorities can't afford to buy the system." | It is necessary for the authorities to inform people in advance and discuss matters with people.

"If meetings are called to discuss village development matters, people will attend." | |

Annex 3: Composition of management, support and coordinating committees in the three townships in Kayah State.

In Kayah State, like in other States and Regions, various formal and informal committees have been established at the township level with the intention to assist the TA with the management of the township, to coordinate the activities of various departments or to involve citizens in the planning of the development funds and service delivery.

For management there are:
- The Township Management Committee (TMC),
- The Township Land Management Committee (TLMC),

For coordination there are:
- The TA-VTA/WA coordination meetings,
- And the more informal weekly Heads of Department meetings.
- The Township Planning and Implementation Committee (TPIC),

For consultation there are:
- The Township Development Support Committee (TDSC)
- The Township Development Affairs Committee (TDAC). The TDAC also has administrative/ executive roles as per the Municipal Law, in addition to its consultative functions.

Besides these committees there can be additional sector or coordinating committees in each of the townships, like the education and health committees.

3.1 Management Committees

Township Management Committee

In all three selected townships in Kayah State, the Township Management Committees are well established.

Table 3.1 Composition of TMCs in the three townships

Source: UNDP Local Governance Mapping, Kayah State, Interviews with key resource persons in Kayah State

Role	Position	Loikaw	Hpruso	Mese
Chair	Township Administrator – GAD	X	X	X
Secretary	Immigration Officer	Rural Development Officer	Y	Y
Joint Secretary	Deputy Township Administrator – GAD	X	X	X
Member	Township Police Officer	X	X	X
Member	Township Planning Officer	X	X	X
Member	Township Rural Development Officer		X	X
Member	Township Education Officer	X	X	
Member	Township Law Officer	X		
Member	Township Municipal Officer	X		X
Member	Township Agricultural Officer	X		

In Loikaw, the TMC has slightly more members than in Hpruso and Mese. In all three townships, the TMC meets every week after the weekly Heads of Department meeting. It is more advisory to the TA than a decision making body. It discusses any decisions that need to be taken that are raised during the Heads of Department meeting; it values TS land for taxation and other legal affairs. It is not involved in project prioritisation/monitoring and not in conflict mediation/resolving disputes. Minutes are available in each Township in Kayah State.

Township Land Management Committee (TLMC)

Since the adoption of the Farmland Law in 2012, farmers can own agricultural land. They can obtain a land registration certificate for the land they formerly leased from government. The District Officer for Land Registration (Land Registrar) deals with these registration requests. According to the Land Registrar, farmers have been keen to make use of this new possibility because they can use their land as collateral for loans. It also gives them legal certainty and better protection against land grabbing.

Land disputes are dealt with by the TLMC which is chaired by TA and head of land records is designated as secretary.

Role	Position	Loikaw	Hpruso	Mese
Chair	GAD/TA	X	X	X
Secretary	Township land Records Officer	X	X	X
Member	Township Veterinary Officer	X	X	X
Member	Township Agriculture Officer	X	X	X
Member	Township Planning Officer	X		

Table 3.2: Composition of Township Land Management Committee in the three townships

Source: UNDP Local Governance Mapping, Kayah State, Interviews with key resource persons in Kayah State

3.2: Coordination Committees

Township Planning and Implementation Committee

The TPIC was conceived in 2012 by the Ministry of National Planning and Economic Development (MoNPED) as a vehicle for channelling "bottom-up planning" in the development of national plans and budget allocation. In addition, the TPIC is charged with gathering the relevant data to calculate the township GDP and to support the work of the Township Planning Officer (TPO). Only in Hpruso and Loikaw there was a TPIC active.

Role	Position	Loikaw	Hpruso
Chair	GAD/TA	X	X
Secretary	Township Planning Officer	X	X
Member	Township Veterinary Officer	X	X
Member	Township Agriculture Officer	X	X
Member	Township Forest Officer	X	X
Member	Township Land Records Officer	X	X
Member	Elder	X	X
Member	Township Municipal Officer	X	X
Member	Township Communication Officer	X	X

TA-VTA/WA coordination meetings

In all three townships, the TA and the VTA/WAs meet on a regular basis usually once or twice a month. The VT/WAs report progress on development projects in their village tracts/wards, and on urgent matters within their village tracts or wards that require the attention of the higher-level government. The TAs use these meeting to collect information from the VTA/WAs, to inform the VTA/WAs of important directives, decisions and planned activities or visits. Minutes of meetings are made and decisions are recorded.

In all three townships the VTA/WA meetings are usually held once a month and are combined with meetings of the Township Development Support Committee and the Township Municipal Committee. This has been the case especially when the selection of development projects was discussed or when the TA announced which proposed development projects had been endorsed by the Kayah StateGovernment.

Heads of Department and Heads of Office meetings

In all three townships the TA chairs a Heads of Department meeting, which take place almost every week. These meetings are more informal and focus on the more practical and operational matters within the township.

3.3: Support Committees

The Township Development Support Committee (TDSC)and the Township Development Affairs Committee (TDAC) are a starting point for the inclusion of the perspectives of interest groups and citizens in the decision-making processes at the township level – as specified within the notification directing State/Region governments to form these bodies. Only the secretary and one member of these committees are government staff while the rest of the members are selected by "popular vote" of town elders and representatives of ward/ village tract and from the various social and economic organizations (like business, farmers and workers), thus ensuring the participation of "local organisations and private individuals" in township development.

Township Development Support Committees

The Township Development Support Committees (TDSC) were established to support the township management in the planning and implementation of its development activities by involving citizens actively in township development. Their formal role is limited to an advisory one, primarily intended to support the TMC.

The TDSCs in the three townships in Kayah State were established between March and October 2013. They consist of 9 members each, in Loikaw and Hpruso, 7 representatives come from different interest groups and there are two ex-officio members from government (Deputy TA and the Executive Officer of the DAO) (see Table 3.4). In Mese the TDSC has only 7 members, 6 six from the group of elders and respected people and the Rural Development Officer. One of the citizen representatives is elected by the committee members as chairperson and one as secretary.All members (except for one in Mese) are male and come from the wards as it is logistically difficult to involve people from the village tracts due to the poor infrastructure.

Role	Position	Loikaw	Hpruso	Mese
Chair	Representative of CSO/elders	Y	Y	Y
Member	Representative of Business Association/business men	Y	Y	
Member	Representative of Labour Union/workers	Y	Y	
Member	Representative of Farmers	Y	Y	
Member	Deputy Township Administrator	Y	Y	
Member	Executive Officer, Department of Municipal Affairs	Y	Y	
Member	Person proposed by community elders, civil society and business group representatives	3	3	5
Member	Rural Development Officer			Y

Table 3.4:
Composition of TDSCs in the three townships in Kayah State.

Source: UNDP Local Governance Mapping, Kayah State, Interviews with key resource persons in Kayah State

The election of the members of the TDSC went quite different in the three townships. In Loikaw Village Tracts and Wards elected 10 short-listed representatives through a public vote, and then the TA in consultation with the VTA and Ward Administrators made the final selection of 7 elected members. In Hpruso and Mese, the members were selected from the elders and respective people in the wards by the TA.

The TDSCs meet on a regular basis, usually once or twice a month and often together with the TA-VTA/WA meeting, which takes place once a month. In Mese the TDSC acts more informally and meets with the TA only twice a year to discuss development projects. According to the members, minutes of meetings are made and made available to the committee members. During these meetings they are informed by the deputy TA about issues relevant to their township, directives, development projects, etc. The Chairman and secretary set the agenda in consultation with the TA. The State Hluttaw member is invited and attends when the utilisation of the Constituency Development Fund is discussed.

The TDSCs see their role as to collect information from citizens about their needs and requirements and present this information to the Township Administration to inform township development. They are aware of the guidelines/notification but did not receive any training.

Township Development Affairs Committee

The Township Development Affairs Committees (TDAC) were established in 2013 and 2014, as per the Municipal Laws in each of the States and Regions. The composition is similar to that of the TDSCs in the three townships, with group representation in Loikaw and Hpruso and representatives from elders and respected people in Mese (see Table 3.5).

Table 3.5:
Composition of
TDAC in the three
townships in Kayah
State

Source: UNDP Local
Governance Mapping,
Kayah State, Interviews
with key resource
persons in Kayah State

Role	Position	Loikaw	Hpruso	Mese
Chair	Elder	X	X	X
Secretary	Executive officer DMA	X	X	X
Member	Dy. Township Administrator	X	X	X
Member	Rural Development Officer	X	X	X
Member	Rep. Business community	X	X	
Member	Rep. professional	X	X	
Member	Elder	X	X	3 citizen representatives

As above the election/selection process was different between the townships. In Loikaw, forty shortlisted representatives were firstly chosen by citizens through a public election and divided into three groups, elders, social/economic representatives and professional representatives. Then those 40 people held their own election amongst themselves to determine the final four committee members, two elders, one professional representative and one social/economic representative.In Hpruso, the various groups proposed their members while in Mese members were selected from the group of elders and respected people. All members of all three township TDACs are male. One of the citizen representatives is elected by the committee members as chairperson.

Annex 4: Proposed action plans from village tract/ward, township and State level stakeholders to address some of the identified governance issues in Kayah State.

As they were formulated during the State level feedback workshop.

Key issue	Action	Actors	Capacity-support building required
Transparency and rule of law: Poor information flow from township management to citizens and other stakeholders >>> main bottleneck lies at village tract/ ward level	• Government should provide 10/100 household representatives with a salary • Information needs to be disseminated on notice boards in high places and via loudspeaker to insure that both literate and illiterate people are reached • Township administration to provide punctual and precise information to village administration	• Government • NGOs • Different level administrators	• Funding • Technical expertis • Capacity building trainings
Accountability: Support committees (TDSC and TDAC) are not representative for the whole population	• Township level to take responsibility for activities of ward/ village tracts • People will understand clearly the roles of responsibilities of TDSC and TDAC staff if they visit villages and introduce themselves to villagers in person, (Township >> Village >> People)	• Township level government • VT/WAs • CBOs/CSOs • NGOs	• Specifically set the responsibility and authority to act. • Exact budget information breakdown. • Technical expertise • Trainings
Participation: CSOs have a limited outreach and a narrow service providing perspective (not active in lobby and advocacy and in civic education)	• Laws and bylaws need to be specifically issued in regard to authority to act so that government implementation can be more effective. • For CBOs and VT/WAs to be effective they need to have firm permission from higher levels, such as township level.	• Township level government • VT/WAs • CSOs Citizens	• Financial support and inclusion from respective relevant government departments • Need to encourage/support VT/WAs and CSO/NGOs working together

Key issue	Action	Actors	Capacity-support building required
Effectiveness and efficiency: Limited co-ordination between township departments in planning and implementation of services and projects	• Collect and organize the requirements of the people • Sharing of workload responsibility from GAD and Administrators to relevant departments • Coordination between GADs and Administrators at the time information is requested. • Monitoring and evaluation of GAD services by a third party organization	• Citizens • Relevant departments • NGOs • Project planning committee	• Technical expertise, e.g. project planning • Workshops • Capacity building trainings • Management trainings
Transparency and rule of law: Insufficient policies and mechanisms for fighting and preventing corruption at the township level	• Set up a township level corruption prevention committee • Promulgate information to the public about the anti-corruption committee and the work it carries out • The anti-corruption committee to take action where deemed necessary • Respective independent monitoring organizations • Transparently state required information • Use a banking system when making payments to the government • Complain to a monitoring committee if not satisfied with government payment system • To have permission to ask questions openly to government	• Township level administration • Village elders • Law officials • Ministers	• Participants failed to come up with suggestions for required support for building capacity
Equity: Women's engagement and participation in decision-making is limited	• Open a village library • Provide educational discussion in regard to civic education • Distribute pamphlets	• Relevant departments • NGOs • Citizens • Donors (UNDP, etc.) • Experts	• Financial support for 10/100 hh heads • Educational public talks at village level • Work capacity trainings for 10/100 household heads

Key issue	Action	Actors	Capacity-support building required
Effectiveness and efficiency: Poor predictability of available township budgets from union/state level, no budget ceiling or known formula for allocation of funding	- To give predicted budget to department at township level - To submit proposals to people's parliament and union parliament	- State level departments	- n/a
Accountability: Existing grievance/ complaint-handling mechanisms are not the same across townships and not clearly defined	- State level persons of responsibility, relevant departments and examining committee need to take action - Rules and regulations to address grievance and complaints are in place but they do not enforce it properly. - State level committees should be formed to address the issues	- State level departments	- n/a
Participation: Limited engagement of citizens in direct channels for participation (meetings and dialogue)	- If necessary conduct field trips - State level needs to instruct and supervise township level and township level in turn needs to do the same for ward/ village tract level - Ward and village tract level need to draw plan of action - People must be informed about their important role of participation	- UNDP - State level departments - Township level departments - Ward and village tract authorities	- Village level capacity building trainings - Relevant budget planning trainings - UNDP to provide capacity building to each level of government - UNDP to give training to state level departments on budget planning