



**THE ROLE OF MEDIA IN PEACEBUILDING IN MYANMAR  
A MULTI-STAKEHOLDER REFLECTION  
2016-2017**

A UNESCO report compiled by consultant Jane Madlyn McElhone  
October 2017

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## I. INTRODUCTION

In partnership with the Ministry of Information and Burma News International<sup>1</sup> (BNI), and with support from the European Union and the Kingdom of Sweden, UNESCO conducted a series of multi-stakeholder dialogues and roundtables on the role of media in peacebuilding from April through August 2017 in Yangon, Loikaw, Mandalay, Thandwe, Hpa-An, Taunggyi, Mawlamyaing and Sittwe. The report seeks to inspire, and guide, the design and programming of future media and peacebuilding activities.

Other key objectives included:

*Free expression:* Strengthening recognition and understanding of free expression and right to information as human rights.

*Media literacy:* Increasing awareness and understanding of the role of media and journalism in peace and conflict, peacebuilding and democratic transitions.

*Communication, cooperation and networking:* Improving communication among, and between, state governments, community leaders, CSOs, media outlets and journalists, with a view to expanding media freedoms, transparency, the provision of news and information, and the public's access to timely, accurate, truthful and indepth information about the peace process.

*Ethical journalism:* Strengthening of professional standards of independent, ethical journalism vis-à-vis the coverage of peace and conflict, and the editorial guidelines for conflict-sensitive reporting.

*Safety:* Guaranteeing recognition and respect for journalists working in conflict zones and covering the peace process, and ensuring their safety and protection.

*Public inclusion and participation:* Fostering inclusive journalism that gives voice to all people, whatever their ethnic group, religion or gender, story-telling about people from ethnic areas effected by armed conflicts, and participation in the peace process.

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<sup>1</sup> BNI is a membership-based ethnic media network with 13 members (in alphabetical order): Chin World, Hinthar Media, Kachin News Group, Kaladan Press, Kantarawaddy Times, Karen Information Centre, Khonumthung News, Mizzima, Mon News Agency, Narinjara News, Network Media Group, Shan Herald Agency for News, Than Lwin Times

## I.I METHODOLOGY

UNESCO conducted ten dialogues and roundtables on the role of media in peacebuilding between 28 April and 29 August 2017. The locations were selected based on two criteria: the presence of robust peace-building initiatives and BNI members. Detailed dialogue and roundtable reports are included in the appendices. UNESCO and BNI reviewed the report findings on 27-29 September 2017. UNESCO also conducted interviews with several key media and free expression actors, and integrated recommendations from other relevant reports and analyses.

| <b>THE ROLE OF MEDIA IN PEACE-BUILDING IN MYANMAR</b> |           |  |                   |
|---|-----------|--|-------------------|
| Multi-Stakeholders' Dialogues & Roundtables           |           |  |                   |
| No.   | Date      | Venue  | Event             |
| 1.  | 28 April  | Grand Laurel Hotel,<br>Yangon                              | Roundtable        |
| 2.  | 22 May    | Hotel Loikaw,<br>Loikaw, Kayah State                       | Roundtable        |
| 3.  | 23 May    | Hotel Loikaw,<br>Loikaw, Kayah State                       | Dialogue          |
| 4.  | 26 May    | Hotel Mandalay,<br>Mandalay.                               | Roundtable        |
| 5.  | 31 May    | Royal Beach<br>Hotel,Ngapali,<br>Thandwe, Rakhine<br>State | Dialogue          |
| 6.  | 8 June    | Thiri Hpa-an Hotel,<br>Hpa-an, Karen State                 | Dialogue          |
| 7.  | 20 June   | 21 <sup>st</sup> TG Hotel,<br>Taunggyi,<br>Shan State      | Dialogue          |
| 8.  | 26 July   | Rehmonnya Hotel,<br>Mawlamyine, Mon<br>State               | Dialogue          |
| 9.  | 19 August | Royal Sittwe Hotel,<br>Sittwe, Rakhine State               | Dialogue          |
| 10.   | 29 August | Chatrium Hotel,<br>Yangon                                  | National Dialogue |

Final review of findings and recommendations by UNESCO and BNI:

- 27-29 September 2017 at the BNI editors meeting in Hpa-An, Kayin State (with BNI executive-director and Mon News Agency chief editor Nai Kasauh Mon, Karen Information Center director Nan Paw Gay, Shan Herald Agency for News chief editor Sai Muang and managing director Sai Aw, BNI managing director Nyo Min, and BNI editorial consultant Zin Linn)

Additional interviews and correspondence include (in alphabetical order):

- Lawi Weng: Mon journalist working for The Irrawaddy
- Ma Thida: writer and PEN Myanmar founder and former board president
- Myint Kyaw: press council member and Internews trainer
- Sai Lek: researcher on peace and conflict, formerly with BNI's Myanmar Peace Monitor
- Swe Win: Myanmar Now editor-in-chief
- Ye Naing Moe: Yangon Journalism School founding director and lead trainer

Recommendations were also drawn from, and inspired by, the following reports and analyses: BNI 2017 Ethnic Media Conference Statement, BNI 2017 Ethnic Media Policy Framework (Draft); PEN Myanmar 2017 *Scorecard Assessing Freedom of Expression in Myanmar*, Free Expression Myanmar's (FEM) legal analyses and recommendations for legal reform, 2016 *Assessment of Media in Myanmar* (based on UNESCO's Media Development Indicators), OSF's 2015 *A Mapping of Media in Burma/Myanmar's Ethnic States*, 2015 *Myanmar Universal Periodic Review*, PEN America's 2015 *Unfinished Freedom: A Blueprint for the Future of Free Expression in Myanmar*; and USIP's 2014 *Media and Conflict in Myanmar: Opportunities for Media to Advance Peace*.

## II MEDIA, PEACE AND CONFLICT

### II.I PEACE AND CONFLICT IN MYANMAR'S ETHNIC STATES

Although national reconciliation and peace were at the heart of the NLD's 2015 election manifesto, increased armed conflict in Myanmar's ethnic states is threatening the nationwide peace process.<sup>2</sup>

Fighting between the Tatmadaw (military) and various ethnic armed organisations (EAOs) is escalating in northern Kachin and Shan States, as is the resulting humanitarian crisis. More than 100,000 civilians have been displaced; that security forces are regularly blocking humanitarian assistance is worsening their plight. Poverty, lawlessness and drug production are on the rise, and illegal economic activities, including drug trafficking, are helping to finance the conflicts.<sup>3</sup> With the exception of Rakhine, the fighting is along the Chinese border; China is playing a leading role in talks between the government, the military, and ethnic armed groups.<sup>4</sup> The escalating Rakhine crisis is multiplying fears and uncertainty, deepening divisions, and further hampering efforts to achieve peace. More than half a million people – the majority Rohingya Muslims – have fled to neighbouring Bangladesh.

There have been some achievements: multi-stakeholder dialogues that have brought together the military, ethnic armed organisations, political parties, and CSOs, the 21<sup>st</sup> Century Panglong Conferences<sup>5</sup>, and agreement that reform is needed to address calls for federalism.<sup>6</sup> Yet dominated by the military, the peace process has been criticised for its lack of inclusivity, and the government continues to pressure ethnic armed organisations to sign the 2015 Nationwide Ceasefire Agreement (NCA)<sup>7</sup>. The NCA was signed by eight of the estimated 21 ethnic armed groups that negotiated with Myanmar's former quasi-civilian administration. It was not signed by the two EAOs with the largest militias - the Kachin

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<sup>2</sup> <http://www.mmpeacemonitor.org/conflict/conflict-overview>

<sup>3</sup> <https://www.usip.org/publications/2017/09/burmas-northern-shan-state-and-prospects-peace>;  
<https://teacircleoxford.com/2017/05/30/conflict-in-kachin-and-northern-shan-states-and-its-impact-on-the-humanitarian-situation/>

<sup>4</sup> <https://www.usip.org/publications/2017/09/burmas-northern-shan-state-and-prospects-peace>;  
<https://teacircleoxford.com/2017/05/30/conflict-in-kachin-and-northern-shan-states-and-its-impact-on-the-humanitarian-situation/>; <https://www.tni.org/en/publication/beyond-panglong-myanmars-national-peace-and-reform-dilemma>

<sup>5</sup> <http://www.burmapartnership.org/2016/09/21st-century-panglong-conference-reaffirms-obstacles-to-peace/>;  
<http://www.mmtimes.com/index.php/panglong-2016.html>

<sup>6</sup> <https://www.tni.org/en/publication/beyond-panglong-myanmars-national-peace-and-reform-dilemma>

<sup>7</sup> <https://www.irrawaddy.com/opinion/of-pomp-and-peace.html>

and the Wa.<sup>8</sup> Fighting between the military and the Kachin, as well as between the military and the Kokang and the Ta'ang National Liberation Army in northern Shan State, has continued.<sup>9</sup> For the first time, there has also been fighting between the Ta'ang (a non-signatory) and the Restoration Council of Shan State (RCSS) (a signatory), as well as between the RCSS and the Wa. Some restrictions also remain; according to the peace roadmap, for example, national level dialogues can be organised in NCA signatory states and regions, yet the RCSS was not allowed to hold a dialogue in their chosen location, the state capital Taunggyi. Although they continue to participate in officially sanctioned ceasefire and peace negotiations, the ethnic armed groups that did not sign the NCA are considered unlawful.

In four of the ethnic states - Kayah, Kayin, Mon and Chin – military activities and human rights abuses against civilians have decreased since the NCA signing, and there are fewer armed conflicts between the military and EAOs. According to The Border Consortium, however, military troops and border outposts have not been moved or closed.<sup>10</sup> And while there have been no reports of clashes between the military and the Karen National Union (KNU), clashes between EAOs have displaced thousands in Hlaign Bwe township. In neighbouring Mon State, there has been no recent fighting reported, yet in August 2017 tensions increased between the New Mon State Party (NMSP) and the TMO. In Rakhine State, clashes between the military and the Arakan Army continue, while the crisis in the north continues to escalate.

Six years after Myanmar's political opening, the ethnic states also continue to battle a slate of historic injustices, including suppression of minority rights, socio-economic exclusion, land and resource grabbing and exploitation, widespread poverty, fragile communal relations exacerbated by anti-Muslim sentiment and Buddhist nationalism, statelessness, and military, rather than political, solutions.

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<sup>8</sup> According to peace and conflict researcher Sai Lek, the Kachin Independence Army (KIA) was a United Nationalities Federal Council (UNFC) member and participated in negotiations with the government, yet it wanted all inclusive participation in the peace process and so did not sign the National Ceasefire Agreement. The government and the Myanmar Peace Center (MPC) chose not to negotiate with the Arakan Army (AA), the Ta'ang National Liberation Army (TNLA) and the Myanmar National Democratic Alliance Party (MNDAA). The United Wa State Army (UWSA) and the National Democratic Alliance Army (NDAA) in Shan State said they had already signed a union-level peace agreement so did not see the need to sign the NCA. The Federal Political Negotiation and Consultative Committee (FPNCC) had 7 EAO members. The United Nationalities Federal Council (UNFC) had 4 EAO members.

<sup>9</sup> <https://www.nytimes.com/2015/10/16/world/asia/myanmar-ceasefire-armed-ethnic-groups.html?mcubz=1>

<sup>10</sup> <http://www.mmpeacemonitor.org/conflict/conflict-overview>

## II.II REPORTING ON PEACE AND CONFLICT

A growing number of journalists in Myanmar have personally experienced the risks associated with reporting in conflict zones during the country's political transition.

On 26 June 2017, the Tatmadaw arrested three journalists in northern Shan State and charged them with violating the colonial era Unlawful Associations Act for entering an area controlled by the Ta'ang National Liberation Army. The arrests highlight the risks journalists face when outdated laws are used to control them and to limit their access to news from conflict zones. At the time of the arrests, the BNI ethnic media network was holding its annual ethnic media conference in Loikaw, in neighbouring Kayah State. Nai Kasauh Mon is the Mon News Agency chief editor and BNI executive director: "Representatives from the media groups gathered here demand the release of the detained journalists, and the abolition of laws oppressing media freedom."<sup>11</sup>

The journalists spent 67 days in prison. On 1 September the military announced it planned to withdraw the charges, and declared that Myanmar journalists were working with the Tatmadaw to serve the interests of the country and the people.<sup>12</sup> Journalists say the military was seeking to win the media's favour and to avoid negative coverage linked to the unlawful association arrests, and that its decision was driven by the crisis in northern Rakhine. And though the three journalists were released, the outdated Unlawful Associations Act remains.

On 7 September 2017, Bangladeshi police arrested two Myanmar photo-journalists, Minzayar Oo and Hkun Lat, in Cox's Bazar, close to the Myanmar-Bangladesh border, and accused them of 'false impersonation' and providing 'false information' for working as journalists while holding tourist visas, as well as espionage. They were reporting on the Rohingya refugees that had escaped the conflict in northern Rakhine State for the German magazine GEO. Pointing to the Geneva Convention and the Protection of Victims of International Armed Conflicts, PEN Myanmar called on Bangladesh to release the journalists, and cautioned them that journalists working in conflict zones should be considered civilians and treated as non-combatants.<sup>13</sup> On 24 September the journalists were released on bail, and on 17 October allowed to leave the country after the case was reportedly dropped.

The death of freelance journalist and former democracy activist Aung Kyaw Naing – known as Par Gyi– while in military custody in Mon State in 2013 also speaks to the risks

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<sup>11</sup> Nai Kasauh Mon speaking at the Ethnic Media Conference in Loikaw on 27 June 2017.

<sup>12</sup> <https://www.irrawaddy.com/news/burma/military-withdraw-cases-detained-journalists.html>

<sup>13</sup> <https://pen.org/myanmar-journalists-detained-bangladesh/>



associated with reporting in conflict zones since Myanmar's political opening.<sup>14</sup> Par Gyi had been reporting on fighting from an area held by the rebel Democratic Karen Benevolent Army. Conflicts in Myanmar's ethnic states are often covered by freelance journalists like Par Gyi who have little or no protection. According to a 2015 Article 19 countrywide survey, women journalists covering conflict face twice the security risks compared to their male colleagues.<sup>15</sup> According to media trainer and press council member Myint Kyaw, the climate of fear perpetuated by the military restricts free expression, encourages self-censorship, and threatens long-term peace: "It has been one of the media community's biggest setbacks."<sup>16</sup>

The military has authority in certain parts of the ethnic states, while ethnic armed organisations control others. This adds complexity and uncertainty to the practice of journalism, and means ethnic media can inadvertently get caught in the middle. In 2012, the quasi-civilian administration headed by President Thein Sein started negotiating with EAOs. That meant journalists could travel more easily to the conflict zones, and interview ethnic armed groups and people affected by the fighting. Yet on World Press Freedom Day 2015, the military warned that anyone who published or broadcast statements by the Myanmar National Democratic Alliance Army (MNDAA) - one of the ethnic armed groups in Shan State's Kokang region - would be prosecuted as the organization had been blacklisted by the government.<sup>17</sup> Two years later, the three journalists were arrested in northern Shan State. The military's dictates also extend to language; for example, media cannot use military titles for EAOs<sup>18</sup>. The Arakan Rohingya Salvation Army (ARSA) was labelled a terrorist organisation in August 2017 and local media were instructed to use the word terrorist when referencing them, or to risk being prosecuted under anti-terrorist laws.<sup>19</sup>

An ethnic Shan from Kachin State and a researcher on peace and conflict, Sai Lek<sup>20</sup> notes the peace talks, ceasefires and eased restrictions on various EAOs have, to a limited extent, improved free expression. Although the 2015 National Ceasefire Agreement does not contain provisions relating to media and free expression, several bilateral ceasefire agreements signed by the government and ethnically-based armed groups do. For example, the All Burma Students Democratic Front (ABSDF) and the government have agreed that

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<sup>14</sup> <https://cpj.org/killed/2014/aung-kyaw-naing-par-gyi.php>

<sup>15</sup> <https://www.article19.org/resources.php/resource/38032/en/country-report:-censored-gender>

<sup>16</sup> Interview with Myint Kyaw (26 June 2017)

<sup>17</sup> Burma Army Issues Media Gag Order on Kokang Rebel Statements, 4 May 2015-

<http://www.irrawaddy.com/news/burma/burma-army-issues-media-gag-order-on-kokang-rebel-statements.html>

<sup>18</sup> Tatmadaw Prohibits Use of Military Ranks for Non-State Armed Groups, 27 July 2017 -

<https://www.irrawaddy.com/news/burma/tatmadaw-prohibits-use-military-ranks-non-state-armed-groups.html>

<sup>19</sup> Arakan Rohingya Salvation Army (ARSA) declared as terrorist group, 28 August 2017 -

<http://www.globalnewlightofmyanmar.com/arakan-rohingya-salvation-army-arsa-declared-as-terroristgroup/>

<sup>20</sup> Interviews with Sai Lek, an ethnic Shan from Kachin State who has done extensive research on peace and conflict in the ethnic states, including at BNI's Myanmar Peace Monitor project (15 November 2015 & subsequent email correspondence, including on 8 October 2017).

ABSDF can freely talk to media groups, the Chin National Front (CNF) and the government have agreed to freedom of writing and printing, the Karen National Union (KNU) and the government have agreed that national media outlets can participate in peace processes, the Pa-O National Liberation Army (PNLO) has requested the establishment of a media group, and the Restoration Council of Shan State (RCSS) and the government have agreed that the RCSS can officially register the Tai Freedom News Agency. On 20 June 2017, however, Myanmar journalists in Chiang Mai, Thailand held a boycott against the United Nationalities Federal Council (UNFC) because of the difficulty they have getting information from its EAO members and because the UNFC was not granting interviews.<sup>21</sup>

Sai Lek says it is difficult to counter historic misunderstandings and misinformation, yet people are nonetheless becoming better informed about the ethnic states, ethnic minorities, and the peace process. He adds, however, that there has been little indepth coverage of the peace talks, either by local media in the ethnic states or national outlets, and that both sides in the conflicts seek to use the media to their own advantage. As a result, journalists struggle to gain access to everyone involved, to understand what is going on, and to be balanced. In some cases, the media outlets' historic and/or on-going relationships with nationalist movements and armed groups raise questions about their independence. As the military rarely, if ever, provides information to ethnic media, the EAOs are often their only source. It is also challenging to access parliamentarians and, in some states, to gain physical access to the parliaments. The state media, on the other hand, have privileged access.<sup>22</sup>

At the dialogue in Taunggyi, a Shan member of parliament said that the state government has no power over media and that only Naypyidaw decides who can be invited inside the assembly.<sup>23</sup> At the moment only Myanmar language state media are allowed. That independent media - including ethnic media – do not have access to the governing body of their state presents a significant structural - and constitutional – issue.

All of these restrictions have made it increasingly difficult to ensure the voices of the ethnic armed organisations, and the people living in the areas they control, are represented in the media. This has a negative impact on the peace process.

Journalists point to a long list of sensitive topics, including peace talks and ceasefires, human rights abuses such as extrajudicial killings, forced labour, land confiscation or grabbing, border conflicts, refugees, returnees, and internally displaced peoples, child soldiers, human trafficking, environmental degradation and resource extraction, drugs, corruption, and development. They cite the unresolved murder of Eleven Daily

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<sup>21</sup> <http://www.7daydaily.com/story/100307>

<sup>22</sup> Discussions and interviews at the BNI editors meeting in Hpa-An on 27-29 September 2017

<sup>23</sup> Shan state dialogue in Taunggyi on 20 June 2017

correspondent Soe Moe Tun in Monywa, northern Sagaing Region in late 2016; at the time of his death he was investigating illegal logging and wood smuggling.<sup>24</sup>

According to Karen Information Center director Nan Paw Gay, “Our challenges are bigger than mainstream media because we know the context well, and we have to think about our own security and the security of our communities. If we write everything we know, it can impact on the peace process, but if we don’t write everything, the public won’t know what is going on. We try to practice media ethics but we cannot always disclose everything.”<sup>25</sup>

## II.III THE ROLE OF MEDIA IN PEACEBUILDING

A range of opinions and perspectives were shared during the 10 dialogues and roundtables on the role of media in peacebuilding. Many equated media and peacebuilding with the practice of strong, ethical journalism. Key themes and comments included:

Professional journalism:

- Journalists play a two-fold role: accessing information, and reporting accurate news and information. (They should avoid press release, press conference, and cut and paste journalism. They need to verify information before reporting it and to dig deeper. This should include reaching out to credible and trusted people involved in the peace process.)
- Journalists should observe a code of ethics. (It is the duty of journalists to cover news impartially, accurately and responsibly, in accordance with the code of conduct.<sup>26</sup>)
- Journalists should do balanced conflict reporting. (State-controlled media also cover conflict but tend to be biased. Private media can be more independent, although they grapple with self-censorship to avoid confrontations with the authorities, military and ethnic armed groups. Because there is no editorial or verification process, social media is often unreliable, biased, and filled with misinformation, and this risks igniting conflict.)
- Journalists should not avoid telling difficult stories or engage in self-censorship. (They have a responsibility to tell these stories; if not, they risk losing the trust of their audiences. Yet they need to reflect on the potential impact of their stories before they publish or broadcast them. As well, they need to edit their stories in a way that is ethical and non-inflammatory.)
- Journalists should do journalism, not activism. (Activists can sometimes inflame a situation.)

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<sup>24</sup> <https://cpj.org/2016/12/crime-reporter-murdered-in-myanmar.php>

<sup>25</sup> Nan Paw Gay was speaking at the annual Ethnic Media Conference in Loikaw, Kayah State in June 2017

<sup>26</sup> As per the News Media Law, the Myanmar Press Council developed a code of conduct for journalists: <http://myanmarpresscouncil.org/index.php/mpc-3/mpc-4> .

- Professional and citizen journalism are very different. (It was noted that citizen journalists do not have professional training and do not know the code of conduct.)
- Journalists and editors need to do fact-checking. (Information needs to be checked with multiple sources. As the military will not communicate or confirm information, when reporting about armed conflict local journalists often have to rely solely on resource-persons from ethnic armed organizations (EAOs). This means news can seem biased and one-sided. It is incumbent on journalists to try to verify information with other sources, including CSOs, NGOs, community leaders, educators, parliamentarians, etc. It is important to build strong and trusted relationships with a variety of sources of information.)
- Media need to develop strong and ethical social media policies (Unverified information should not be posted on Facebook. Journalists need to be careful about what they post on their personal pages, as it reflects on their professional credibility.)
- Journalists need to safeguard their independence. (They should not belong to political parties or other partisan groups.)

#### Story-telling:

- Journalists should tell stories about real people affected by conflict. (They should give voice to the suffering and trauma experienced by the victims of conflict in a balanced, professional and non-exploitative manner. Ethnic media live and work in local communities and are trusted, so can play this role. In a positive sign, Nan Paw Gay notes that many ethnic communities have become less fearful of journalists, particularly if they have gained a better understanding of the role of media.)
- Journalists should explain the peace process and help to make it more inclusive. (They should help people understand and participate in the peace process. Some people think the peace process does not directly relate to them, and thus are not paying attention or participating in it. Media can assist by providing a platform for people to tell their stories, share their opinions and participate in debates. They can also help people understand the complexity and challenges linked to peace.)

#### Safety and protection:

- Journalists should be trained before they enter conflict zones, and remain in contact with their HQ; the HQ must have an emergency plan in place, and offer legal protection. (Safety always comes first; no story is worth dying for. Media should not force journalists to cover stories in conflict zones, and should not penalise them if they chose not to go. In some cases, media organisations may decide not to provide the names of journalists working in conflict zones, in order to protect them.)
- The Press Council can play a role in protecting journalists by acting as a mediator.
- Journalists must protect their sources. (Their identity should not be revealed if it will place them in danger, and/or if they have provided off-the-record information.)

- Journalists need to understand media laws, including the News Media law. (Journalists who cover conflict must also understand Criminal Law Code 17/1 i.e. someone who has contact with and/or interviews a member of unlawful organisation could face 2 years in prison.)
- Freelance journalists must also be protected. (They are often the ones who work in conflict zones.)
- Women journalists covering conflict must be encouraged and protected. (People in conflict zones and refugee camps are often afraid to speak to journalists, yet they may be more willing to speak to women. Women can often access information about health, education and social affairs.)

#### Gender sensitivity:

- Gender sensitivity and equality contribute to peace-building. (There cannot be peace if women are discriminated against and are not allowed to reach their full potential.)

#### National reconciliation and peacebuilding:

- Independent, ethical journalism can help defuse tension and promote dialogue. (Professional journalists should not report on unsubstantiated rumours or spread hate.)
- Without ethnic voices, women's voices and minority voices, peace is unattainable.

#### Media literacy

- Stakeholders and the public need to be educated about media so that they can better understand it, are not afraid of it, and can use it as a platform to voice their stories and opinions, and to participate in the peace process.

A few of the recommendations raised during the dialogues cross a line away from journalism - for example, that ethnic media can play a facilitation role between state governments and ethnic armed organisations. This raises the complex question as to whether ethnic media are distinct from mainstream media and if they should – and do - play multiple roles.

To complement the dialogues, in September and October 2017 UNESCO reached out to key media and free expression actors to seek their views about media and peacebuilding. The Yangon Journalism School's founding director, trainer and 7Day columnist Ye Naing Moe says journalists can contribute to peacebuilding by uncovering the underlying causes of conflict, highlighting the ways trust can be built, and providing a platform where different stakeholders can meet and talk: "But we still need to improve the skills of journalists who are covering the peace process. There are still many "he said, she said stories" in which leaders of different groups roar their agendas. Instead, media should amplify the voices of the voiceless and those that are affected on the ground. That is the

most important task for us. Some watchdogs try to do this but we need to do more. Journalists have to push the limits more -- especially journalists in Nay Pyi Daw. They have to link what they hear in conference rooms of the capital to what is going on in ethnic areas."<sup>27</sup>

A media monitoring report released on 16 February 2017 by the Myanmar Institute for Democracy (MID) echoes Ye Naing Moe's comments i.e. that there are few in-depth stories or voices from the grass-roots, including from Myanmar's diverse cultural, ethnic and religious communities. While private media offer more pluralistic and balanced coverage than state media, critical and analytical reporting is also still rare.<sup>28</sup>

PEN Myanmar founder and former director Ma Thida says the role of media in any context, whether conflict or peace, should be to tell the truth and to dig into stories: "Journalists should be careful in their choice of words and presentation, and refrain from extremes and bias. But they should not stand on one side or the other, or mediate, or get involved. Their only interest in peacebuilding should be informing the public."<sup>29</sup>

Lawi Weng was one of the three journalists arrested by the military on 26 June 2017 in northern Shan State and charged with violating the colonial era Unlawful Association Act for entering an area controlled by the Ta'ang National Liberation Army. He spent 67 days in prison. A Mon journalist working for The Irrawaddy, Lawi says it is important to hear ethnic voices and to know what is going on in the conflict zones so, despite being arrested and imprisoned, he plans to continue doing his job: "I spend a lot of time on the ground so I have gotten to know people's problems and have gained their trust. That is what you need to do. And I am also trusted because I am an ethnic reporter. But I will have to be careful, especially when I return to northern Shan State."<sup>30</sup> Lawi notes that safety and conflict reporting training is important but that many of the people who receive the training do not actually work in the conflict zones. He recommends prioritising training for journalists who are out in the field, including ethnic journalists and freelancers.

### III. CONCLUSION AND RECOMENDATIONS

Ethnic media gathered at the 5th annual Ethnic Media Conference in Loikaw, Kayah State in June 2017 called for increased press freedom and protection for journalists during peace negotiations and peacebuilding, ethnic media awareness dialogues with state parliaments, government departments, and civil society organisations, a review of ethnic media's role in the development of media laws and bylaws enacted by regional and state parliaments, and the development of an ethnic media policy, including support for press freedom and sustainability during the building of a democratic federal union.

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<sup>27</sup> Email correspondence with Ye Naing Moe on 20 September 2017

<sup>28</sup> [http://memo98.sk/uploads/content\\_galleries/source/memo/myanmar/mid\\_myanmar-report\\_f\\_160217.pdf](http://memo98.sk/uploads/content_galleries/source/memo/myanmar/mid_myanmar-report_f_160217.pdf)

<sup>29</sup> Interview with Ma Thida on 18 September 2017

<sup>30</sup> Interview with Lawi Weng on 11 October 2017.

Given the stagnating free expression and media freedom environment across the country, as well as the rising conflict, increased press freedom and protection for journalists during peace negotiations and peacebuilding remains elusive. Yet there has been concrete progress on other fronts. The UNESCO and BNI collaboration, for example, responds to the call for ethnic media awareness dialogues with state parliaments, government departments, and civil society organisations. Ethnic media participants say it was the first time they had taken part in dialogues with such a diverse group of stakeholders, ranging from government representatives to parliamentarians to ethnic armed organisations to community leaders to CSOs. They say the dialogues played an important media literacy role but that it was only a first step. Karen Information Center director Nan Paw Gay notes, for example, that many of the participants in Hpa-An were not used to this kind of open discussion and need more exposure and opportunities. As all of the dialogues took place in main centers, she also stresses the need to take them out into more remote townships to ensure wider impact, inclusiveness and participation.<sup>31</sup> While all of the dialogues allowed participants to freely express their opinions and emotions, BNI notes that the Shan State dialogue also successfully integrated education and learning. It is that dialogue that will be used as a model for future collaborations.<sup>32</sup>

BNI has itself responded to the call for an ethnic media policy framework. Yet BNI executive director Nai Kasauh Mon says the draft framework is only a first step. Inspired by the media and peacebuilding dialogues, BNI wants to organise a new round of stakeholder dialogues to gather input into its draft ethnic media policy, including from state governments and parliamentarians. He adds that the collaboration with UNESCO was important for ethnic media: “State governments and parliamentarians often don’t want to deal with ethnic media. They think we are too small and unimportant. But seeing us working with UNESCO captured their attention and interest in who we are and what we do. This is important because ethnic media ensure ethnic voices are heard and, without that, peace is impossible.”<sup>33</sup>

The dialogues highlighted the need to build strong lines of communication and mechanisms for information sharing among and between media, government officials, parliamentarians, community leaders, and civil society. They also pointed to the importance of professional, independent journalism, access to information, the inclusion of minority and women's voices, and media literacy. This latter point is vital. If people living in Myanmar -- including those affected by conflict -- do not understand the role of independent media and are afraid to speak to journalists, their voices and stories will be not heard and they will not be empowered to participate in the peace process. Journalists must work to break down

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<sup>31</sup> Interview with Nan Paw Gay in Hpa-An on 29 September 2017

<sup>32</sup> Interview with BNI members, Shan Herald Agency for News, in Hpa-An on 28 September 2017.

<sup>33</sup> Interview with Nai Kasauh Mon in Hpa-An, Kayin State on 28 September 2017.

these barriers. They must also reflect on the impact of their own journalism on peace and conflict, including a critical reflection on the role of Myanmar journalists and media coverage in the Rakhine crisis.

Yangon Journalism School director Ye Naing Moe and Myanmar Now editor-in-chief and award-winning investigative journalist Swe Win agreed to wade into this latter debate. According to Swe Win, much of the content produced by the Myanmar media about the Rakhine crisis has been based on official statements from the army and the government. "Difficult access to the conflict zone, fear of negative reactions from the public, the psychological tendency to echo the majority's views when covering such a contentious and divisive topic, have all contributed to poor coverage of the crisis. " He adds that no media has challenged the official version of the events, and most outlets have cited the official statements as if they were concrete and unquestionable information. "<sup>34</sup>

Ye Naing Moe says he was sad to see some of Myanmar's watchdogs displaying prejudice against Rohingya/Bengali people: "Instead of trying to know what is going on on the ground, they started trying to defend the government. Yesterday, here in Mandalay, for example, I saw three journalists with banners saying "we totally support DASSK" while listening to the Lady's speech in a crowded compound. I understand there are enormous pressures from readers who are emotionally supporting the government. But as journalists we still have to do our jobs. But that does not mean there are no objective journalists. Definitely there are but their voices seem low these days. It is a time for journalists to understand that the honeymoon is over - now we have to do our jobs professionally. " Ye Naing Moe also extends his criticism to some of the coverage by international media: "Issues in Rakhine are so complex and the chain of command in the government is even more complex. Some put all of the blame on DASSK's head. She is responsible but not solely. It is even hard to address her as the "de facto leader" because some strings are not in her hands. "<sup>35</sup>

This kind of open and honest reflection by journalists is a vital part of peacebuilding.

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<sup>34</sup> Email correspondence with Swe Win on 9 October 2017

<sup>35</sup> Email correspondence with Ye Naing Moe on 20 September 2017



## RECOMMENDATIONS

With a view to supporting media reforms and peacebuilding initiatives, this report seeks to guide the design and programming of future activities involving ethnic media. Inspired by the multi-stakeholder dialogues, as well as by recommendations from other relevant reports and organisations,<sup>36</sup> UNESCO and BNI make the following recommendations:

### III.I TO THE UNION GOVERNMENT AND PARLIAMENTARIANS

*Free expression:* Build explicit protections for free expression into ceasefire and peace agreements, media law reform, and the constitution, including the right to free expression, media freedom, access to information, and right to information. Devolve authority to state governments and parliaments so that they have the authority to strengthen free expression and to develop state-level media policies that foster an enabling environment for private, independent media, diversity of media ownership, decentralised public service broadcasting system, etc.

*International standards:* Sign and ratify international treaties which pertain to free expression, including the International Covenant on Civil and Political Rights (ICCPR). Review and amend existing laws that do not meet international standards, including the 2013 Telecommunications Law, the 2014 Printing and Publishing Enterprise Law, the 2014 News Media Law, the Penal Code (in the latter case, to decriminalise defamation, sedition, peaceful assembly, religious offence, promotion of hatred), and the Unlawful Association Act.

*Access to information:* Continue open consultations with all relevant stakeholders, with a view to adopting a Right to Information law that serves all people living in Myanmar, guarantees access to information in all public sectors and where public funds are used (including businesses and CSOs), and establishes mechanisms for implementation, including with regards to the peace process. With regards to implementation, train government officials on proactive openness and voluntary disclosure of information, develop accessible and efficient government digital platforms, improve access to parliaments, parliamentarians, government departments and government officials, enable

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<sup>36</sup> Recommendations were also drawn from, and inspired by, the following reports and analyses: BNI 2017 Ethnic Media Conference Statement, BNI 2017 Ethnic Media Policy Framework (Draft), PEN Myanmar 2017 *Scorecard Assessing Freedom of Expression in Myanmar*, Free Expression Myanmar's (FEM) legal analyses and recommendations for legal reform, 2016 *Assessment of Media in Myanmar* (based on UNESCO's Media Development Indicators), OSF's 2015 *A Mapping of Media in Burma/Myanmar's Ethnic States*, 2015 *Myanmar Universal Periodic Review*, PEN America's 2015 *Unfinished Freedom: A Blueprint for the Future of Free Expression in Myanmar*; and USIP's 2014 *Media and Conflict in Myanmar: Opportunities for Media to Advance Peace*. Oliver Spence from Free Expression Myanmar assisted with the review of these recommendations.

greater access to conflict zones, and remove legal and practical barriers preventing media from seeking information from ethnic armed organisations.

*Judiciary:* Reform the judiciary to ensure journalists have access to fair, public hearings by independent tribunals with timely judgements. The judiciary can play a pivotal role in addressing violence against journalists and can clarify the state's obligations with regards to protecting freedom of expression and safety of journalists, and investigating and prosecuting crimes committed against journalists.

*Telecommunications and digital freedom:* Strengthen digital access in the ethnic states. Abolish or amend restrictive laws governing the information and communications technology sector, to ensure protection for user privacy and free expression rights online, including abolishing Section 66 (d) of the 2013 Telecommunications Law. Amend the Citizens Personal Privacy and Personal Security Law to include a provision that guarantees digital freedom without surveillance. Amend the Electronic Transactions Law (2004), which currently contains provisions for lengthy prison terms for disseminating news that is viewed to be harming the government's image. Clarify the principles of lawful interception. Adopt a rights-based approach to address the policy gaps related to human rights issues presented by the use of technology. With regards to preventing online abuse and/or misuse of the internet and social media, promote safe behavior, including protecting privacy online and promoting digital literacy, and developing policies and programmes to promote tolerance and anti-discrimination online, in particular on social media.

*Broadcasting Law:* Amend the broadcasting law to ensure the independence of the Broadcasting Authority. Ensure fair and transparent distribution of licenses according to public interest. Adopt a law to create a public service broadcaster (PSB), following public and sectoral consultation, mandating it to support education, media literacy, and the inclusion and promotion of ethnic languages, and ensuring that it is decentralised to enable shared oversight and control in the ethnic states.

*Public participation:* Enable wider public participation, including by marginalised groups, particularly women, in the legal and regulatory reform process for free expression by creating a transparent and participatory process, including establishing clear guidelines for public participation and input into the drafting process when passing or amending laws.

*Safety of journalists:* Adopt a mechanism to protect journalists, including in conflict and disaster areas. To discourage impunity, investigate murder and physical attack cases, and ensure accountability. Refrain from using laws to jail or fine media outlets as well as individuals for online expression (complaints should instead be referred to the press council or to the civil courts). Release individuals imprisoned for exercising their rights to free expression and assembly.

*Independent media:* Create an enabling environment for independent media, including transforming state owned media into an independent public service broadcaster that does not compete unfairly with private media. Abolish special licensing for private media. Develop a tax policy that supports private and community media, as well as access to public advertising and infrastructure. Promote the role of media development with a view to encouraging professional, ethical journalism.

*Tolerance, anti-discrimination and peacebuilding:* Promote Myanmar as a diverse, multi-ethnic, multi-faith and gender-sensitive society, and foster tolerance and non-discrimination (in line with the UN Rabat Plan of Action<sup>37</sup>), using broadcast and other media to encourage discussion and challenge prejudices. Monitor incitement to hostility, violence and discrimination and take appropriate and proportionate action to counter it. Ensure senior officials proactively speak out to counter hateful speech, particularly when it targets marginalised groups. Promote ethnic languages. Support media literacy.

### III.II TO STATE GOVERNMENTS AND PARLIAMENTARIANS

*Ethnic language media:* Encourage ethnic language media, and promote ethnic language, literature and culture via ethnic media. Provide air space on the National Races Channel for independent ethnic media to broadcast their programs.

*Community Radio:* Allow ethnic groups to set up and operate community radio in their communities (as radio is suitable for remote areas).

*Media and Information Literacy and preservation of ethnic languages:* Provide greater support for education, media and information literacy, and publishing in ethnic languages.

*Access to information:* Train government officials on proactive openness and voluntary disclosure of information, provide news, statements, and interviews in local ethnic languages, develop accessible and efficient government digital platforms, improve access to regional parliaments, parliamentarians, government departments and government officials, enable greater access to conflict zones, and remove legal and practical barriers preventing media from seeking information from ethnic armed organisations.

*Safety of journalists:* Ensure safety of journalists in conflict and disaster areas. To discourage impunity, investigate murder and physical attack cases, and ensure accountability. Refrain from using laws to jail or fine media outlets as well as individuals

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<sup>37</sup> <https://www.article19.org/resources.php/resource/3530/en/article-19-welcomes-the-rabat-plan-of-action-on-prohibition-of-incitement-and-calls-for-its-full-implementation>

for online expression (complaints should instead be referred to the press council or to the civil courts). Release individuals imprisoned for exercising their rights to free expression and assembly.

*Tolerance, anti-discrimination and peacebuilding:* Promote the ethnic states as diverse, multi-ethnic, multi-faith and gender-sensitive societies. Foster tolerance and non-discrimination (in line with the UN Rabat Plan of Action), using broadcast and other media to encourage discussion and challenge prejudices. Monitor incitement to hostility, violence and discrimination, and take appropriate and proportionate action to counter it. Ensure senior officials proactively speak out to counter hateful speech, particularly when it targets marginalised groups. Promote ethnic languages. Support media literacy.

### III.III TO COMMUNITY LEADERS AND CIVIL SOCIETY

*Communication:* Appoint spokespeople to communicate with the public via media, including ethnic political parties. Establish strong communication and networking channels with media, government and parliamentarians, including via public forums and sharing information with media with a view to improving coverage of the peace process and other important issues.

*Peacebuilding:* Organise multi-stakeholder peacebuilding dialogues to establish trust, understanding and tolerance, to ensure media understand the issues at play in the ethnic states, to provide a forum for ethnic communities' voices to be heard, and to encourage participation in the peace process. Develop creative means and platforms to encourage intra-ethnic and inter-religious dialogue. Help to resolve inequality, injustices and discrimination in nonviolent ways and, on the longer term, to help change the conflict paradigm.

*Free expression:* Monitor violations of free expression rights and advocate for greater rights and protections.

### III.V TO MEDIA AND JOURNALIST NETWORKS AND ASSOCIATIONS

*Advocacy:* Promote free expression and right to information, and advocate for media workers' rights and safety, including in the ethnic states and regions.

*Protection:* Facilitate the resolution of problems between journalists, editors and owners and external parties with a view to settling matters outside of court. Provide further training and awareness-raising activities around the code of conduct.

*Legal reform:* Promote legal reform and education, with a view to promoting and protecting free expression and right to information.

*Networking:* Promote networking of media around the country, including ethnic media, as well as an exchange of information and best practices.

*Diversity:* Promote diversity of media ownership and of voices in the media and other forms of creative expression across the country.

*Gender:* Provide gender-specific support to enable women journalists to report in conflict and disaster areas.

### III.VI TO MEDIA OWNERS

*Human resources:* Appoint qualified, respected and ethical staff to run your operations. Promote staff excellence and development by supporting mentoring and training. Practice diversity and gender mainstreaming and protect these practices by embedding them in your staff policies and creating gender equity and diversity staff committees. Provide gender-specific support to enable women journalists to report in conflict and disaster areas. Hire ethnic journalists to work for national media.

*Censorship:* Combat censorship by not interfering in editorial decision-making and content in your own operations. Support advocacy efforts to fight official and unofficial censorship, including via legal reform.

*Professional journalism:* Foster professional, ethical journalism by encouraging and financially supporting in-depth and investigative reporting.

*Safety:* Pro-actively ensure the safety of your editors and journalists, including by engaging legal advisors and providing training in physical and digital security.

*Ownership:* Advocate for transparency and diversity of ownership.

*Partnerships:* Establish a system of collaboration and exchange between different types of media from various geographical areas and from different minorities and ethnic/religious backgrounds through joint media and ICT initiatives.

### III.VIII TO MEDIA DONORS AND MEDIA DEVELOPMENT IMPLEMENTERS

*Transparency:* Provide clear and transparent information and data about your work, objectives and funding.

*Local ownership and leadership:* Support local ownership and leadership of ethnic media through core funding.

*Sustainability and resilience:* Support institutional strengthening and business development of media in the ethnic states.

*Platforms:* To enable access to information for people who are not literate, do not speak the Myanmar language, and/or do not have access to the internet, support the development of multi-platform journalism, including video/television and radio, as well as content production in ethnic languages. Support community radio development for minority ethnic groups.

*Media literacy:* Contribute to peacebuilding and public awareness by supporting media literacy of government officials, parliamentarians, military, police, community leaders, including ethnic armed organisations, civil society, media actors and the public. Support multi-stakeholder dialogues that enable education and expression.

*Journalism education:* Support a variety of innovative education and training initiatives, including at private institutions and at universities, with a particular focus on the states and regions.

*Self-regulation:* Support self-regulation of the media sector via the press council and professional media associations and networks,

*Safety:* Prioritise safety training for journalists covering conflict zones, including ethnic journalists and freelancers.

*Donor entry points:* To avoid duplication, develop a thorough understanding of the media development sector, and collaborate on existing initiatives led by Myanmar actors.

### III.IX EDITORIAL GUIDELINES FOR EDITORS AND JOURNALISTS

*Professional standards:* Develop and practise professional journalistic standards and practices, including reporting on conflicts accurately, fairly, and comprehensively. (Do not take sides.)

*Transparency:* Be transparent about your own biases, opinions and approach.

*Code of ethics:* Develop a code of ethics and ensure journalists and editors understand and implement it.

*Media laws:* Ensure your team knows and understands media laws and how they affect them.

*Networking:* Communicate and establish relationships with a wide variety of contacts and sources, including CSOs, other media, parliamentarians, press council members, etc.

*Safety:* Make safety your first and foremost concern, develop strong safety policies and procedures, including for freelancers, and ensure journalists are properly equipped, including with helmets, jackets, and visible ID. Respect local customs and laws to avoid unnecessary risks, and ensure your teams are well trained and do not work alone in conflict zones. Develop clear communication and emergency procedures, report problems as soon as they arise, and provide timely legal assistance when journalists are arrested. Inform the press council if you are facing problems with the authorities. Provide gender-specific support to enable women journalists to report in conflict and disaster areas.

*Social media:* Develop social media guidelines and train your staff.

*Violations:* Monitor violations of free expression rights and advocate for greater protections for free expression.

*Diversity:* Promote diversity of media ownership and of voices in the media and other forms of creative expression.

*Storytelling:* Do comprehensive coverage of the peace process, including telling the stories of people affected by conflict and giving them a voice.

*Peace and conflict:* Analyse the impact of your journalism on peace and conflict, and practice conflict sensitive journalism.

*Media associations:* Support and become members of media associations to help strengthen the sector and advocate for journalists' rights.

## IV. APPENDICES

### IV.1 STAKEHOLDER DIALOGUE REPORTS

## V. REFERENCES

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