CONFERENCE REPORT

Human Rights and Tourism Multi-Stakeholder Workshop

30th Sept– 2nd Oct 2015 | Naypyidaw | Myanmar

Hanns Seidel Foundation

Myanmar Centre for Responsible Business

About MCRB:

The Myanmar Centre for Responsible Business (MCRB) was set up in 2013 by the Institute for Human Rights and Business (IHRB) and the Danish Institute for Human Rights (DIHR) with funding from several donor governments. Based in Yangon, it aims to provide a trusted and impartial platform for the creation of knowledge, capacity, and dialogue amongst businesses, civil society organizations and governments to encourage responsible business conduct throughout Myanmar. Responsible business means business conduct that works for the long-term interests of Myanmar and its people, based on responsible social and environmental performance within the context of international standards.

About HSF:

The Hanns Seidel Foundation (HSF) aims to contribute in an active and effective way to international cooperation and understanding with its programmes and projects in Myanmar. Our first involvement to provide development assistance in Myanmar dates back to 1994 with capacity building activities for the Ministry of Foreign Affairs, at the time when Myanmar was preparing to apply for membership with the Association of Southeast Asian Nations (ASEAN). Since October 2012 the HSF has a representative office in Yangon. The HSF was the first German political foundation with a representative office in the country.

Foreword from organizers

We would like to express our sincere gratitude to His Excellency U Htay Aung, Minister of Hotel and Tourism for joining us at the Human Rights and Tourism Multi-stakeholder Workshop in Naypyidaw. Further we would like to extend our appreciation to all the speakers and participants for their valuable contribution to making the workshop successful.

This workshop highlighted how transparency, constant communication and the sharing of lessons learned and different perspectives facilitates better decisions on how to develop tourism sustainably. It demonstrated the need for local level multi-stakeholder discussions on how tourism is developing in Myanmar's established and emerging destinations.

In 2016, we plan to facilitate such discussions in partnership with others, focusing on some of the key issues raised in the conference, such as community participation, zoning, impacts on children's rights and managing environmental impacts to ensure that, in the words of one of the participants of the workshop, *'tourism is the flame that heats the rice pot, not the fire that burns the house down'.*

In the following report you will find brief summaries from each session with quotes from participants and key messages from each presenter. We hope that you will find this report useful for your own work and that you continue to be engaged with our follow-up activities and events in upcoming months.

For more post-conference information such as: speakers' presentations, reports and pictures, please visit our website: http://www.myanmar-responsiblebusiness.org/news/tourism-myanmar-needs-more-local-involvement.html .

Please join us in our future activities on the journey of supporting responsible sustainable tourism in Myanmar!

Kind Regards,

Vicky Bowman, Director, Myanmar Centre for Responsible Business

Achim Munz, Resident Representative, Hanns Seidel Foundation

Summary of the Human Rights and Tourism Multi-Stakeholder Workshop

Rationale of the Workshop

The Myanmar Government has made a commitment to promote responsible tourism. This is reflected in the 2013 Tourism Master Plan, as well as in the Responsible Tourism Policy (2012) and the Policy on Community Involvement in Tourism (2013). Hanns Seidel Foundation has provided support to the government in developing these policies.

Turning these policy commitments into reality is now the challenge. This means dealing with the inevitable tensions that arise from competing interests and priorities, as well as with the lack of capacity and understanding of what 'responsible tourism' entails at a local level.

The February 2015 Sector-Wide Impact Assessment (SWIA) on Tourism conducted by Myanmar Centre for Responsible Business (MCRB) involved field research across various tourism destinations, including Bagan, Inle, Mandalay, Ngwesaung/Chaungtha, Kyaiktiyo/Mawlamyaing and Yangon. The final report highlighted challenges of rapid growth in tourism from a rights-based perspective. These relate to land, labour, community engagement, and impacts on children and other vulnerable groups. The SWIA offered recommendations to various stakeholder groups.

> If tourism growth is to be sustainable, we need more coordination between local authorities, business and communities, and increased local participation in tourism-related decisions and the tourist economy.

Tourism, land, culture and communities

The workshop was attended by over 100 participants from government, Myanmar tourism companies and business associations, and civil society groups focused on issues such as land rights and culture and environment protection, as well as international NGOs and tourism specialists Its aim was to provide an opportunity for these stakeholders – government, business and civil society - to discuss the findings of the SWIA and to focus on the particular issues relating to tourism's positive and negative impacts on communities, including impacts related to land and choices around tourism infrastructure such as zoning and permitted locations for hotels.

Workshop participants shared their different perspectives on how tourism had been affecting communities in Bagan, Mandalay and Inle areas. These areas were chosen because Activity 3.3.1 of the Tourism Master Plan on 'Improving Zoning in Tourism Destinations' proposes a *'Review [in 2014-2015] of the status of hotel zone development (e.g. Mandalay, Bagan and Inle); review progress and issues with hotel zone development within the context of Myanmar's responsible tourism policy; develop a planning framework that harmonizes hotel zone planning with national objectives to protect natural and cultural heritage and promote the well-being of local residents'.*

The Master Plan's identified outcome is a *'Zonal planning approach developed and applied at all destinations experiencing high visitor growth'*. The workshop provided an opportunity to review progress on elements of the Myanmar government's 2013 Tourism Master Plan relating to integrated planning and zoning, as well as the Responsible Tourism Policy (2012) and Policy on Community Involvement in Tourism (2013). In his opening address, Minister of Hotels and Tourism H.E. U Htay Aung outlined how these policies, adopted as part of Myanmar's reforms, have established the basis for further action.

Conference participants were asked to identify their top concerns about the development of tourism in Myanmar. The issue at the top of the list for over 20% of participants was lack of local participation in planning at tourism destinations. Other Top Five concerns were waste and water management, safety, access to land and relocation of communities, and tourism's impact on children.

However many participants noted that while the policies set a strong framework for the involvement of local communities in tourism, in practice this is not taking place on the ground, partly due to the lack of capacity, money and time needed to achieve effective participatory decision-making. The need for more financial and technical support from donors was highlighted, along with political will.

A current challenge for the Myanmar government, local authorities, communities and businesses is the ongoing process to achieve World Heritage site listing for Bagan, particularly in the light of past illegal and inappropriate hotel development. The workshop also provided an opportunity to learn how other countries have approached 'zonal planning' in tourism; and to discuss how Myanmar can address protection of tangible and intangible cultural heritage in tourism destinations.

MCRB presented some preliminary findings from their review of 'hotel zones' in Tada Oo, Inle and Bagan. Land and crop compensation in Tada Oo and Inle had led to local conflict, lack of trust, and resentment over land speculation; the Inle Lake Hotel 'Zone' was also criticized by visitors and locals for its effects on the landscape and environment. In Bagan the main issues raised by stakeholders were not compensation and livelihoods, but the legality of hotels in culturally protected areas, and the need for consistent and transparent application of the rules. Tourism Transparency's presentation highlighted threats to communities and the environment in Inle as well as emerging destinations including Natmataung and Indawgyi.

MCRB also presented the positive and negative impacts of tourism on human rights which were identified in MCRB's February 2015 Sector-Wide Impact Assessment (SWIA) on Tourism. Participants heard from Matthias Leisinger of Switzerland-based Kuoni Travel about how his company addresses human rights in its operations. Matthias also talked about Kuoni's membership of a multistakeholder initiative in Europe known as the Roundtable: Human Rights and Tourism.

"(...) The Ministry of Hotels and Tourism has given emphasis on the sustainable and responsible tourism development with the objectives of providing support for protection and management of natural areas, economic benefits for residential living in the rural areas and encouragement to the preservation of culture among these residents. I would like to point out that new approaches to sustainable tourism development in Myanmar should not only seek to minimize local environmental impact, but also give greater priority to community participation, human right issues and poverty reduction." - **H.E. U Htay Aung, Minister for Hotels and Tourism**

Participants discussed how tourism stakeholders in Myanmar could work together to address specific human rights issues such as tourism impacts on children, or worker and tourist safety.

The audience had opportunity to hear some positive developments in the area of community involvement in tourism (CIT). In Kayah State, the International Trade Centre (ITC) was supporting villages to develop culture and nature tours, and had learned from study tours to established CIT projects in Thailand. In Thandaung-gyi, and Pakokku district, communities supported by Peace Nexus and Action Aid respectively, had recently received the green light to operate Bed and Breakfast (B'n'B) accommodation to enable longer stays by tourists and more economic benefits to communities.

The workshop also discussed whether there was interest in establishing a multi-stakeholder Roundtable on Tourism and Human Rights in Myanmar and main priorities for discussion.

The workshop was structured in 3 main sessions:

The Opening Ceremony was enriched by the contributions of high level representatives sharing their views and experiences in relation to responsible tourism, including H.E. U Htay Aung, Minister of Hotel and Tourism, Dr Aung Myat Kyaw, Vice Chairman, Myanmar Tourism Federation and Achim Munz, Resident Representative, Hanns Seidel Foundation. In his speech H.E. U Htay Aung emphasized the importance of assistance to SMEs in Myanmar's tourist industry. He further suggested that the priority for action in the Myanmar tourism sector should focus on protected areas industry regulation, local sourcing, codes of conduct for tourists and business, environmental impact assessment and sustainability indicators for each tourism development project.

SESSION I: Responsible Tourism and Human Rights in Myanmar

After the Minister's speech at the Opening Ceremony, Session I looked at *"The Meaning of Human Rights",* MCRB's Sector-Wide Impact Assessment on Tourism, and joint-identification of the priority human rights and tourism issues in Myanmar. The session was addressed by Dr. Nicole Haeusler, Senior Advisor, Myanmar Tourism Federation, Thi Thi Thein, Myanmar Centre for Responsible Business and Matthias Leisinger from Kuoni Group, Switzerland.

Dr. Nicole Haeusler discussed the historical context for human rights, an explanation of their meaning and their relation to Buddhism.

Dr. Nicole Haeusler

Human rights are fundamental to sustainable tourism. There is the need for the protection of individuals and groups. Vulnerable groups include children, local communities, employees & women.

There is the need to define priorities as the term 'human rights' includes many aspects. There is the need to clarify roles and responsibilities. The tourism sector includes government, private business, associations, CSO, investors, NGOs, development partners and tourists.

2. Human Rights and Buddhism

- Every article of 'Universal Declaration of Human Rights' can be meaningfully linked to the teachings of the Buddha
- Foundation of Buddhism is based on human values, justice and equality

Sources: P. Schmidt-Leukel, 2006, Buddhist-Christian Studies (26);U. Bagde, 2014, Journal of Law and Conflict Resolution, 6(2)

2. Human Rights

Most important feature of the idea of Human Rights:
The protection of individuals and groups against powerful institutions such as the state, society, religion.

Artist: Htein Lin

Quotes from Evaluation Forms on the session:
"(...) would be good tool to educate locals about relation of tourism and Buddhism"
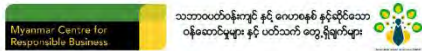*"There are many needs for the human rights and everyone needs to understand"*
"Most important message I gained from today's session. Thanks Dr. Nicole Haeusler - you helped us [to] get so much knowledge and good ideas [to] improve our tourism business [and] how to do and help our land for human rights."

Thi Thi Thein from MCRB, explained the key findings of the Sector-Wide Impact Assessment on Tourism, such as too much focus on hard infrastructure in particular hotel construction and of the need for participatory destination management and a 'zonal planning' approach. Thi Thi further highlighted that the assessment also found that local communities were still not sufficiently engaged in decisions on tourism development and impact of tourism on children such as 'orphanage tourism' and Voluntourism. The SWIA identifies relevant international standards and initiatives, and highlights good practices both in Myanmar and other countries. The full report of the Tourism SWIA and executive summary can be accessed at http://www.myanmar-responsiblebusiness.org/swia/tourism.html.

Matthias Leisinger from Kuoni Group successfully Skyped-in from Switzerland to explain practical examples from the 'Roundtable: Tourism on Human Rights' that started in Germany. Matthias' sparked an interesting discussion among participants on the possibility of organizing a similar Roundtable on Tourism and Human Rights in Myanmar.

Matthias Leisinger

The term human rights can be intimidating. Breaking the term into topics can be easier for discussion. For example, labour standards, child protection. This makes it more tangible and clearer for businesses.

You need to prioritize which issues to focus on as there are many."

Quotes from Evaluation Forms on the session:
"I loved the talk on roundtable from Germany. Very practical & hands on in terms of recommendations"

The day was concluded with an interactive "voting" activity where each participant could vote using Key Point software and "clickers" on their favorite destination and identify human rights impacts of tourism which should be a priority focus.

Favourite Destinations Results of Voting

1. Bagan (19 votes, 24,68%)
2. Inle Lake (12 votes, 15,58%)
3. Kalaw and Pindaya (11 votes, 14,29%)
4. Hpa-an (9 votes, 11,69%)
5. Yangon (7 votes, 9,10%)

Attendees identified the following as the top priorities relating to human rights and tourism in Myanmar:

1. **Lack of local participation in tourism planning at tourism destinations (21.52%)**
2. **Waste and water management (13.9%)**
3. **Safety (13.9%)**
4. **Access to land and relocation of communities (12.7%)**
5. **Impacts on children, e.g. child labour, orphanage tourism (12.7%)**

SESSION 2: Tourism, Land, Communities and Culture

The Draft Tourism Law (29.6.2015) refers to planning and zoning
စီမံကိန်းချမှတ်ခြင်း

၃။ ဤ၌ ဥပဒေ၏ ရည်မှန်းချက်များနှင့်အညီ ရေရှည်တည်တံ့ပြီး တာဝန်သိသော ခရီးသွားလုပ်ငန်း တစ်ရပ်အဖြစ် ပေါ်ပေါက်လာရေးအတွက် စီမံကိန်းချမှတ်လို့အပ်ပြီး အောက်ပါအချက်များ ပါဝင် သင့်ပါသည်

(က) သဘာဝပတ်ဝန်းကျင်နှင့် ယဉ်ကျေးမှုဆိုင်ရာပိုင်ဆိုင်မှုများ၊ အဓိကနေထိုင် ကျက်စား ပေါက်ရောက်နေကြသော သတ္တဝါသတ္တဝါများနှင့် သစ်ပင်ပန်းပင်များအတွက် မြေပုံ ရေးဆွဲခြင်းနှင့် ဇုံနေရာသတ်မှတ်ခြင်း၊

(ခ) အထူးအကာအကွယ်ပေးရန် လိုအပ်လာပါက ဇုံနေရာသတ်မှတ်ရန် စီမံကိန်းရေးဆွဲခြင်း၊

(ဂ) ခရီးသွားလုပ်ငန်းကို ထည့်သွင်းစဉ်းစားသော မြို့ပြစီမံကိန်းဖြစ်ခြင်း၊

၈။ သတ်မှတ်ထါ ပြဌာန်းသည့်လိုအပ်ချက်များနှင့်ကိုက်ညီသော နေရာဒေသတစ်ခုခုကိုသာခရီးသွား လုပ်ငန်းအတွက် သတ်မှတ်ရမည်။ ထိုသို့သတ်မှတ်နိုင်ရန် သဘာဝပတ်ဝန်းကျင်ဆိုင်ရာ၏လိုခိုက်မှု ဆန်းစစ်ချက်နှင့် ပူမူဇေးဆိုင်ရာ ထိခိုက်မှုဆန်းစစ်ချက်တို့ လုပ်ဆောင်ရန် လိုအပ်ပြီး သိသာ၏ထုးလ သောအခက်အခဲ၊ အတားအဆီးများ မရှိမှသာ ခရီးသွားလုပ်ငန်းနေရာဒေသတစ်ခုအဖြစ် သတ်မှတ် ဖော်ထုတ်ရမည်။

The second day began with a focus on tourism and land and the relevant national policy frameworks. **Vicky Bowman, Director of MCRB** highlighted recommendations from the Myanmar Tourism Master Plan (MTMP) on Hotel Zones and Zonal Planning, Land Use; as well as the Responsible Tourism Policy (RTP) and the Policy on Community Involvement in Tourism (CIT); Developments in the National Land Use Policy, and implications for tourism development.

Vicky Bowman
'Zoning' is not the same as creating a 'Zone',

"Zoning describes the control by authority of the use of land, and of the buildings thereon. Areas of land are divided by appropriate authorities into zones within which various uses are permitted. Zoning is necessary, including for protection of cultural heritage."

Draft Tourism Law,
29 June 2015 draft from MoHT (unofficial translation)
Planning
7. Planning is required in order to ensure that tourism is sustainable and responsible according to the objectives of this Law, and should include the following considerations:

   a. mapping and zoning of sites for the protection of key habitats and natural and cultural assets;
   b. zoning plans where there are areas in need of special protection; and
   c. town planning that takes tourism activities into account.

8. An destination [ne-ya de-tha] may only be designated for tourism in accordance with the necessary requirements. An Environmental and Social Impact Assessment should be undertaken beforehand, and a destination should only be confirmed if this does show significant problems or obstacles.

Quotes from Evaluation Forms on the session:
"(…) loved initiative [voting exercise] to get everyone involved and provide views in a safe space. Difficult to prioritize issues-harmful series of human rights that must be priority are economic livelihood issues"
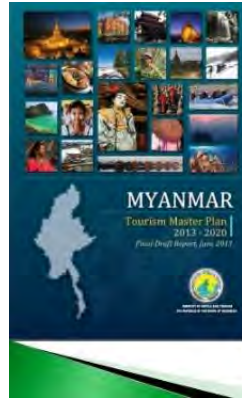
In her presentation Vicky Bowman highlighted the difference between 'hotel zones' and 'zoning'. She urged to end the 'hotel zone' approach which had already led to a number of negative consequences [see below]. She encouraged the government to **focus on effective zoning and strategic environmental assessment** for tourism destinations which is badly **needed for destination management plans and Destination Management Organizations**.

Destination Planning and Management: Update since 2013

Destination management plans have been created or are being created by donor organizations in collaboration with MOHT in key destinations:

- Bagan – JICA
- Inlay –MIID
- Kayah State - ITC/CBI
- Mandalay region (including Amarapura, Mingun etc.) – MoU in process of signing.

However there is a mixed record on:
- government ownership
- stakeholder engagement/participatory planning
- implementation

There are no Destination Management Organizations (DMOs) resulting in:
- minimal coordination between the Destination Management efforts
- Efforts not nationally driven or managed (...)"

Nyein Zarni Naing gave **the Land Core Group's** perspective on land reforms. He highlighted different ways to use land effectively. He urged consultation on land use for tourism sector. **He** further stated that this would **require land use and land management policy and legislation with community consultation.** He concluded that Myanmar needs to shift towards responsible tourism away from solely profit-oriented and aim for 'impact development tourism' with strong community participation approach.

- The importance of land was recognised in the Myanmar Tourism Master Plan 2013-2020
- Closely tied to destination planning and management

Strategic Program 3: Strengthen Safeguards and Procedures for Destination Planning and Management (pg. ii)
- design and implement innovative, integrated, and participatory approaches to destination planning;
- strengthen tourism-related social and environmental safeguards;
- improve zoning practices and controls in tourism destinations;
- develop tourism and climate change adaptation strategies;
- promote innovative and green technologies; and
- strengthen community involvement in tourism.

Nyein Zarni Naing
"Why Land?
- scarce resource
- different uses
- diverse values
- competing rights
- conflicting interests
- pluralistic rules
- Overlapping governance (...)"

"Can Tourism sector be a positive energy to improve and governance in Myanmar?
Putting land and poverty issues in tourism agenda?
- Harmonization of tourism policy with other policy frameworks (e.g. national land policy)
- Participatory planning and inclusive approaches
- destination level
- policy level"

Changing Land Uses

- ခွင့်ပြုရန်သင့်သည့် စည်းစားရာတွင် သက်ဆိုင်ရာ နယ်မြေနှင့် ပတ်ဝန်းကျင်ရှိ မြေဆွယ်ချေလျက်ရှိသူများ၏ မြေသုံးချုပ် အခွင့်အရေးများအား ကာကွယ်ပေးနိုင်ရေးအတွက် လျှောက်ထားချက်ကို အများပြည်သူသို့ အသိပေးခြင်း၊ ကြိုတင်နီတာပါးပြင်းနှင့် အများခွင့်ပေးခြင်းဆိုင်ရာ လုပ်ငန်းစဉ်များကို သတ်မှတ်ရန်

- အကျိုးထိုမိုက်ပူများအား အကာအကွယ်ပေးရေး ဆောင်ရွက်ချက်တစ်ရပ်ချို့၊
  - သင်းအချက်အလက်ပုန်းကန်းနှု စိစစ်အတည်ပြု
  - ပတ်ဝန်းကျင်ဆိုင်ရာစိစစ်မှုနှင့် လူမှုရေးအကျိုးသက်ရောက်မှုဆိုင်ရာ ဆန်းစစ်ချက်များ အပြီးသတ်ဆောင်ရွက်
  - အလုပ်ပိုကျနအနာလေးပေးတော်ယာများနှင့် မိမိဖလောနည်ဖြင့် စိုက်ချိုးသည့် မြေများကို အကာအကွယ်ပြု
  - သဘာဝအရင်းအမြစ်များနှင့် ဂေဟာစနစ်ကို အကာအကွယ်ပေး

Wai Phyo Myint, Manager of Regional Outreach at MCRB explained main challenges with 'hotel zones'. She summarized recent MCRB research on hotel zones of Inle, Mandalay / Tada – Oo and Bagan, noting that each one raised different issues.

Wai Phyo Myint

What are the problems with 'Hotel Zones' in Myanmar?
The Myanmar practice of 'Hotel Zones' is:

- taking land from other uses – e.g. farming
- defining where only hotels must be built
- not connected to the market
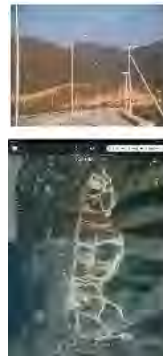
This is problematic because:

- It has negative impacts on local livelihoods: land grabs, loss of farmland/land rights, land speculation
- Lack of community participation in decision making; no grievance mechanisms and government officials involved in negotiations on behalf of companies
- "Exclusive": Reduces opportunities for community involvement in tourism (small guesthouses, B&B),
- Environmental impacts
- Transparency (who receives the land?)
- Tourists do not want to stay in 'ghettos'

Hotel Zones in Bagan

- Main concerns of local tourism stakeholders:
  - Lack of consultation, information or transparency concerning who (if anyone) receives permits to expand existing hotels projects inside protected areas or develop of new tourism projects
  - Perception of uneven playing field: Bagan residents cannot establish guesthouses, inns and small hotels which could benefit locals; but well-connected outsiders are above the law
  - Particular concern about one large new hotel which is still under construction in the archaeological zone, without archaeological supervision
  - Communities worried about risk of further relocation as a consequence of World Heritage Listing (following 1990 experience)
- For further discussion on Friday

Inle Hotel Zone impacts

- Inadequate 'impact assessment' on the zone. Not public and no genuine community consultation took place
- Water shortage (caused by deforestation) already affecting villagers (wells drying up). Likely to impact hotel zone viability
- Hotel zone has further removed forest cover, and impacted firewood collection
- Hotel zone wants to dam Nant Li creek used by villages for hydro and agriculture
- Conflict and arrests relating to compensation disputes
- Township administrators act as mediators to broker land acquisition for the hotel zone
- Lack of trust following arbitrary arrests of farmers who refused to sell their land or protested; failure to supply promised access to water and electricity

Common themes – Inle and Tada Oo Hotel Zones

- Absence of Strategic Environmental Assessment or EIA
- Lack of transparency and public participation in decision making
- Inappropriate involvement of public officials in negotiating compensation and sale
- Loss of livelihood/land without replacement jobs
- Inconsistent rates of compensation; those who bargained harder got more
- Intimidation: farmers feared expropriation if they did not 'agree'
- Subsequent land price rise and speculation has increased local resentment
- Zone concept not connected to tourism market

  ↳ Bagan is different

Inle Lake Hotel Zone

- Currently ~40 hotels near Inle Lake, 1000 rooms, peak occupancy >90%
- Hotel Zone: 620 acres near Ingyin Kone. MoHT 30 year lease from the government. Villages affected include Kanbe, Chaungpar, Thaphaykone, Phayarphyu, Watthakin and Nyaunswun.
- Zone development by Shan State Government
- Road construction by Phyu Zin Group (no open tender) which owns three hotels in Shan State

Quotes from Evaluation Forms on the session:
"Road system is very important in tourism infrastructure development. And Land pricing system should develop properly to control the market."
"should apply SWOT analysis for the hotel zones projects."

Dr. Andrea Valentin of Tourism Transparency highlighted threats to communities and the environment in Inle as well as emerging destinations including Natmataung and Indawgyi. She also emphasized opportunities from perspective of the Tourism transparency for Civil Society, Business and Government on land matters.

Opportunities for Government

- Tourism authorities must abide by their own norms and policies. EIAs and SIAs are essential. Pre-project approval consultations with local communities and civil society in tourism destinations are the first steps of responsible tourism.
- Government should make sure that stakeholders know what is expected of them. The responsible tourism policy and others should be clearly disseminated.
- Establish participatory structures through which government works with other stakeholders to plan, develop and manage tourism in a sustainable and inclusive manner.
- Work in effective partnerships with local destinations. It is at the local level where tourism needs to be effectively integrated into sustainable development → Decentralization of tourism management, establishment of DMOs.
- Integrate sustainable land use in policy documents. Gaps and deficiencies should be identified and addressed accordingly.
- The commitment to change and improvement must be genuine and based on actions that can be delivered.

Opportunities for Civil Society

- = Civil society groups can build bridges between government, the private sector and local communities. They have a very valuable role to play in the execution of responsible tourism, e.g. research and capacity building.
- Adopt a collaborative approach with govt and private sector to ensure that local communities are protected
- Call on tourism stakeholders to protect the human rights of those affected by irresponsible tourism development.
- Use relevant Conventions that Myanmar is party to when pressing legal claims against land grabs. These conventions Myanmar has ratified and in any land conflict, where it is possible, CSOs could argue that the land has cultural, environmental, or natural heritage value.

Opportunities for Tourism Businesses

- Take note of policies and seek to improve your own performance and actions in line with the principles of responsible tourism.
- Enact due diligence and address human rights deficits.
- Apply international standards and guidance during any land processes.
- Hotels must not be built on grabbed land → Introduce grievance mechanisms and provide remedy to the affected parties for any human rights violations committed.
- Work together to strengthen tourism businesses collective response – the private sector is best placed to influence the awareness and actions of visitors; they have a very important role to play to take responsible tourism action.
- Tourism will not become more sustainable without the tourism private sectors' active commitment and response to the challenges of land tenure.

Dr. Andrea Valentin

- Government and tourism private sector do not yet abide by their own responsible tourism standards.

- Environmental and social impact assessments are rarely conducted.

- The local population is not consulted and is insufficiently informed about projects. No consultation procedure exists that involves the local population and allows their participation.

- Freedom of movement is denied to local communities in some emerging tourist destinations. Fishing opportunities are significantly restricted.

- 'Hotel zones' provide only a limited income for the local population. The majority of hotel employees originate from other regions.

- Grievance mechanisms do not exist at all.

- Women and their engagement in employment opportunities are marginalized by the top-down tourism development process.

The panel on **Emerging Destinations and Community-driven Approaches** panel explored the ways the different actors contribute to destination planning. **Philip Po from Thandaunggyi Tourism Development Working Group** together with **Sophia Naing from Peace Nexus** discussed Community participation in tourism planning in Thandaunggyi, Kayin State – highlighting the importance of equal involvement by both majority and minority groups (ethnic and religious) in the area and importance of ensuring ownership of the project by the community.

Potjana Suansri and Pascal Khoo Thwe, Cultural Tourism Consultants, International Trade Centre (ITC) spoke about community driven projects conducted in Kayah State. They stressed the importance of earning trust and building relationship with respect and empathy when engaging local communities.

U Win Kyaing, Principal of the Field School of Archaeology, Ministry of Culture highlighted emerging destinations of Myanmar's first World Heritage site: The Pyu Cities and Sri Ksetra.

Resources:
UNESCO Operational Guideline: http://whc.unesco.org/archive/opguide12-en.pdf
ICOMOS International: http://australia.icomos.org/wp-content/uploads/ICOMOS-International-Cultural-Tourism-Charter-English.pdf
Preparing for World Heritage Nominations: http://whc.unesco.org/en/preparing-world-heritage-nominations/
Managing Cultural Heritage: http://whc.unesco.org/en/managing-cultural-world-heritage/
Managing Natural World Heritage: http://whc.unesco.org/en/managing-natural-world-heritage/

Quotes from Evaluation Forms on the session:
"Please do not take tourist unless the local people are prepared"
"Information about Thanday Gyi and Pyu City is very useful for those who design the exotic tour program"

The final presentation was delivered by **Professor Dr. Walter Jamieson FCIP, Director, Service Innovation Programme, College of Innovation, Thammasat University, Thailand:** Heritage Management on Planning and Tourism based on his experience from Sukhothai (Thailand) and Wat Pou (Laos). He stressed importance of education and heritage management and value of local benefits to community especially for those involved in cultural conservation. He further spoke on sustainable and responsible marketing strategies for tourist destinations that focus on respect of heritage sites.

SESSION 3: Cultural Heritage, Communities and Tourism – the case of Bagan

The last day session began with on top human rights concerns in 10 Myanmar's destinations.

Destination	1st	2nd	3rd
Bagan	Lack of local participation in tourism planning at tourist destination (12 votes / 27 %)	Access to land and relocation of communities (10 votes / 23 %)	Waste and water management (7 votes / 16 %)
Inle Lake	Waste and water management (26 votes / 58 %)	Lack of local participation in tourism planning at tourist destination (12 votes / 27 %)	Access to land and relocation of communities (5 votes / 11 %)
Kalaw & Pindaya	Lack of local participation in tourism planning at tourist destination (17 votes / 42 %)	Access to land and relocation of communities (7 votes / 18 %)	Community exclusion from benefits of tourism (4 votes / 10 %)
Hpa-An	Lack of local participation in tourism planning at tourist destination (13 votes / 30 %)	Safety (12 votes / 27 %)	Access to land and relocation of communities (6 votes / 14 %)
Yangon	Labour rights of employees (11 votes / 27 %)	Lack of local participation in tourism planning at tourist destination votes / 17 %)	Access to land and relocation of communities • Safety (each got 5 votes / 12 %)
Mrauk U	Safety (14 votes / 23 %)	Lack of local participation in tourism planning at tourist destination Culture e.g. inappropriate behavior by tourists, destruction of historical sites (each got 10 votes / 23 %)	Access to land and relocation of communities (4 votes / 9 %)
Ngapali	Access to land and relocation of communities (15 votes / 37 %)	Waste and water management (8 votes / 20 %)	Lack of local participation in tourism planning at tourist destination (6 votes / 15 %)
Kyaiktiyo	Waste and water management (21 votes / 46 %)	• Impacts on children • Safety • Labour rights of employees (each got 5 votes / 11%)	Lack of local participation in tourism planning at tourist destination (4 votes / 9 %)
Ngwe Saung	Waste and water management (16 votes / 37 %)	Access to land and relocation of communities (15 votes / 35 %)	Lack of local participation in tourism planning at tourist destination (3 votes / 7 %)
Mandalay	Culture e.g. inappropriate behavior by tourists, destruction of historical sites (11 votes / 23 %)	Waste and water management (10 votes / 21 %)	Access to land and relocation of communities (8 votes / 17 %)

Quotes from Evaluation Forms on the session:
"(…) we learnt more about heritage management and tourism meaningful in Myanmar not only hotel zones but also in big real estates need to think about solid waste and Waste water treatment system. And more discussions."
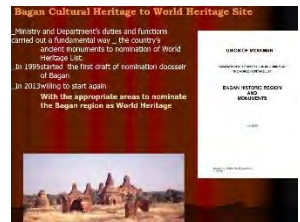
This was followed by a discussion of the results. For example, cultural concerns figured highly in Mandalay. Poor tourist behavior at the morning meal at Mahagandhayon Monastery was cited as an example. In other destinations, such as Inle, Kyaiktiyo and Ngwe Saung - water and waste management were top concerns. In all destinations lack of local participations in tourism planning featured highly. The voting exercise demonstrated that in Myanmar each destination has its own priority human rights impacts that need to be addressed at local level.

This followed by a final panel discussion on the challenges and opportunities in balancing tourism, communities, culture and the environment in case of Bagan. **U Thein Lwin, Deputy Director General, Department of Archaeology and National Museum, Ministry of Culture** spoke on threats posed to Bagan heritage sites such as local people's painting on mural paintings, walls and pagodas, vibrations by big trucks and buses, flooding, heavy raining and earthquakes and waste management issues. Simultaneously **Bagan Lovers Association** called for preservation and conservation.

Khin Omar Win, co-founder/owner Owner of Eastern Safaris (Balloons over Bagan), explained how her company aims to respect culture, communities and the environment, including by choosing a culturally appropriate colour for the balloons. The company creates jobs for local people and builds local capacity, including in issues like fire safety. They pay significant fees and taxes, and hoped that in future more revenue for ballooning could stay locally and be used for the cultural preservation of Bagan. She noted the company supported Bagan's application for World Heritage Status, and that this needed to be achieved through more open discussion with business and local communities. BoB had responded to queries from the Culture Ministry on potential damage balloons could cause to pagodas by providing expert evidence and demonstrating their mitigation strategy.

In response, the Ministry of Tourism, Ministry of Transport and Balloon operators held several meetings with the Ministry of Culture and ICOMOs representative to explain that -

- **Balloons are registered air craft**, strictly **regulated** by the Department of Civil Aviation.
- Balloons fly with the wind and **do not cause vibration**
- Balloons use **propane gas, a clean burning, non-toxic fuel,** used commonly in cooking gas. http://www.propane.co/en/about-propane

Thein Sann, Operation Manager, NAGATA provided view on their clean-up projects in Bagan and Mandalay. They were asked by MOHT to implement the bins and clean-up projects at Inle Lake as well. And **Shihab Uddin Ahmad, Country Director from Action**Aid, Shihab Uddin Ahmad, Country Director, ActionAid discussed importance of empowerment of women and young people in the community as "Achieving human rights depends on power of people`'"

Community led Planning through village book approach is foundation of all program decisions

FEEDBACK:

Participants Priorities for Follow-up Workshops

In feedback participants identified the following human rights/tourism impacts they would like to focus on:

1. **Community participation**
2. **Children's rights**
3. **Indigenous people**
4. **Waste & water management**
5. **Human resource management**
6. **Ecotourism**
7. **Destination management**
8. **Responsible tourism**
9. **Tour guide training.**

Workshop participants expressed a strong wish to be engaged in follow-up workshops on human rights in tourism with particular focus on: children's rights, community participation, impact on development for indigenous people, waste management, human resource management, ecotourism and destination management and responsible tourism.

Participants gave particularly high scores to the destination focused session on Bagan. They gave their views on the development of tourism in Myanmar, and highlighted the need to include all stakeholders' voices in consultation processes. Some participants expressed concerns that when consultations occur not many and the 'wrong' people provide feedback which does not create sustainable and transparent development. *"Hotel zones are a classic case. No one that I know in the hotel and tourism business is pro-hotel zones. Viewing platforms have been suggested. Who is designing them? Is there a business plan? Have potential clients i.e. tour operators, been questioned about whether they think it's a good idea and will support and sell them?" "Governance transparency + planning are essential. Very difficult in Myanmar anyway to go. More community dialogue is needed."*

Further participants stressed the need for public consultation and more transparency in the planning processes of international organizations and ministries on Tourism *"There is still little easily accessible information of what is going on in the planning process (…) with little chance for input. There does not seem to be questions on why they are occurring. Have the 'culprit's' been asked why they are doing what they are doing? This needs to be asked. If rules are to be understood and successfully upheld, they need to be applied equally and time needs to be given for people to comply."*

In terms of space for improvement for future workshop participants called for more involvement from Ministries: *"land use discussion should include Ministry of Transportation and Agriculture & arbitrary land grabbing."* While another participant added: *"more invitation to related regional & national ministries" More transparency from Ministries. And more cooperation within ministries and other sectors."*

The discussions and feedbacks show that there is need for cooperation by all stakeholders (government, ministries, private sector, multi-lateral organizations, NGOs, CSOs, local community, academia) but also within their own constituencies to spread common understanding of issues related to responsible tourism. All stakeholders seemed to have the same goal: responsible tourism in Myanmar to contribute to sustainable development. However communication, consultation processes and sharing information differs.

The majority of participants expressed an interest in further discussions and dialogue in safe space such as this workshop. Participants called for more time for discussion and *"More discussion in other regions".*

Quotes from Evaluation Forms on the session:
"Why you voted culture as the most important human right impact in Mandalay?
There is monastery, the teak bridge etc. They are not in threat but we have time to do something. Work [need to work] on the mindset of the tourist and tour guides: e.g. all the tourist want see the monk, but the monks has to focus on study; next to the bridge there is a parking lot ⬜ it needs a better management because it is destroying the view."

CONCLUSIONS & NEXT STEPS:

The Hanns Seidel Foundation and Myanmar Centre for Responsible Business welcomed the active input and discussion at the workshop, and have considered the feedback received.   The discussions once again reinforced the need for on-the-ground implementation of the Myanmar Responsible Tourism Policy (2012), Tourism Master Plan (2013) and Community Involved Tourism Policy (2013) at national and local level, including the aspects related to zonal planning, destination management, and community participation in tourism planning.

HSF and MCRB plan the following next steps:

➢ **Present the outcome of the workshop** to the 5th Tourism Sector Working Group on 17 November 2015

➢ **Co-hosting a workshop** to share further experiences **on local level community involved tourism projects**, planned for December 2015, to enable practitioners to learn lessons from one another and to support new initiatives in getting started

➢ MCRB will **publish the results of its research on Inle, Tada-Oo and Bagan hotel zones,** as a contribution to the review envisaged in the Tourism Master Plan

➢ In 2016 HSF and MCRB will **organize destination-level multistakeholder discussions** on the issues related to tourism and human rights with agendas that reflect the local level priorities identified in the workshop

➢ Based on national level tourism/human rights priorities identified in the workshop such as children's rights, safety, and waste/water management, HSF and MCRB will work together with other key private sector and non-governmental and where appropriate government stakeholders to **convene roundtables to identify practical actions, drawing on the experience of the Europe-based roundtable presented at the workshop.**

"If we can handle responsibility & human rights in different destinations we can get positive impacts. We need tourism destination management and awareness program about tourism for local people."

"I found the workshop to be significant in that you were able to get stakeholders with opposing views around a table and to express their views honestly. There is a lot of avoidance and hearsay in Myanmar so I believe having an environment like this good experience for all. I felt the workshop brought a broader range of people together and thus encouraged greater understanding. "

"(…) Presenters from ministries have some difficult answers that can't answer that we all know it. But until them clean out these answers it's hard to implement the real outcomes."

"Very well organized [conference] overall! Great logistics and administrative work!!!"

"(...) I would like to urge you all [at this workshop] to provide your valued advice, comments and recommendation to be able to come up a report on the "Approaches to Responsible Tourism and Human Rights including Cultural Rights in Myanmar" which can be serving as a guiding manual for the systematic development responsible and sustainable tourism in Myanmar. " - **H.E. U Htay Aung, Minister for Hotels and Tourism**

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Greater local involvement needed for Myanmar's tourism stakeholders

Sid Dhartha, Nay Pyi Taw, September 7, 2015

STRONGER coordination between stakeholders and increased local participation in tourism-related decisions are key focus points if Myanmar's tourism industry is to grow sustainably.

This is according to a multi-stakeholder workshop on responsible tourism and human rights – attended by over 100 participants from the government, tourism businesses, associations, civil society groups, international NGOs and travel specialists – organised by the Myanmar Center for Responsible Business (MCRB) and Hanns Seidel Foundation last week in Nay Pyi Taw.

The issue at the top of the list for over 20 per cent of participants is the lack of local participation. Next five highest ranking concerns are waste and water management, safety, access to land, relocation of communities and tourism's impact on children.

Many participants noted that while current policies set strong frameworks for local involvement, things are not actually taking place on the ground, mainly due to a lack of capacity, money and time needed.

"This meeting highlighted how transparency, constant communication and the sharing of lessons learned and different perspectives facilitates better decisions on how to develop tourism sustainably," said Vicky Bowman, director of MCRB.

"The recent history of hotel zones in Myanmar shows how quick decisions taken without a full understanding of the potential social, environmental and cultural impacts, as well as the needs of the market, and local concerns, can lead to bad outcomes for communities, economic losses for business, environmental degradation and unhappy tourists," he added.

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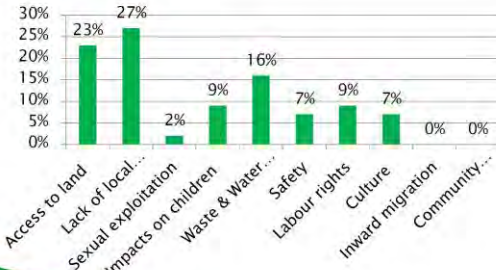
UNICEF, UN Global Compact and Save the Children, Children's Rights and Business Principles https://www.unglobalcompact.org/docs/issues_doc/human_rights/CRBP/Childrens_Rights_and_Business_Principles.pdf
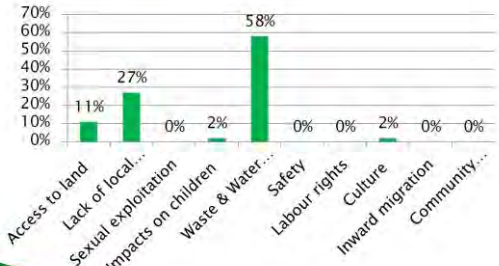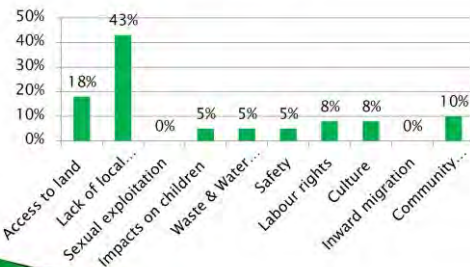
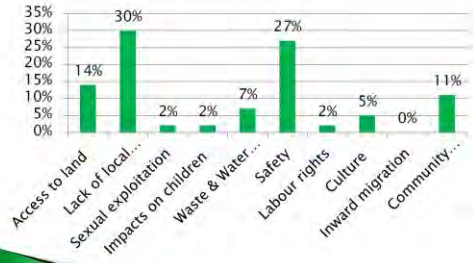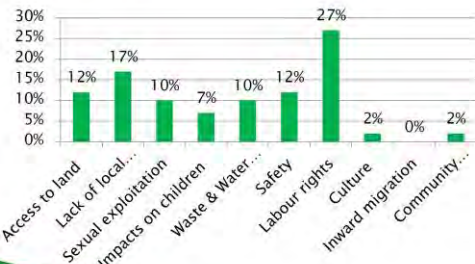## Voting Results: Priority Human Rights Impact per Destination
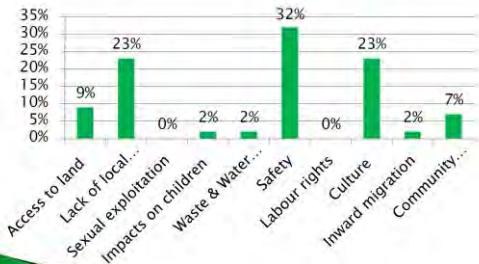
BAGAN

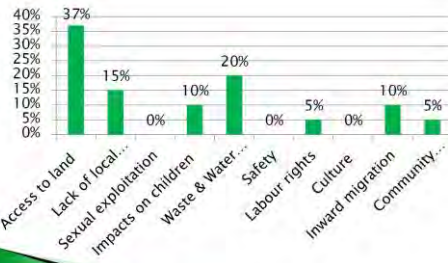### INLE LAKE

KALAW & PINDAYA

HPA–AN

YANGON

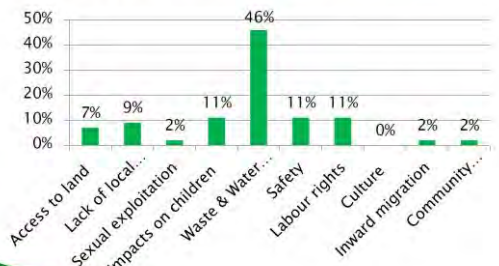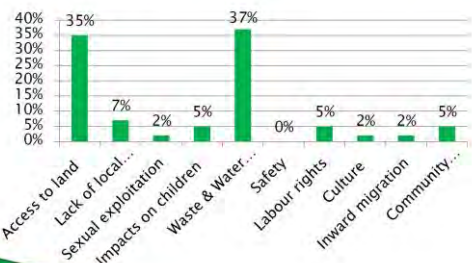

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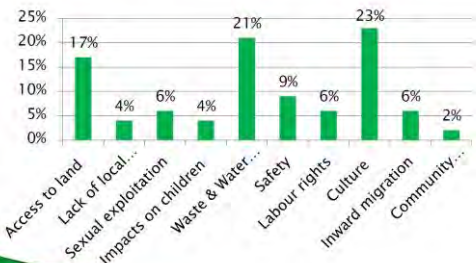

KYAIKTIYO (GOLDEN ROCK)

NGWE SAUNG or CHAUNGTHA

MANDALAY

APPENDIX 2:
Presentations

All presentations from the workshop can be found at: http://www.myanmar-responsiblebusiness.org/news/tourism-myanmar-needs-more-local-involvement.html .

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