

# Update Briefing

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## Counting the Costs: Myanmar's Problematic Census

### I. Overview

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Myanmar's first census in over 30 years, an ambitious project conducted in April 2014 with technical advice from the UN and significant funding from bilateral donors, has proved to be highly controversial and deeply divisive. A process that was largely blind to the political and conflict risks has inflamed ethnic and religious tensions in this diverse country. The release of the inevitably controversial results in the coming months will have to be handled with great sensitivity if further dangers are to be minimised.

The census will provide information vital for Myanmar's government, development partners and investors in planning their activities. But it has also created political tensions and sparked conflict at a crucial moment in the country's transition and peace process. Some controversies are inevitable in any census. However, the way that the process has been designed and prepared, insufficiently sensitive to the country's evolving realities and the major risks that they present, has greatly exacerbated its negative impact.

Such problems were not inevitable, nor were they unforeseen. They largely stem from the way data on ethnicity, religion and citizenship status are being collected and classified, and the lack of consultation with key constituencies in the design of the process. The serious risks involved were anticipated and clearly laid out in the political risk assessment that the UN Population Fund (UNFPA) – the lead technical agency involved – commissioned at the beginning of the process, and they were subsequently repeated and amplified by many other stakeholders and observers, including Crisis Group. However, UNFPA rejected such concerns, consistently presented a panglossian perspective on the census and failed to acknowledge specific political or conflict risks.

Key census donors failed to recommend fundamental revisions to the process, even when a census pilot had to be cancelled in Rakhine State due to fears of violence and when key ethnic armed groups called for the enumeration to be postponed. Only at the last minute, when a Rakhine census boycott morphed into violent attacks on international aid agencies that sparked a humanitarian crisis, did most push for such changes.

The impact of these problems has been far-reaching, exacerbating inter-ethnic and inter-religious tensions. The census has been interrupted in parts of Rakhine State,

following a last-minute government decision to prevent the Rohingya population from self-identifying its ethnicity – a move intended to placate Rakhine radicals, who were committed to a boycott and could have unleashed deadly violence. Amid a massive and intimidatory security operation in Rohingya communities, those households who insisted on identifying as such – the great majority in many areas – were left out of the census entirely. In Kachin State, no census has been allowed to take place in areas controlled by the Kachin Independence Organisation armed group, due in part to concerns about how ethnicity data are being collected. The Myanmar military has been used to secure contested areas in Kachin and northern Shan States in order to allow access to census enumerators. In the process, serious clashes have broken out between the two sides, and hundreds of civilians have had to flee. This has put further strain on the peace process at a critical time.

Without doubt, the government has been found wanting in its approach to addressing the communal tensions that have proved so threatening to Myanmar's Muslim community and particularly its Rohingya population. These problems pre-date talk of a census. The authorities, through their public statements, the behaviour of law enforcement personnel and in the laws enacted have to do a lot more to demonstrate that the state's concern is for the welfare of all. Equally, a census that was more sensitive to political realities, or one conducted at a less volatile time, could have limited or avoided some of the problems now being stoked. Further risks exist in the timing and manner in which census data are released. These will not be easy to mitigate at this point, and UNFPA and the donors will have much less influence now that the most technically demanding and costly aspects of the process have been completed.

Rather than accept their share of responsibility for designing and pushing ahead with a flawed process in the face of clear warnings from multiple quarters, UNFPA and key census donors have sought to shift the blame wholly onto the government. They have criticised its last-minute decision to deny Rohingya the right to self-identify, while failing to acknowledge that by pushing it not to amend or postpone the process earlier on, they left the government in a difficult position with few good options to avoid violence. The narrative that is thereby being presented – that the process was going well until the government's last-minute volte-face – is inaccurate and in the circumstances unhelpful.

## **II. A Challenging Task**

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Lack of reliable data has long been a major constraint on evidence-based policy-making and programming in Myanmar.<sup>1</sup> The last census was conducted over 30 years ago, in 1983, and large swathes of the ethnic borderlands were inaccessible due

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<sup>1</sup> For previous Crisis Group reporting on Myanmar since the present government took power, see Asia Briefings N°143, *Myanmar's Military: Back to the Barracks?*, 22 April 2014; N°142, *Not a Rubber Stamp: Myanmar's Legislature in a Time of Transition*, 13 December 2013; N°140, *A Tentative Peace in Myanmar's Kachin Conflict*, 12 June 2013; N°136, *Reform in Myanmar: One Year On*, 11 April 2012; and N°127, *Myanmar: Major Reform Underway*, 22 September 2011; also Asia Reports N°251, *The Dark Side of Transition: Violence Against Muslims in Myanmar*, 1 October 2013; N°238, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012; N°231, *Myanmar: The Politics of Economic Reform*, 27 July 2012; and N°214, *Myanmar: A New Peace Initiative*, 30 November 2011.

to conflict at that time. The last census to be carried out in all the territory of Myanmar was in 1931 under colonial rule.<sup>2</sup>

The political reforms since 2011, combined with a peace process that has halted fighting in much of the country, created the possibility to finally conduct such a survey in a credible way, as well as an urgent need for demographic data. In his April 2012 visit to Myanmar, UN Secretary-General Ban Ki-moon offered to provide technical advice and support to the Myanmar government in conducting a census, as well as to approach potential donors to mobilise funding for the exercise. This became a key “deliverable” of the Secretary-General’s visit.<sup>3</sup> In an exchange of letters at a census event during a visit of the Secretary-General’s special adviser, the Myanmar immigration and population minister undertook to conduct the census in accordance with the international standards and principles set out by the UN.<sup>4</sup> The government of Myanmar and UNFPA jointly finalised the project document for the census.

The exercise, which would be conducted in March-April 2014, required significant technical and financial support to the government. Given that no census had been carried out for over 30 years, no serving government official had any experience of conducting one.<sup>5</sup> This gave UNFPA an unusually influential role in the technical preparations, enhanced by the fact that its chief technical adviser for the census was embedded in the Department of Population – one of the first occasions that an international had been allowed to work within a government ministry in Myanmar.

External financial support was also critical for such an enormous endeavour, made more costly by the size of the country, the difficulty of accessing remote areas with poor infrastructure, the need to start from scratch on everything from form design to enumerator manuals to training materials, and the ambitious nature of the census. As a result, the price tag will likely be some \$74 million. This gave the bilateral donors – who are providing almost three quarters of the funding – significant responsibility and a potentially strong basis on which to influence UNFPA (and the government) as to the way the process was conducted.<sup>6</sup>

The government too invested considerable resources, both financial and technical. This included leveraging its extensive civil service structures throughout the country, making over 100,000 government staff – mostly primary school teachers – available as enumerators, and the huge effort over two years to put in place all the technical and administrative arrangements for such a large and complex undertaking.

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<sup>2</sup> For a detailed discussion of the background, see “Ethnicity without meaning, data without context: The 2014 census, identity and citizenship in Burma/Myanmar”, Burma Policy Briefing No. 13, Transnational Institute, February 2014.

<sup>3</sup> An internal UN Policy Committee document from May 2012, seen by Crisis Group, listed the census as first among six issues for UN engagement identified by the Secretary-General’s visit.

<sup>4</sup> Letter dated 30 April 2012 from the Secretary-General’s Special Adviser for Myanmar Vijay Nambiar to the Immigration Minister, and the latter’s response dated the same day.

<sup>5</sup> “Ethnicity without meaning ...”, *op. cit.*

<sup>6</sup> The census donors, who provide funds through UNFPA, are: Australia, Finland, Germany, Italy, Norway, Switzerland, Sweden and the UK. Of these, the UK is the largest, having contributed approximately \$16 million.

### III. A Flawed Process

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While the need for accurate data is not in question, the way that the census process was designed and rolled out has been problematic, particularly as regards the timing, the content and the poor conflict and political risk mitigation.

#### A. *The Timing of the Exercise*

At the time of the Secretary-General's visit, Myanmar was less than a year into its dramatic transition from half a century of authoritarianism, and at the early stages of a complex peace process to end a six-decade civil conflict, involving more than a dozen ethnic armed groups.<sup>7</sup> This was a risky time to conduct a census, given that it would be likely to redefine the ethnic and religious contours of a nation where competing notions of identity had long fuelled conflict, and given that the release of data having electoral implications would be likely to coincide with what could be the first democratic elections in decades. The Secretary-General's remarks at the census event already envisaged that ethnicity and religion would be included, and optimistically saw this as "a tool for mutual understanding". The challenges he foresaw were purely technical: training needs and difficulty in accessing remote areas.<sup>8</sup>

Subsequently, the census project document contained no serious reflection on the timing of the exercise; the proximity to the 2015 elections was noted, but only in terms of keeping the process separate from voter registration, and not the political risks of releasing sensitive new ethnic and religious data shortly before an unprecedented poll.<sup>9</sup>

#### B. *The Content of the Questionnaire*

The census collected not only basic demographic data, but also highly sensitive information on ethnicity, religion and citizenship status. The need to collect these data, and the risks associated with doing so, do not appear to have been carefully weighed up. As noted above, it was envisaged from the outset that they would be collected and the project document treated them as unproblematic.<sup>10</sup> Some ethnic leaders and communities did want such data to be collected. However, the risk mitigation framework that was developed did not explicitly include any potential problem associated with collecting and releasing such data, nor the specific methods for doing so. In particular, there was no recognition that the flawed government list of 135 ethnic groups, prepared in the 1980s, was highly contested and viewed by many ethnic people as deeply divisive.

The lack of understanding of the controversial nature of these questions is reflected in the project document: it failed to include the possibility of removing them among the possible risk mitigation steps that were identified.<sup>11</sup> Conflict risk was not

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<sup>7</sup> For a contemporaneous analysis, see Crisis Group Asia Briefing N°136, *Reform in Myanmar: One Year On*, 11 April 2012.

<sup>8</sup> "Remarks at census event", UN Secretary-General Ban Ki-moon, Naypyitaw, 30 April 2012.

<sup>9</sup> "2014 Population and Housing Census. Project Document", Myanmar Department of Population, with the support of UNFPA Myanmar Country Office, October 2012.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

addressed at all.<sup>12</sup> This is a startling omission in a country that was in the middle of trying to resolve the world's longest-running civil war, and where at the very moment that these risks were being assessed, deadly anti-Muslim violence was erupting in Rakhine State.<sup>13</sup> Meanwhile, UNFPA was apparently advocating a very different approach for the Afghan census that was about to get underway:

We don't ask for ethnicity or language spoken, this is on purpose. This country [Afghanistan] has so many issues to address between the political process, the economy and security, why complicate it?<sup>14</sup>

It is hard to see why similar risks were not seen in Myanmar, and a similar strategy not considered.

### C. *The Lack of Any Real Risk Mitigation*

No adequate risk mitigation process was established for the census even though, in its own assessment, UNFPA states that "risk assessment and mitigation, including expressly for the issue of ethnicity, received close attention throughout the census process".<sup>15</sup> Some possible risks were identified in the project document, but these were almost all technical, and the proposed mitigation measures were focused almost exclusively on better advocacy and communications.<sup>16</sup> The lessons learned document prepared by UNFPA following a pilot census conducted in April 2013 did not address any political or conflict risks.<sup>17</sup> Critically, the most serious risks identified in the UNFPA-commissioned political risk assessment were not subsequently addressed in the census preparation process, and no mechanism was established to effectively track emerging political or conflict risks or assess the effectiveness of mitigation measures. In successive presentations, UNFPA did not make any reference to such risks.<sup>18</sup>

The lack of credible risk mitigation was one of the key reasons why bilateral donors were initially cautious about committing funding to the census.<sup>19</sup> Within UNFPA, it seems that the primary concern was the lack of funding, and risk mitigation was assigned to a junior donor relations position, whose main focus was resource mobili-

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<sup>12</sup> Risk 8 was phrased as follows: "Rejection of the census by sectors of the population because of political, ideological or other reasons. *The risks here are in not having complete census coverage and/or inaccurate results*" (emphasis added). Ibid, section 6.

<sup>13</sup> For further discussion of the Rakhine violence, see Crisis Group, "Myanmar Conflict Alert: Preventing communal bloodshed and building better relations", 12 June 2012; and Crisis Group Asia Report N°238, *Myanmar: Storm Clouds on the Horizon*, 12 November 2012.

<sup>14</sup> Laurent Zessler, head of UNFPA in Afghanistan, quoted in "Afghan census dodges questions of ethnicity and language", *The Guardian*, 3 January 2013.

<sup>15</sup> Internal UNFPA "status update" dated 5 May, appended to a letter dated 6 May from the UNFPA executive director to the UN Deputy Secretary-General.

<sup>16</sup> "2014 Population and Housing Census. Project Document", op. cit.

<sup>17</sup> The document noted in its executive summary that "some people have already developed negative notions, attitudes and perceptions about the census", but this was not mentioned in the body of the report, nor any consequences drawn from it. "Report on the implementation, experiences and recommendations of the pilot census, April 2013", UNFPA census adviser, May 2013.

<sup>18</sup> For example, presentations by UNFPA census adviser to the Myanmar Information Management Unit/Information Management Group, Yangon, 2 September 2013; and to Peace Research Institute Oslo (PRIO) conference on elections and peace, Myanmar Peace Centre, Yangon, 13 September 2013.

<sup>19</sup> Crisis Group discussions with representatives of potential census donor countries, Yangon, June-October 2013; follow-up discussions with donor representatives and other relevant persons, Yangon, February-April 2014.

sation.<sup>20</sup> It is unclear why, given that the census was a priority of the UN Secretary-General, there was not apparently more attention from the organisation at a higher level and from a political perspective.<sup>21</sup> Thus within the UN, this critical process was left to UNFPA, a small technical agency that was not best placed to deal with Myanmar's political complexities.

Once donors did start to fund the process despite their concerns, the primary forum to discuss risk mitigation became the census donor group. This had initially consisted of sector specialists – in livelihoods, governance, or even health, depending on the donor – who were assigned responsibility for the census in addition to their existing portfolios and heavy workload.<sup>22</sup> Many did not have the time or the skills to focus on the potential risks of the census. In the course of 2013, some donor embassies began to appoint conflict advisers to Myanmar for the first time, and they increasingly took responsibility for the census, with a focus on political and conflict risks. However, there was apparently little recognition of the gravity of potential risks, little appetite for recommending the serious steps that would have been needed to address them, and hence a failure to use the leverage at their disposal.<sup>23</sup>

By late 2013, when the risks were becoming ever more evident as ethnic stakeholders began to issue serious warnings, the donor group became increasingly concerned, but was not ready to recommend postponement of the census, nor the removal of contentious questions (one reason cited being costs, given that the forms had already been printed), and it had not at this point met directly with the government except in forums led by UNFPA.<sup>24</sup> The government itself had apparently underestimated the capacity of Rakhine extremists to effectively mobilise against the census, and the depth of feeling in other ethnic areas. Having invested considerable resources and political capital in the process, it was never likely to consider drastic mitigation measures unless strongly pushed to do so. It did raise the possibility of removing ethnicity and religion questions or simplifying the questionnaire in January 2014 with the census International Technical Advisory Board (ITAB), but was actively discouraged from doing so.<sup>25</sup> The reasons the board gave were that the removal of such questions could have “raised concerns from some groups”, and “risked creating confusion among enumerators and the public”.<sup>26</sup>

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<sup>20</sup> See UNFPA Vacancy Announcement, “Programme Specialist (Census Donor Coordinator), Yangon, Myanmar, ICS-10 (P-3)”, Job ID 2242, June 2013.

<sup>21</sup> Crisis Group interviews, UN staff and other persons having direct knowledge of the situation, Yangon, January-March 2014.

<sup>22</sup> Crisis Group discussions with representatives of donors throughout 2013 and in early 2014.

<sup>23</sup> Ibid.

<sup>24</sup> Crisis Group interviews, individuals having direct knowledge of the situation, Yangon, January-April 2014.

<sup>25</sup> Crisis Group interview, individual briefed on the meeting, Yangon, April 2014. The International Technical Advisory Board is a group of fourteen international technical and statistical experts on censuses, which first met in January 2013. Its terms of reference are technical, and do not include political or conflict risk issues, and none of its members have such expertise, nor country-specific expertise on Myanmar.

<sup>26</sup> Letter dated 3 May 2014 to Crisis Group from the UNFPA representative for Myanmar, responding to Crisis Group's preliminary findings that had been provided for comment.

#### IV. Failure to Heed Warnings

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The flawed process was not the result of a lack of awareness of possible political and conflict risks. Specific and credible warnings were repeatedly made since early 2013. These included the advice from the political risk assessment that UNFPA itself commissioned, the lessons from the pilot census, and warnings from key stakeholders and others.

##### A. *The UNFPA-Commissioned Political Risk Assessment*

In November 2012, UNFPA commissioned a political risk assessment to “explore, review and update the risk assessment and risk mitigation measures included in the census project document”.<sup>27</sup> The February 2013 final assessment, led by a recognised expert on Myanmar politics and conflict, was submitted in February 2013.<sup>28</sup> It expressed the view that the census project document was “essentially a best-case-scenario roadmap to a census that would be held credible by the international community”. The assessment added that while it “provides for checks and mitigation to data processing difficulties expected in a country like Myanmar ... many issues and concerns raised by stakeholders in our more targeted research on political risk are largely unaddressed in both the project document and other official documentation”.<sup>29</sup> Specific risks identified included:

- ❑ Even with an effective implementation of the census as conceived in the project document, “there exists a relatively high likelihood that census results could introduce ambiguity and possible hazards to the political reform process”, mainly due to the highly contentious questions of ethnicity and religion.<sup>30</sup>
- ❑ The politicised nature of ethnicity in Myanmar and the 2008 constitution means that “unless the census management plan is transformed ... even the most statistically pristine census undertaking may set back peace negotiations”, which potentially “puts the peace process at risk”.<sup>31</sup>
- ❑ “Tensions over lu-myo [ethnicity] statistics could empower radical ethno-nationalists”, and there was a particular risk that the collection of ethnicity data would fuel fears of demographic insecurity “in a number of cases – most probably Kachin and Rakhine”.<sup>32</sup>

The assessment recommended, among other things, using the pilot census to field-test a revised questionnaire with a reduced number of questions to determine whether this could have an impact on the political risks in addition to data quality. It recommended a fundamental rethinking of the advocacy strategy to ensure it was responsive to the concerns of constituents and could facilitate the amendment of census procedures, rather than expecting and promoting participation in the process as then conceived.<sup>33</sup>

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<sup>27</sup> “Revised draft TOR for a consultant to conduct risk assessment and develop risk mitigation measures for the 2014 Population and Housing Census in Myanmar”, UNFPA, November 2012.

<sup>28</sup> Mary Callahan and Tin Tin Nyunt, “Political Risk Assessment: Myanmar 2014 Population and Housing Census”, February 2013.

<sup>29</sup> *Ibid.*, p. 10.

<sup>30</sup> *Ibid.*, pp. 30-32.

<sup>31</sup> *Ibid.*, pp. 32-33.

<sup>32</sup> *Ibid.*, pp. 31-32.

<sup>33</sup> *Ibid.*, pp. 33-37.

Perhaps most importantly, it recommended the establishment of a risk review board or mechanism to ensure that risk analysis was not a one-time undertaking – including the introduction of a risk review process in the 2013 census pilot and a consultative post-pilot lessons learned process. It was suggested that this would not require excessive new procedures or governance structures.<sup>34</sup>

The political risk assessment was rejected out of hand by UNFPA senior management.<sup>35</sup> None of the key recommendations noted above were implemented, and no credible, concrete steps were proposed to mitigate the very serious political risks that were identified.<sup>36</sup>

### B. *The April 2013 Pilot Census*

The risk mitigation report prepared following the April 2013 pilot census by three UNFPA-contracted consultants repeated a number of the concerns from the political risk assessment.<sup>37</sup> In particular, it recommended reducing the number of questions on the form to the minimum, in order to mitigate political risk and improve data quality, and instead to use post-census sample surveys to collect statistics on sensitive issues.<sup>38</sup>

At the same time as this risk mitigation report was being prepared, UNFPA was writing a second report on the pilot census.<sup>39</sup> Unlike the risk mitigation report, it did not identify any political or conflict risks, instead focusing solely on the technical challenges. It was this purely technical report that formed the basis of a May 2013 workshop for donors and stakeholders on the pilot census experience; the risk mitigation report was not immediately provided to participants, nor were the lead consultants who prepared it requested to present their findings at the workshop.<sup>40</sup>

In addition to the risk mitigation report, the pilot census gave another indication of the severity of the political risks that should have been impossible for donors, the UN and the government to ignore. In the initial pilot, Rakhine State was represented by a Rakhine Buddhist part of Sittwe township,<sup>41</sup> which did not provide an opportunity to test possible difficulties of enumerating the Rohingya Muslim population, particularly those in internal displacement camps following the 2012 violence.

As a result, following the main pilot in April 2013, it was decided to carry out an additional pilot exercise, in August of that year, in an area with a displaced Muslim population. UNFPA presented this proposal to the Sittwe Protection Working Group, which expressed concerns about “possible serious negative repercussions” including that it was “likely to further fuel tensions and trigger security concerns for the

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<sup>34</sup> Ibid, pp. 35-36.

<sup>35</sup> Crisis Group interview, Yangon, January 2014.

<sup>36</sup> The only recommended step that was actually taken was the pilot census observation and lessons learned exercise. However, this was ineffective given that the risk mitigation report was essentially quashed (see Section IV.B below).

<sup>37</sup> Mary Callahan, Christoph LeFranc, Nancy Stiegler, “Documentation of risk mitigation report. 2013 Pilot Census, Myanmar”, UNFPA, May 2013.

<sup>38</sup> Ibid, pp. 9, 21.

<sup>39</sup> “Report on the implementation, experiences and recommendations of the pilot census”, op. cit.

<sup>40</sup> The workshop was held on 25 May 2013 at Sedona Hotel, Yangon. The final risk mitigation report was only submitted after the workshop. Crisis Group interviews, Yangon, January and April 2014.

<sup>41</sup> That is, Nar Yi Kan village tract.



humanitarian operation and staff” as well as displaced communities.<sup>42</sup> Questions on ethnicity, religion, citizenship status and location were seen as particularly sensitive.<sup>43</sup> UNFPA subsequently informed the protection working group that on the basis of feedback from the humanitarian community it had cancelled the pilot exercise since “it was agreed that it would potentially create tension”.<sup>44</sup>

The need to cancel a pilot census exercise in Rakhine State due to security concerns should have sounded the alarm for UNFPA and census donors that major revisions commensurate with such a serious risk needed to be pursued. Yet this did not happen. UNFPA continued to omit reference to political and conflict issues in its risk mitigation strategy (Section III.C above), and the key census donors ruled out pursuing any major changes to the process.<sup>45</sup> The steps that they did take were procedural: the convening of a “contingency planning” meeting with the immigration ministry, which achieved little and came too late (in January 2014); and the preparation of “census briefs” (again from January 2014) by a core group of donor conflict advisers that were provided to UNFPA but were not to be shared with the government.<sup>46</sup>

### C. *Warnings from Key Stakeholders*

By the second half of 2013, it was becoming clear to many in the humanitarian community in Myanmar that there were serious, concrete risks with the way in which the census process was moving ahead. There were particular concerns for Kachin State, and even more so for Rakhine State. These concerns were conveyed to UNFPA in the context of the proposed pilot exercise (see Section IV.B above). Within the UN Country Team, there was a sense that there was no willingness on the part of UNFPA to openly discuss these concerns. When they were raised, agencies were told that the census was a priority of the Secretary-General, and that there was a “One UN” system-wide obligation to support it.<sup>47</sup>

UNFPA asserts that in April 2013, it “emphasised to senior officials the benefits of removing the ethnicity question and reference to the national registration card” and that the May 2013 workshop “included direct discussion of the problems in utilisation of the 135 ethnic groups list”.<sup>48</sup> However, by 24 January 2014, when UNFPA issued a press release at the end of a meeting of ITAB, these concerns no longer appear to have been present. In the statement, ITAB was found to be “greatly satisfied and comfortable with the level of preparedness”, UNFPA even going so far as to

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<sup>42</sup> “Sittwe Protection Working Group meeting minutes”, 11 July 2013. The working group is made up of representatives of UN/international non-governmental organisations with humanitarian operations in Rakhine State.

<sup>43</sup> “Feedback on census forms and procedures”, Sittwe Protection Working Group, 23 August 2013. Location was seen as potentially sensitive for those in camps for internally displaced persons (IDPs) because it might raise confidentiality concerns about IDP status, and could create the impression that the camps were not a temporary measure.

<sup>44</sup> UNFPA feedback to the Sittwe Protection Working Group, 11 February 2014.

<sup>45</sup> In meetings of donor conflict advisers in late 2013, the possibility of postponing the census, or making changes that would have required amending the questionnaire, were ruled out. Crisis Group interviews, individuals having knowledge of the meetings, Yangon, January-April 2014.

<sup>46</sup> Ibid.

<sup>47</sup> Crisis Group interviews, several individuals with knowledge of the meetings, Yangon, January-April 2014.

<sup>48</sup> Letter dated 3 May 2014 from UNFPA to Crisis Group, op. cit.

endorse the way that ethnicity and its coding were being handled.<sup>49</sup> No element of caution on political risk was introduced into the UNFPA press release, allowing a technical assessment by statistical experts to give the impression that the process as a whole was unproblematic.

Throughout late 2013 and early 2014, many different stakeholders issued repeated warnings. On 16 December 2013, a letter was sent to UNFPA, copying the government and donor countries, by 31 ethnic, religious and civil society organisations, including the most important armed groups in the peace process and the two key armed group alliances.<sup>50</sup> The letter regretted that “the leadership of our ethnic communities that collectively make up about 40 per cent of the population was not included in a meaningful way in the planning process”, which in the context of 65 years of civil war “would have gone a long way in building confidence in the census”.

The letter expressed concern about the impact of the census on the peace process, and deep reservations about the ethnic classification system that was to be used, noting that “many ethnic communities are now mobilizing to collect their own numbers” and that “tensions could arise” if they did not match with census figures. It questioned the advisability of holding a census in 2014 given the peace process and 2015 elections. The response to this letter was a three-hour meeting of UNFPA and the government with ethnic leaders in Chiang Mai on 30 December. It consisted of a long technical presentation by UNFPA and the government that left almost no time for concerns to be raised by ethnic representatives, much less discussed; the presenters made clear that it was too late for any meaningful adjustments to the process to be made.<sup>51</sup>

Subsequent to this, ethnic organisations, political parties and civil society groups wrote numerous letters to the government, UNFPA and donors calling for the census process to be revised or postponed, and expressing particular concern over the question of ethnicity and how it was being classified, as well as the absence of any real consultation with ethnic constituents.<sup>52</sup> The alliance organisation representing registered ethnic political parties in Myanmar stated on 2 February that the way ethnicity was being handled by the census “will create divisions among ethnic groups” and called for the process to be amended through consultation.<sup>53</sup> A leading Kachin activist said, “we are prepared to ensure that the census does not go ahead as it stands; that much is clear”.<sup>54</sup>

This prompted the immigration minister to intensify his discussions with ethnic leaders. By expending considerable political capital accrued partly from his key role

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<sup>49</sup> “ITAB gives thumbs up to census preparations in time for Myanmar census”, UNFPA press release, Naypyitaw, 24 January 2014.

<sup>50</sup> Letter dated 16 December 2013 to the UNFPA representative in Myanmar, copied to the Myanmar immigration minister and the Peace Donor Support Group. Signatories included the three leading ethnic armed groups in the peace process (that is, the Karen National Union, the Restoration Council of Shan State/Shan State Army-South and the New Mon State Party) and the two ethnic alliances (United Nationalities Federal Council and Working Group for Ethnic Coordination), as well as thirteen other ethnic armed groups and thirteen ethnic political and assistance organisations.

<sup>51</sup> Crisis Group interviews, ethnic leaders and others involved in the meeting, December 2013–January 2014; and minutes of the meeting prepared by one ethnic organisation that attended.

<sup>52</sup> For example, “Joint statement by ethnic organizations on the 2014 census” (in Burmese), Yangon, 17 February 2014 (signed by 32 ethnic civil society organisations); “Statement by Kachin civil society organisations concerning the 2014 Myanmar Population and Housing Census”, 9 March 2014 (signed by 29 Kachin civil society organisations).

<sup>53</sup> “Statement by the Nationalities Brotherhood Federation”, Naypyitaw, 2 February 2014.

<sup>54</sup> See “Ethnic groups resist census, object to question of ethnicity”, *Democratic Voice of Burma*, 18 February 2014.

in the peace process, he convinced most of these leaders to go along with the census process, despite many of them having reservations. The claim made by UNFPA that “the majority of the country’s ethnic groups were eager to participate in the census”, is open to debate, as is its characterisation of last-minute outreach to ethnic leaders as “extensive nationwide consultations”.<sup>55</sup>

On 20 February 2014, the head of the immigration department in Rakhine State told UNFPA that the main challenge of conducting the census in the state was “the question of how to register ethnicity”. Foreshadowing the problems to come, he indicated that if any problems arose, the government was prepared to “interrupt census activities” in order to “avoid any larger problems”.<sup>56</sup>

Also in February, Crisis Group issued a conflict risk alert on the census, noting that it “risks inflaming tensions at a critical moment in Myanmar’s peace process and democratic transition” and calling for it to be “urgently amended to focus only on key demographic questions, postponing those which are needlessly antagonistic and divisive – on ethnicity, religion, citizenship status – to a more appropriate moment”.<sup>57</sup> A detailed report issued by the Transnational Institute later in February raised similar concerns.<sup>58</sup> Yet, at least one key census donor continued to take the position that the census should not be postponed or substantially amended; others were suggesting to the government that it should consider dropping contentious questions.<sup>59</sup>

## V. Counting the Costs

Unfortunately, some of the most serious warnings expressed in the UNFPA political risk assessment in February 2013, and repeated and amplified since, became reality. The way in which the census was implemented has exacerbated conflict, had serious humanitarian consequences, and impacted the peace process at a crucial and sensitive moment. As widely predicted, the two geographic areas where the impact has been most negative were Rakhine and Kachin States – a direct result of the way ethnicity data were collected, as well as the question on religion. These impacts were not inevitable; they were the consequence of a process that failed to take proper account of the risks, and ignored warnings and danger signs.

### A. Political and Humanitarian Impact in Rakhine State

In the lead-up to the census, the immigration minister had given a commitment to UNFPA that all people in Myanmar would be free to self-identify their ethnicity.<sup>60</sup> The prospect of the Rohingya Muslim community being able to do so caused alarm

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<sup>55</sup> These claims were made in its 3 May letter to Crisis Group, and in its 6 May letter to the UN Deputy Secretary-General.

<sup>56</sup> Note of the meeting, Sittwe, 20 February 2014.

<sup>57</sup> “Myanmar Conflict Alert: A Risky Census”, Crisis Group, 12 February 2014.

<sup>58</sup> “Ethnicity without meaning ...”, op. cit.

<sup>59</sup> This was made clear to Crisis Group in discussions with donors following the release of its conflict alert.

<sup>60</sup> It had always been clear, however, that there were significant barriers to the census producing an accurate count of the ethnic Rohingya population. There were questions as to whether enumerators – depending on who they were – would write down the word “Rohingya” next to the “other” category (there was no code specifically for Rohingya), or whether they would instead enter the code for “Bangladeshi foreigner” or write “Bengali” in the “other” category. Subsequently, when the handwritten “other” ethnicities were manually sub-coded, a similar issue would have arisen. See also “Ethnicity without meaning ...”, op. cit., p. 17.

in Rakhine political circles and among the broader Rakhine community. On 27 February 2014, the aid agency Médecins Sans Frontières (Holland) – one of the largest providers of medical assistance in Myanmar – was told by the government to suspend its work in the country due to allegedly being “biased in favour of Rakhine’s Muslim Rohingya minority”, and its operations were subsequently shut down in Rakhine State.<sup>61</sup> Rakhine authorities told the media that one of the reasons behind the decision was their fear that the census “would prompt more communal violence”.<sup>62</sup> The *New York Times* cited estimates that within its first two weeks the ban had contributed to the deaths of some 150 vulnerable Rohingya.<sup>63</sup>

On 16 March, large protests were held in nine townships of Rakhine State opposing the possibility for Rohingya to self-identify. Radical Burman nationalist monk Wirathu, head of the “969” movement, joined one of the protests. When these protests failed to achieve their aims, a census boycott campaign was launched.<sup>64</sup>

The boycott campaign escalated into attacks on international humanitarian agencies in the Rakhine State capital Sittwe from 26-27 March, leaving one local dead, and prompting the evacuation of over 300 humanitarian workers from the city. Offices, equipment, vehicles and warehouses of humanitarian agencies were destroyed.<sup>65</sup> The violence was sparked when an international staff member of an aid agency removed a Buddhist flag from one of the organisation’s premises, following which rumours spread – found to be untrue by the government’s investigation commission – that she had handled it in a disrespectful manner.<sup>66</sup> Buddhist flags were at that time being displayed outside buildings in Sittwe to demonstrate support for the census boycott.

The violence resulted in the interruption of vital humanitarian assistance, including to camps for those displaced by the 2012 violence (mostly Rohingya). Even if UNFPA had not, the humanitarian community had anticipated the likelihood of violence accompanying the census enumeration period, and had made contingency arrangements – for example, the World Food Program decided to distribute April rations in March.<sup>67</sup> Nevertheless, the humanitarian impact of the violence is significant, with local media reporting that “the number of preventable deaths grows by the day”.<sup>68</sup> This has been exacerbated by the health ministry’s decision to cancel, during the census period, its mobile clinics in displacement camps for Muslims, resulting in a surge in diarrhoea cases leading to deaths.<sup>69</sup>

<sup>61</sup> “Medecins Sans Frontieres’ shock at Myanmar suspension”, BBC, 28 February 2014.

<sup>62</sup> Rakhine State Department of Health director Dr Aye Nyein, quoted in “MSF ban ‘temporary’, Rakhine officials insist”, *Myanmar Times*, 6 March 2014.

<sup>63</sup> Jane Perlez, “Ban on doctors’ group imperils Muslim minority in Myanmar”, *The New York Times*, 13 March 2014.

<sup>64</sup> “Rakhine State protests oppose ‘Rohingya’ as census category”, *Mizzima*, 17 March 2014; “Wirathu joins Arakanese protest against census”, *The Irrawaddy*, 17 March 2014; “Ethnic groups hold press conference to oppose ‘Rohingya’ in census”, *Eleven News*, 21 March 2014; “Arakanese threaten to boycott census over Rohingya issue”, *Democratic Voice of Burma*, 24 March 2014. For background on radical Burman nationalist movements, see Crisis Group Report, *The Dark Side of Transition*, op. cit.

<sup>65</sup> “Press Release by the Investigation Commission on the Incidents in Sittwe”, Yangon, 9 April 2014.

<sup>66</sup> Ibid. The investigation found no evidence to support the rumours, and furthermore noted that the staff member had been in Myanmar for twenty years and had long been a practicing Buddhist.

<sup>67</sup> Crisis Group interviews, Yangon, March-April 2014.

<sup>68</sup> “In the shadow of the census, a health crisis unfolds”, *Myanmar Times*, 3 April 2014.

<sup>69</sup> Crisis Group interviews, humanitarian workers, Yangon, March-April 2014.

As a result of the boycott campaign and subsequent violence, there were further last-minute calls for a postponement of the census.<sup>70</sup> At this extremely late stage, some census donors and UNFPA did suggest postponement in Rakhine, and/or removal of the ethnicity question nationwide, but this was rejected by government.<sup>71</sup> Enumeration went ahead three days later, with large numbers of heavily armed military and police accompanying enumerators in sensitive areas of Rakhine State, in particular Rohingya displacement camps.

In order to head off the threatened Rakhine boycott and potential serious violence, the government further announced that the Rohingya would not be permitted to self-identify as such, instructing enumerators not to write down the word “Rohingya”. In practice, it appears that in many cases enumerators in Rohingya areas asked the ethnicity question first, and did not complete census forms for households answering “Rohingya”, seriously compromising the integrity of the census data for Rakhine State.<sup>72</sup> Independent observers commissioned by UNFPA described the census in Rohingya areas of Rakhine State as “a complete failure”; their final report is expected to be released later in May.<sup>73</sup> As a result of the government’s decision on the Rohingya, the Rakhine boycott was called off, allowing enumeration of other parts of Rakhine State to go ahead.

While the humanitarian situation in Rakhine State has long been a cause for concern, and may have deteriorated regardless, the census has further inflamed existing tensions, and has also been used as an excuse – or opportunity – by Rakhine extremists to further isolate the Rohingya population and create additional hurdles to the provision of humanitarian assistance.

There has also been a significant political impact. By inflaming tensions and emboldening hardline Rakhine political actors – who see that their threatened boycott was effective in excluding Rohingya from the census – important political initiatives have been damaged. One of the more significant of these is the Rohingya status verification process being led by the immigration minister. This process is intended to verify the legal status (that is, immigration status) of the Rohingya population, and the government has presented it as a possible route to (naturalised) citizenship for a significant number of them – which could have a positive impact on their situation.<sup>74</sup>

The process has had to be suspended on two occasions in 2013 due to suspicions in Rohingya communities. It was due to go ahead in early 2014, but UNFPA prevailed on the immigration minister to postpone it yet again, on the grounds that it would take place too close to the census.<sup>75</sup> It is hard to see how the verification can now proceed, with the Rakhine more confident of their ability to politically marginalise the Rohingya, and given that the immigration minister has lost credibility in the eyes of the Rohingya population after the failure to follow through on his promise that they would be able to freely self-identify in the census.

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<sup>70</sup> One prominent example was “Burma: Postpone flawed census to avert violence”, Human Rights Watch, 28 March 2014.

<sup>71</sup> Letter dated 6 May from UNFPA to the UN Deputy Secretary-General, op. cit.

<sup>72</sup> Crisis Group interviews, humanitarian workers, Yangon, March-April 2014. See also “Census off to a bad start in Rakhine State”, *Myanmar Times*, 1 April 2014.

<sup>73</sup> Letter dated 6 May from UNFPA to the UN Deputy Secretary-General, op. cit.

<sup>74</sup> The reason is that many restrictions on the Rohingya – including on freedom of movement outside their village, which limits employment opportunities and access to health, education and other government services, as well as freedom to marry, and restrictions on number of children – are imposed on the basis that the Rohingya have temporary (non-citizen) registration cards.

<sup>75</sup> Crisis Group interview, individual briefed on the issue, Yangon, April 2014.

## B. *Impact on Kachin State and the Peace Process*

The Kachin Independence Organisation (KIO) is one of the most influential ethnic armed groups in Myanmar, and the only major one without a formal ceasefire.<sup>76</sup> Its stance will likely be key in determining whether the government will be successful in agreeing a nationwide ceasefire accord, the negotiations on which are now at a critical stage.

The census has been particularly controversial in Kachin State, and the way it has been implemented has caused a setback in government-KIO relations, with potentially serious consequences. The eventual refusal of the KIO to allow the census to be conducted in areas under its control, a decision taken in March 2014, is partly a reflection of the lack of trust in the government and the fact that some of the information gathered could be seen as sensitive from a strategic or military perspective.<sup>77</sup> But it is also directly related to the way that ethnicity is being handled in the census. Part of the concern is that this information is being counted at all, as some Kachin worry that an accurate ethnic count would show that they are not the majority in many Kachin areas, and potentially even in Kachin State as a whole.<sup>78</sup> A more specific worry is that the Kachin ethnicity is sub-divided in the census code list into eleven different clans or sub-groups, which is seen as potentially undermining longstanding efforts to foster a sense of pan-Kachin unity.<sup>79</sup>

As they had in sensitive parts of Rakhine State, the enumerators in some areas of Kachin State and adjacent Kachin-majority parts of northern Shan State were accompanied by military units for security. While this did not provide access to core KIO-controlled areas, it did allow enumeration to take place in some contested areas where the extent of KIO influence or authority is not always fixed or clear. For several days during the enumeration period, the official *New Light of Myanmar* newspaper carried prominent notices criticising the KIO for blocking the census in specific areas, and noting that security operations by the military allowed enumeration to take place in some other areas.<sup>80</sup> It subsequently stated that “of 231 villages where KIA members tried to interrupt the census-taking process, only 110 still remain to take the census as the census-taking process took place under the protection of military security”.<sup>81</sup>

According to independent reports, these “security operations” involved major troop movements by well-armed infantry, accompanied by mortar fire, as well as armed clashes with KIO troops, causing hundreds of villagers to flee.<sup>82</sup> On 4 April, the KIO shot dead an army major involved in a census security operation, invoking a strong and swift response from the military. Government accounts say that 22

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<sup>76</sup> It has signed an agreement in May 2013 aimed at “de-escalation and cessation of hostilities”, and a fragile de facto ceasefire has been in place since. See Crisis Group Briefing, *A Tentative Peace in Myanmar's Kachin Conflict*, op. cit.

<sup>77</sup> See “Kachin won't suffer from missing out on census: KIO”, *The Irrawaddy*, 3 April 2014; “Burma's census marred by controversy over ethnic question”, *The Irrawaddy*, 4 April 2014.

<sup>78</sup> “Ethnicity without meaning ...”, op. cit.

<sup>79</sup> Ibid.

<sup>80</sup> See *New Light of Myanmar*, 1 April 2014, p. 1; 3 April 2014, p. 3; 5 April 2014, p. 9; 6 April 2014, p. 2; 10 April 2014, p. 2.

<sup>81</sup> “2014 nationwide census covers nearly 11 million households”, *New Light of Myanmar*, 23 April 2014, p. 2. The KIA is the armed wing of the KIO.

<sup>82</sup> See “Hundreds flee as census-related clashes break out in Kachin”, *Democratic Voice of Burma*, 11 April 2014; “Burmese military accompanies census enumerators in conflict area”, *The Irrawaddy*, 10 April 2014.

combatants on both sides were killed.<sup>83</sup> One Kachin elder who is a member of a prominent local mediation group involved in the peace process warned that “if this situation persists, it may lead to the collapse of the entire peace process”.<sup>84</sup> While such a dire consequence can hopefully be avoided, it will be hard to judge the impact of the inevitable strain on government-KIO relations at this critical time. A bilateral meeting starting on 13 May between government and the KIO in the Kachin State capital Myitkyina, and the next round of collective peace talks with the ethnic armed groups from 19-20 May in Yangon, may give some indications.

Had ethnic data been collected in a different way, or not at all, it is unlikely that the KIO would have objected so strongly to the census, and this serious impact on such a vital process for the country could have been avoided. Further clashes erupted later in April, the reasons for which are complex and contested. According to estimates, more than 2,700 civilians have been displaced as a result.<sup>85</sup> These clashes were not related directly to the census, though it is impossible to say to what extent the tensions introduced by the enumeration and accompanying security operation contributed to the situation.

## VI. International Responsibility

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The government has ultimate authority for the census, and must take its share of responsibility for the way it has been planned and implemented. At the same time, the process has been to a large extent donor driven – both by the UN, which provided the encouragement, advice, technical assistance and a small part of the funding, and by bilateral donors, who resourced the majority of the \$74 million cost of the exercise.

For a country that has not conducted a census for over 30 years, and with no serving staff having any previous experience of such an endeavour, Myanmar was particularly reliant on international advice. This gave the UN and bilateral donors considerable influence and significant responsibility.

The official in charge, Immigration and Population Minister Khin Yee, is one of a small group of individuals around President Thein Sein who are driving the reforms. In his immigration role, he has taken the lead on expanding the issuance of identity cards in former conflict areas, ending the politically motivated immigration blacklist, and facilitating the return of many exiled dissidents. He is also responsible for the status verification for Rohingya communities, and has shown a willingness to consider practical solutions that could potentially improve the situation for many of those currently stateless. He approached the census, which began early in the reform process, with remarkable openness – allowing a UNFPA international adviser to work within his ministry (something that no other ministry had accepted at that time), agreeing to the establishment of an international group of experts to oversee the process, and accepting international observation of the pilot and the census itself.

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<sup>83</sup> “Myanmar says 22 dead in Kachin fighting this month”, Associated Press, 20 April 2014; “Why conflict continues in Kachin State”, *Eleven News*, 21 April 2014.

<sup>84</sup> Lamai Gum Ja, member of the Kachin Peace Talk Creation Group, quoted in “Hundreds flee as census-related clashes break out in Kachin”, *Democratic Voice of Burma*, 11 April 2014.

<sup>85</sup> “Asia Pacific Region: Weekly Regional Humanitarian Snapshot 22-28 April 2014”, UN Office for the Coordination of Humanitarian Affairs. See also “5000 displaced by Kachin clashes amid KIO leader’s US visit”, *The Irrawaddy*, 21 April 2014.

He displayed flexibility to ensure that the census would be implemented in accordance with best international practice.

Nevertheless, old mindsets die hard. The ministry is staffed with law enforcement officials – it was previously a part of the security apparatus – and has a culture of enforcement, not consultation. Minister Khin Yee himself, who served as police chief under the military regime, probably underestimated the extent to which political constituencies in the new environment would have the ability to derail the process in some areas. The UN and donor countries should have been questioning from the outset the advisability of holding a census in the midst of unprecedented reform and peace processes, and just before crucial elections.

Once the decision was made to back the census, there should have been a determination that the exercise would have minimal impact on the other crucial processes that donors were supporting, with a willingness to push for major changes – including, if necessary, postponement – as the extent of the risks became clear. Instead, there was apparently no effective political oversight from the UN, a state of denial within UNFPA as to the possible ramifications, and a focus among many in the census donor community on pushing minor adjustments at the margins in response to fundamental risks.

When the gravity of the situation became increasingly clear in late 2013 and early 2014, key donors became concerned, but continued to push for the census to proceed unchanged. They stated that there were processes underway to mitigate the risks, and that changing the questionnaire was not an option due to the cost of reprinting the forms.<sup>86</sup> It was not until early 2014 that census donors as a group engaged directly with the government without the intermediation of UNFPA.<sup>87</sup> When they did, following the release of Crisis Group's conflict alert, they continued to push for the census to be implemented without fundamental changes.<sup>88</sup> Given this, and the fact that the government had raised the possibility of removing the contentious questions with ITAB a few weeks earlier, and been actively discouraged from doing so, it is hardly surprising that it continued with the process. Having invested a huge amount of political capital in the process, and without the support of UNFPA or key donors for a major last-minute scaling back of the exercise, Minister Khin Yee followed the technical advice he had been given and pressed ahead.

It is in this context that the government's decision to deny Rohingya the right to self-identify in the census must be seen. Far from being an unexpected last-minute about-turn on an international commitment, once the decision was taken to go ahead with enumeration in Rakhine it was likely the only course of action that could have avoided a disaster: a Rakhine boycott, and potentially serious violence. It is indeed likely that this decision averted significant violence in Rakhine State, but at the cost of undermining the credibility of the exercise, the possibility for many Rohingya – already subject to a panoply of other forms of discrimination – to be enumerated at all, and thus the credibility of the Rakhine data.

The government's decision on Rohingya self-identification prompted some donors and UNFPA to issue statements that in the circumstances were incomplete and

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<sup>86</sup> Crisis Group interviews, individuals who raised concerns with the process, Yangon, December 2013-March 2014.

<sup>87</sup> Crisis Group interviews, representatives of donor countries, Yangon, January-March 2014. Some donors report that they were raising concerns bilaterally with the government prior to this, but these efforts do not appear to have been coordinated.

<sup>88</sup> *Ibid.*



unhelpful. On 1 April, UNFPA expressed its “deep concern” about the government’s decision on Rohingya self-identification.<sup>89</sup> The UN agency was concerned that this “could heighten tensions in Rakhine State, which has a history of communal violence” – something that was pointed out to UNFPA in its initial political risk assessment. UNFPA also noted that it “looks to the government to give the highest priority to protecting lives and preventing violence from occurring” – which, it could be argued, was the reasoning behind the government’s decision on the Rohingya, given the flawed way in which the census had been designed.

UNFPA subsequently stated that census preparations were “otherwise sound”, but that “the decision to prevent self-identification caused incomplete enumeration of the Rohingya and could be judged as constituting – under the relevant UN standards – a ‘deliberate under-enumeration of a population group in a specific geographical area because of ideological, practical or economic reasons’”. It added that even if the data gaps can be filled in other ways, “enumeration under these circumstances cannot be deemed to constitute a nationwide census”.<sup>90</sup> In a 7 May press conference, the immigration minister stated that the census had achieved a coverage rate of 99 per cent, and a response rate of 98 per cent, and that efforts were underway to collect the remaining data during an eight-week extended enumeration.<sup>91</sup>

The UK summoned the Myanmar ambassador in London on 7 April to express “deep concern about the conduct of the census” and in particular the reversal of the commitment on the Rohingya; and issued a press release to this effect following the meeting.<sup>92</sup> The UK must have been fully aware of the predicament that Minister Khin Yee was in, in part due to donor pressures, the flawed way in which the process was designed, and the lack of priority given to the potential risks. Yet the press release went on to say: “We continue to lobby the Burmese Government and [the] UN to manage the political risks and ethnic tensions”. It was also clear early in the process that UNFPA, a small technical agency, had not been sensitive to the political risks. Donors failed in their collective responsibility in this regard.

## VII. Future Risks

The political and conflict risks have not ended with the enumeration. Significant dangers lie in the future, but these will be much harder to mitigate – due to the nature of the risks, and because donor and UN leverage has significantly declined now that the most expensive part of the operation, which was reliant on donor funding, is over.

Census data are provisionally scheduled to be released in three phases. The first phase will be the aggregate numbers by sex and location, to be released in August 2014. The second phase will be the “main results”, which will consist of all the other automatically generated data, due in May 2015. The third phase will be the data that require some manual coding (such as the “other” ethnicity category), tentatively to be released at the end of 2015, possibly later.

<sup>89</sup> “UNFPA concerned about decision not to allow census respondents to self-identify as Rohingya”, statement, UNFPA Yangon, 1 April 2014.

<sup>90</sup> Letter dated 6 May from UNFPA to the UN Deputy Secretary-General, op. cit.

<sup>91</sup> Reported in “Preliminary results of census to be published in August with near complete coverage”, *New Light of Myanmar*, 8 May 2014, p. 1. See also “Census extended in Rakhine, Kachin states, says official”, *Mizzima*, 23 April 2014.

<sup>92</sup> “Joint FCO-DFID call for urgent restoration of humanitarian access to all communities in Rakhine State. Mr Swire summons Burmese Ambassador”, press release, 7 April 2014. See also “Violence in Rakhine State Burma”, Australian foreign minister media release, 6 April 2014.

There are three risks that at this point seem to be the most serious:<sup>93</sup>

- ❑ The total number of Muslims in the country may be much higher than expected. The 1983 census gave the figure as 4 per cent, but there are strong indications that the real number collected at that time was over 10 per cent, and was revised down as a result of political instructions.<sup>94</sup> This could unwittingly reinforce extremist narratives that the country is being overrun by Muslims. The breakdown of Muslim population by location could also be highly inflammatory, confirming fears of some Buddhists in particular localities, or focusing the efforts of national anti-Muslim groups, such as the “969” movement, on specific areas. These numbers could be particularly explosive in Rakhine State, depending on the extent to which comprehensive and accurate data can actually be collected there.
- ❑ The data on ethnicity will also be highly controversial. At the macro level, the proportion of Burmans versus other ethnicities cannot avoid challenging some preconceptions, given the wildly divergent views on the numbers among different communities. The detailed breakdown per locality will also be likely to challenge local understandings and possibly fuel tensions, given the prominence of identity politics in the country. If the numbers are at significant variance with the informal counting initiated in parallel by different ethnic communities – and given the divergent methodologies, it is hard to see how they could not be – this may also lead to rejection of the census ethnicity data, or fuel suspicions that the government has manipulated the data for political ends.
- ❑ The timing of the data release, during the campaign in the lead-up to crucial elections in late 2015, will amplify some of these risks. There are also risks that are directly related to the elections. It is possible that the election commission will use ethnicity data to decide which additional ethnic seats will be fixed for the elections, and if not, that ethnic groups will use those data to insist on them.<sup>95</sup> Ethnic population breakdowns per constituency may create political tensions if they differ from the expectations of one group or another. At the state level, the revelation that the main ethnic group is not in fact in the majority (if that turns out to be the case) could have serious repercussions.

All of these risks are potentially serious, but now that the data have been collected in the manner that they have, difficult judgement calls and choices will have to be made about how to handle the risks, and some mitigation strategies – such as not releasing certain data – could come with their own downsides. There are no easy choices at this stage, and it is not clear in any case that the donors or UNFPA will have much influence.

UNFPA is claiming that the census has had a positive benefit with regard to the categorisation of ethnicity in Myanmar, based on the putative support of many ethnic leaders for the census, and a commitment by the immigration minister to initiate a consultative process to reconsider the official list of ethnicities.<sup>96</sup> Some donors have expressed similar views.<sup>97</sup> The immigration minister's outreach efforts have

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<sup>93</sup> Some of these risks are discussed in more detail in “Ethnicity without meaning ...”, *op. cit.*

<sup>94</sup> See Crisis Group Conflict Alert, “A Risky Census”, *op. cit.*

<sup>95</sup> Under section 161 of the constitution, additional ethnic seats are delineated for ethnic groups that reach a threshold in any state or region equivalent to more than 0.1 per cent of the population of the country.

<sup>96</sup> Letter dated 6 May from UNFPA to the UN Deputy Secretary-General, *op. cit.*

<sup>97</sup> Crisis Group interviews, donor embassy representatives, Yangon, April-May 2014.

been impressive, but it must be questioned whether a census that has reaffirmed deeply contentious and divisive ethnic demographics is a good starting point for a broader debate on ethnicity in Myanmar, something that is perhaps more appropriately addressed in the coming political dialogue phase of the peace process.

There are steps that the government could take to partly mitigate the risks between now and the release of the results, particularly in Rakhine State as well as other areas with vulnerable minorities. First, much better security needs to be provided in Rakhine State to ensure that violence against Rohingya communities of the kind seen in 2012 does not recur. Realistically, only the military has the capabilities and confidence of communities to do this – a role it has played in the wake of the recent violence in Sittwe. Secondly, the government needs to make clear public statements that it stands ready to protect the security of all within the country's borders. Thirdly, it should take a stronger leadership role in resisting moves toward greater discrimination against ethnic and religious minorities.

## **VIII. Conclusion**

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The need for a census in Myanmar, and the value of the data that it can collect, have never been in doubt. Yet the way in which the process has been designed and implemented has been flawed and insufficiently sensitive to the political and conflict risks at this sensitive stage in Myanmar's transition. The responsibility for the failures in the process and the damage that it has caused lies partly with UNFPA, which largely guided the design and preparatory work, and partly with the government, under whose authority the census is being conducted. But there has also been a lack of political oversight from the UN system, and from census donors who funded the majority of the process and were aware of the risks.

When the dangers started to be realised, far from advocating the major changes that would have been required to minimise harm – a postponement or scaling back of the census – key census donors pushed the government to continue with its plans essentially unchanged. It was only in the days leading up to the enumeration phase, when violence had broken out in Rakhine State, that major last-minute revisions were suggested. Instead, the government decided to go ahead, deploying heavily armed security forces into parts of Rakhine and Kachin States along with the enumerators, and blocking Rohingya self-identification in a bid to head off a threatened Rakhine boycott and risk of violence. Then, rather than accept part of the responsibility, UNFPA and some donors issued statements that attempted to shift the blame wholly onto the government.

The danger is not over. There are significant risks involved with the timing and manner in which the census results are released, which need to be effectively mitigated. This will not be easy given that the leverage that the UN and donors have over the process, at this late stage, is much diminished. Beyond this, important lessons must be learned about improved conflict sensitivity and risk mitigation for future donor-sponsored initiatives in Myanmar, including support to the peace process and the elections.

**Yangon/Brussels, 15 May 2014**



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## Appendix B: About the International Crisis Group

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Mark Malloch-Brown, and former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

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**May 2014**

## Appendix C: Reports and Briefings on Asia since 2011

*As of 1 October 2013, Central Asia publications are listed under the Europe and Central Asia program.*

### North East Asia

*China and Inter-Korean Clashes in the Yellow Sea*, Asia Report N°200, 27 January 2011 (also available in Chinese).  
*Strangers at Home: North Koreans in the South*, Asia Report N°208, 14 July 2011 (also available in Korean).  
*South Korea: The Shifting Sands of Security Policy*, Asia Briefing N°130, 1 December 2011.  
*Stirring up the South China Sea (I)*, Asia Report N°223, 23 April 2012 (also available in Chinese).  
*Stirring up the South China Sea (II): Regional Responses*, Asia Report N°229, 24 July 2012 (also available in Chinese).  
*North Korean Succession and the Risks of Instability*, Asia Report N°230, 25 July 2012 (also available in Chinese and Korean).  
*China's Central Asia Problem*, Asia Report N°244, 27 February 2013 (also available in Chinese).  
*Dangerous Waters: China-Japan Relations on the Rocks*, Asia Report N°245, 8 April 2013 (also available in Chinese).  
*Fire on the City Gate: Why China Keeps North Korea Close*, Asia Report N°254, 9 December 2013 (also available in Chinese).

### South Asia

*Nepal: Identity Politics and Federalism*, Asia Report N°199, 13 January 2011 (also available in Nepali).  
*Afghanistan's Elections Stalemate*, Asia Briefing N°117, 23 February 2011.  
*Reforming Pakistan's Electoral System*, Asia Report N°203, 30 March 2011.  
*Nepal's Fitful Peace Process*, Asia Briefing N°120, 7 April 2011 (also available in Nepali).  
*India and Sri Lanka after the LTTE*, Asia Report N°206, 23 June 2011.  
*The Insurgency in Afghanistan's Heartland*, Asia Report N°207, 27 June 2011.  
*Reconciliation in Sri Lanka: Harder Than Ever*, Asia Report N°209, 18 July 2011.  
*Aid and Conflict in Afghanistan*, Asia Report N°210, 4 August 2011.  
*Nepal: From Two Armies to One*, Asia Report N°211, 18 August 2011 (also available in Nepali).  
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*Sri Lanka: Women's Insecurity in the North and East*, Asia Report N°217, 20 December 2011.  
*Sri Lanka's North (I): The Denial of Minority Rights*, Asia Report N°219, 16 March 2012.  
*Sri Lanka's North (II): Rebuilding under the Military*, Asia Report N°220, 16 March 2012.  
*Talking About Talks: Toward a Political Settlement in Afghanistan*, Asia Report N°221, 26 March 2012.  
*Pakistan's Relations with India: Beyond Kashmir?*, Asia Report N°224, 3 May 2012.  
*Bangladesh: Back to the Future*, Asia Report N°226, 13 June 2012.  
*Aid and Conflict in Pakistan*, Asia Report N°227, 27 June 2012.  
*Election Reform in Pakistan*, Asia Briefing N°137, 16 August 2012.  
*Nepal's Constitution (I): Evolution Not Revolution*, Asia Report N°233, 27 August 2012 (also available in Nepali).  
*Nepal's Constitution (II): The Expanding Political Matrix*, Asia Report N°234, 27 August 2012 (also available in Nepali).  
*Afghanistan: The Long, Hard Road to the 2014 Transition*, Asia Report N°236, 8 October 2012.  
*Pakistan: No End To Humanitarian Crises*, Asia Report N°237, 9 October 2012.  
*Sri Lanka: Tamil Politics and the Quest for a Political Solution*, Asia Report N°239, 20 November 2012.  
*Pakistan: Countering Militancy in PATA*, Asia Report N°242, 15 January 2013.  
*Sri Lanka's Authoritarian Turn: The Need for International Action*, Asia Report N°243, 20 February 2013.  
*Drones: Myths and Reality in Pakistan*, Asia Report N°247, 21 May 2013.  
*Afghanistan's Parties in Transition*, Asia Briefing N°141, 26 June 2013.  
*Parliament's Role in Pakistan's Democratic Transition*, Asia Report N°249, 18 September 2013.  
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*Sri Lanka's Potemkin Peace: Democracy under Fire*, Asia Report N°253, 13 November 2013.  
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*Myanmar's Post-Election Landscape*, Asia Briefing N°118, 7 March 2011 (also available in Chinese and Burmese).  
*The Philippines: Back to the Table, Warily, in Mindanao*, Asia Briefing N°119, 24 March 2011.

- Thailand: The Calm Before Another Storm?*, Asia Briefing N°121, 11 April 2011 (also available in Chinese and Thai).
- Timor-Leste: Reconciliation and Return from Indonesia*, Asia Briefing N°122, 18 April 2011 (also available in Indonesian).
- Indonesian Jihadism: Small Groups, Big Plans*, Asia Report N°204, 19 April 2011 (also available in Chinese).
- Indonesia: Gam vs Gam in the Aceh Elections*, Asia Briefing N°123, 15 June 2011.
- Indonesia: Debate over a New Intelligence Bill*, Asia Briefing N°124, 12 July 2011.
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- Indonesia: Hope and Hard Reality in Papua*, Asia Briefing N°126, 22 August 2011.
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- Indonesia: Trouble Again in Ambon*, Asia Briefing N°128, 4 October 2011.
- Timor-Leste's Veterans: An Unfinished Struggle?*, Asia Briefing N°129, 18 November 2011.
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- Malaysia's Coming Election: Beyond Communalism?*, Asia Report N°235, 1 October 2012.
- Myanmar: Storm Clouds on the Horizon*, Asia Report N°238, 12 November 2012 (also available in Chinese and Burmese).
- The Philippines: Breakthrough in Mindanao*, Asia Report N°240, 5 December 2012.
- Thailand: The Evolving Conflict in the South*, Asia Report N°241, 11 December 2012.
- Indonesia: Tensions Over Aceh's Flag*, Asia Briefing N°139, 7 May 2013.
- Timor-Leste: Stability At What Cost?*, Asia Report N°246, 8 May 2013.
- A Tentative Peace in Myanmar's Kachin Conflict*, Asia Briefing N°140, 12 June 2013 (also available in Burmese and Chinese).
- The Philippines: Dismantling Rebel Groups*, Asia Report N°248, 19 June 2013.
- The Dark Side of Transition: Violence Against Muslims in Myanmar*, Asia Report N°251, 1 October 2013 (also available in Burmese and Chinese).
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