Environmental Activism and Energy Governance in Burma: The Transnational Dimension

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Introduction

Governance of transnational energy projects is primarily undertaken by a variety of administering bodies attached to the governments of the states involved in the projects as global energy governance is still in its infancy (Lesage et al. 2009). As well as trying to influence public opinion within these states social and environmental activists often lobby these governments directly to achieve their goals. This strategy is most efficacious within liberal democracies but in some cases domestic activism can also sway authoritarian regimes with the Chinese government suspending certain hydropower projects following civil society criticism (Macartney 2009). Despite opposing often powerful business and political interests, activists see this direct lobbying as a potentially significant tool in influencing government decision making. In the case of military regime ruling Burma (Myanmar), however, activists hold no hope of directly influencing government policy so they have focused almost entirely on alternative transnational modes of governance. This is particularly relevant for exiled activists who have removed themselves from the military’s sphere of influence into Burma’s borderlands, particularly the Thai-Burmese border region.

The environmental governance of transnational energy projects by governments and their agencies in the South is poorly executed in general with projects involving Burma being particularly notable for environmental destruction and human rights abuses (Simpson 2007). With civil conflict in parts of the country between ethnic minorities and the central government since independence in 1948 energy projects are particularly problematic as ‘tensions triggered by environmental problems or contested access to natural resources [can] lead to renewed conflict’ (Conca and Wallace 2009, 486). The possibilities for Burma’s neighbours contributing to the rigorous environmental and social governance of Burma’s energy projects are restricted by the limited self-interested perspectives on energy security and national interest adopted by many of the region’s countries (Sovacool 2009, 2365). Energy governance at a global level is still limited despite recent attempts at greater coherence but in the case of Burma considerations of energy policy are intimately intertwined with the broader political relationships that exist between the Burmese military regime and other states. While the US and EU maintain a regime of sanctions against Burma that precludes their TNCs from engaging in new investments several oil and gas companies, including Chevron and Total, are still involved with pre-existing projects such as the Yadana Gas Pipeline (Simpson 2008). In the absence of US and European TNCs, however, the new Shwe Gas Pipeline project which is to carry natural gas across Burma into China’s Yunnan Province is being driven by Asian TNCs from China, South Korea and India, particularly the state owned China National Petroleum Corp (CNPC).

This paper begins with a general overview of perspectives on environmental governance and argues that environmental activists can play an essential and productive role in environmental governance, particularly in the absence of more rigorous formalised processes, provided they adhere to emancipatory principles in their organization and activities. The paper then delves into the case study material which examines the strategies and tactics that social and environmental activists have used in their campaign for greater environmental and human rights protections in relation to both the Shwe Gas Pipeline project and Burma more generally. With limited transparency and environmental oversight of the project by the domestic and neighbouring governments the paper argues that while the option of
local activism is largely closed within Burma itself, its exiled activist community or ‘activist diaspora’ has developed expertise and skills in this campaign that may assist not only in the environmental governance of this project but make a substantial contribution to broader democratic governance of the country in future.

Environmental Governance

Although historically there have been examples of environmental movements or NGOs being engaged in effective forms of environmental governance (Elliott 2004; Lipschutz and Mayer 1996) there has also emerged a view that environmental governance is now largely dominated by environmental groups and NGOs that engage in a less productive, neoliberal form of governance. This tendency is evident in the concluding article of a special issue of Environmental Politics edited by Brian Doherty and Tim Doyle which divided environmental organisations – informal groups and NGOs – into either emancipatory groups (EGs) or part of an environmental governance state (EGS) (Doyle and Doherty 2006); the implication being that environmental governance is now largely limited to within a neoliberal institutionalist framework.

This approach to EGS drew heavily on Duffy’s contribution to the same issue examining Madagascar (Duffy 2006), which itself drew on Harrison’s concept of the governance state (Harrison 2004). Although Duffy argued in her Madagascar case study that the power of the Donor Consortium compromised Madagascar’s sovereignty, providing a ‘conditioned form of autonomy [which indicates it] is a good example of a governance state’ (Duffy 2006, 746), she also made the point that it was important not to overstate the Consortium’s power as it did not have a unified view on environmental management; local organisations adopted donor language to attract external funds, then pursued local agendas. Similarly I argue here that environmental governance is not solely a neoliberal pursuit and that EGs can play a positive and emancipatory role by engaging in environmental governance.

Analysing this special issue is particularly important because of the prominence of Doherty and Doyle within the literature on environmental politics, and environmental movements in particular. Their individual or co-authored writings on transnational environmentalism (Doherty and Doyle 2008), environmental activism in the global South (Doherty 2006; Doyle 2005; Doyle and Risely 2008), and environmental activism in general (Doherty 1999; 2002; Doyle 2000; Doyle and McEachern 2008) provide important and essential analysis of the nature of modern environmental activism. Despite their considerable contributions to the field, however, their model of environmental governance severely limits the constructive role that emancipatory environment groups and movements can play. Their division of environmental organisations into either emancipatory groups (EGs) or part of the environmental governance state (EGS) ignores the important role played by emancipatory environmental actors in the environmental governance of, for example, transnational energy projects.

Emancipatory environmental actors examined in this paper include Arakan Oil Watch (AOW), a small organization with only three staff that produces the detailed Shwe Gas Bulletins, and EarthRights International (ERI), a transnational North-South NGO with Special Consultative Status to the UN Human
Rights Council engaged in both local and global activities, including fieldwork in the forested conflict zones of Burma and the representation of Burmese villagers in US courtrooms. Both these organizations are core members of the Shwe Gas Movement, a coalition which gathers and disseminates information in Burma at the local village level while petitioning governments and transnational corporations in international fora. Despite the diversity of these actors and the multiplicity of their activities their campaigns all contribute to enhanced environmental governance, informed by emancipatory ideals, of the Shwe Gas Pipeline project.

Rather than recognizing the role of emancipatory groups who engage in environmental governance, Doyle and Doherty’s model implies environmental governance is limited to within a neoliberal institutionalist framework (Doyle and Doherty 2006, 883). This compartmentalisation underplays the transformative potential of emancipatory actors who can engage in a politics of resistance under an expanded definition of environmental governance (Elliott 2004, 124). Although there are formal institutionalised processes of environmental governance, such as the World Commission of Dams (Khagram and Ali 2008), the broad possibilities emerging for more informal manifestations of environmental governance are illustrated by a recent edited collection by Kutting and Lipschutz (2009). Although the editors acknowledge that ‘environmental governance in its current discourse is about environmental management and not about attaining local ecological democracy globally’ (Kutting and Lipschutz 2009, 6), the volume also provides innovative and alternative conceptions of environmental governance. An example is a chapter on the global ecovillage movement (Litfin 2009), which shifts environmental governance away from state-based and neoliberal forms towards interactive and localised, but simultaneously globalised, interpretations. As the editors acknowledge their goal is ‘not to offer definitive “solutions” … but, rather, to suggest “processes” that might point agents toward knowledge-base strategies that foster effective forms of social power’ (Kutting and Lipschutz 2009, 9).

Environmental governance in a globalised world is clearly, therefore, not simply involvement in transnational funding bodies, or even transnational institutions, it is also engaging in local and transnational processes of societal transformation through an acknowledgement of the intimate connection between ecological and social concerns. All EGs, including those within this paper, have a significant role to play in this process – whether informal local groups or transnational NGOs – but by effectively labelling systems of governance as neoliberal the Doyle and Doherty model precludes this possibility. In this paper I therefore argue that the model needs revision with the dualism modified to comprise ‘emancipatory governance groups’ (EGGs) and the EGS to better reflect the diverse possibilities available within formal and informal contributions to environmental governance.

I argue that the conceptual foundations of EGGs are rooted in the four core concepts, values or pillars of green politics; namely democracy, sustainability, justice and nonviolence (Carter 2007, 47-48). It is important to note that these core ideals are primarily adopted by EGGs, as organisations within the EGS often focus on wilderness, or post-materialist, concerns that exclude humans, often at the expense of justice or democracy (Doyle and Doherty 2006, 888). These core concepts of green politics can therefore be considered defining features of EGGs. Despite adoption of these, or similar, values by EGGs in both the North and the South there are potential differences in approach or emphasis relating to these values due to differing political, cultural and environmental settings. In addition the potential for EGGs in the
South, the focus of this paper, to undertake a two-track strategy, similar to that outlined by Duffy above, suggests that EGGs in the South may adopt different approaches to their campaigns at local and transnational levels, depending on the context they are in and the role they are playing.

The environmental activists and movements in this paper that oppose the Shwe Gas Pipeline do so over concerns relating to environmental security and human rights in Burma. Both this project and similar projects across the South generally favour large business and entrenched political interests over those of the general population and particularly those of local marginalised communities, of which there are many in Burma. Far from providing environmental security to these communities, these projects often heighten insecurity while delivering wealth to business and political elites in both North and South. This environmental insecurity, which is more prevalent in the South, leads environment movements to focus on social justice and human rights. These activists are therefore social movement actors who challenge existing social structures and are, therefore, often part of emancipatory governance groups (EGGs), which play a constructive role in promoting a localised and emancipatory approach to environmental governance.

Environment groups and movements in the South can be introspective and radical within the particular political and cultural milieu in which they operate regardless of their formalisation. These EGGs are likely to self-consciously consider their organisational structure and their place within the global governance system to provide a more sensitive and interactive contribution to environmental governance. In addition, transnational networks and coalitions are likely to be formed to enhance campaigns and overcome limited resources. The following analysis of activism against the Shwe Gas Pipeline provides the case study material for the development of these findings.

The Shwe Gas Pipeline

The Shwe (‘Gold’) Gas Pipeline Project emerged in 2004 as a tri-nation project to pipe gas from the Bay of Bengal off Burma’s Arakan State to India via Bangladesh.\(^2\) The main partner corporations in the venture were South Korea’s Daewoo International with a majority interest, Korean Gas Corporation (Kogas) and the Indian corporations Oil and Natural Gas Corporation (ONGC) Videsh Ltd and Gas Authority of India Ltd (GAIL). Beginning in January 2006, however, media reports emerged that the vice chairman of PetroChina and the Burmese Ministry of Energy had signed a MoU in December 2005 in which the Ministry agreed to sell gas from the offshore A1 Block through an overland pipeline to Kunming in Yunnan Province in China for 30 years (Financial Express 2006; India Daily 2006; Islam 2006; PTI 2006; Tin Maung Maung Than 2005, 265; Turnell 2007, 123; 2008, 962). A year later China National Petroleum Corp (CNPC), the state-owned parent company of the listed PetroChina (Newmyer 2008, 191), announced it was launching a feasibility study on the Yunnan gas pipeline which would follow a

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2 In a book on energy security published in 2007 Misra suggested that the most viable option for the Shwe pipeline to India would have been through Bangladesh but this was written prior to the gas being allocated to China (Misra 2007, 76).
proposed 1,250 km oil pipeline between Sittwe and Kunming. The gas pipeline would travel across the Arakan Roma Range, Burma proper and northern Shan State (AFP 2007; Pipeline and Gas Journal 2007; Xinhua 2007). In August 2007 the Indian government and a senior energy ministry official from Burma finally announced that the gas from Burma’s A1 and A3 Blocks would be sold to China through PetroChina and later that year Daewoo International, as the majority operator of the gas fields, confirmed the announcement (Mukul 2007; Reuters 2007a; 2007b; Simpson 2008, 221; Verma 2007).

The contribution to the environmental governance of energy projects within Burma by primarily transnational activists was based on concerns that the same environmental destruction and contempt for human rights that occurred in the Thai-Burmese border region during construction of the Yadana Gas Pipeline would be meted out to local peoples and ethnic minorities during this project (Simpson 2007). Arakan State is one of Burma’s poorest, with the lowest per capita electricity usage in the country, even according to the Burmese regime, but there are no serious plans to provide local electricity (Modins.net 2004; Thiha Aung 2005a; 2005b; 2005c). Rather, as with the Yadana Pipeline, the gas is to be exported for foreign exchange to entrench military rule further.

**Local Activism**

There have been very few local protests over the Shwe Gas Pipeline project in Arakan State in the west of Burma due to the severe restrictions on public dissent faced by activists across the country. Despite activists undertaking research within the state, organising public activities is extremely difficult. Its proximity to India and Bangladesh allows transnational linkages with activists across the border, but its distance from the activist locus of Thailand leaves local activists particularly isolated. Nevertheless in April 2007 there was a protest near Kyauk Phyu (Kyaukphu or Kyauk Pru), the second largest town in Arakan State near the offshore Shwe gas deposit (A1 Block).

The protest was primarily related to the oil pipeline to be built parallel to the Shwe Gas Pipeline from Kyauk Phyu to Kunming in China, but it also reflected broader concerns over the impact of large scale fossil fuel development on local livelihoods (Al Jazeera 2008). The protest was a largely spontaneous reaction by local villagers rather than part of a coordinated campaign by activists and it descended into violence (Arakan Oil Watch 2008a). It indicated, however, deep local opposition to both the fossil fuel projects and China’s involvement.

Approximately 40 Arakanese villagers attacked an oil-drilling site run by the Chinese company CNOOC between Kyauk Phyu and Rambree township: ‘the villagers destroyed the Ranan Daung (Oil Mountain) oil-drilling site with sticks and swords after intruding on the compound during the night when guards of the site were absent’ (Arakan Oil Watch 2007). A Northern activist from a Burma NGO in Thailand, who

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3 In December 2009 the operating concession of the oil pipeline was granted to the CNPC-controlled South-East Asia Crude Oil Pipeline Ltd.
Map 4-1 – The Shwe Gas Pipeline from Kyauk Phyu to Kunming

Source: Adapted from map from Jockai Khaing, Arakan Oil Watch (via email 9 February 2009)
has travelled widely in the region, explained that the local village had over 600 small wells dug by hand:

[It] takes them a week to dig a 100 ft and some wells are up to 600 ft deep ... After seismic surveys ... the CNOOC last year built a huge metal structure just next to the traditional oil fields for further exploratory drilling. Villagers know that their local business would be out of business if production starts, so the attack does not come as a surprise.6

Eighteen months earlier he had argued that this region was facing a variety of new pressures relating to both increased militarisation of the area and the energy project developments with increased land confiscation and forced labour linked to infrastructure projects and military shrimp farms.7 Likewise an Arakanese activist from the region noted that in June of 2005 two people from each house in his home town had been taken as forced labour to build three helicopter pads for the military.8 All these developments compounded the effects of the rapid expansion of the Burmese military that had been undertaken since 1988 in its attempts to spread its influence to the more remote border regions of the country (Selth 1996, 132).

In December 2004 the then president of the All Arakan Students and Youth Congress (AASYC), exiled in Bangladesh, indicated that the organisation had learned from the Yadana project where the promised benefits for locals failed to materialise, but he suggested that knowledge regarding the project in Arakan State was even lower than it was at a comparable stage in the areas surrounding the Yadana Pipeline due to restrictions on their activity.9 Those that had been affected by the project already, such as those engaged in the protest, were, however, mindful of their tactics. During the action at the oil-drilling site there was destruction of property but no violence against humans. This action could well be considered nonviolent because it was aimed only at inanimate objects (Doherty 2002, 156; Doyle 2000, 48), with an Arakanese activist from Arakan Oil Watch (AOW) suggesting that:

I think that it will be difficult for me to do something against ... Buddhism. I like the philosophy of nonviolent. I think that nonviolent action is the best way to resist against anything. Every human being ... poor or rich/educated or non-educated is valuable and respectable [sic].10

Certainly individual activists saw the actions of villagers as understandable, given the situation facing these communities. The local engagement with the issue was also seen as a potential rallying point:

We have had some depressing discussions on how to approach and influence China policy on their extractive projects in Burma [but maybe] locally, the villagers ... will show the way.11

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9 Kyaw Han (2004, 24 December). Phone interview with author. Former President, All Arakan Students and Youth Congress (AASYC), based in Dhaka, Bangladesh. Undertaken from Mizzima Office, New Delhi, India.
As with the Yadana project in the east of the country there was no attempt by the authoritarian Burmese regime to undertake an environmental impact assessment (EIA) for the Shwe project and no attempt to introduce public participation into the development process. In this case, however, the foreign TNCs were mostly from China, a country under a traditional authoritarian regime that was not subject to the same public pressures as the Thai state. Despite the Chinese state demonstrating an increasing recognition of the need for sustainability in projects within its own borders (Macartney 2009), it has not given any indication of similar concerns for projects in Burma. As a result, with two authoritarian regimes playing central roles in the project, there was little likelihood of either a thorough EIA being pursued or the opening of any channels for public participation.

**Transnational Activism**

The transnational contribution to environmental governance of the Shwe Gas Pipeline project was far more visible than any domestic activities and drew particularly on the experience of activists and groups involved in the Yadana campaign with the formation early on in the campaign of a transnational coordinating organisation that identified itself as the Shwe Gas Movement (SGM). According to the organisation’s website, it comprises individuals and groups of people from western Burma who are affected by the plans to extract natural gas from Arakan State as well as regional and international friends who share our concerns (Shwe Gas Movement 2007b).

In essence the SGM is more of a coalition than an entire movement, albeit one that includes networks of individuals and one that, unlike the definition of coalition by Yanacopulos, is focused on a single issue (Yanacopulos 2005b, 95). The SGM qualifies as more of a coalition because at its core it has a relatively formal membership with its core in Thailand comprising Arakan Oil Watch (AOW), the All Arakan Students and Youth Congress (AASYC) and the US/Burma NGO EarthRights International (ERI), although ERI has diluted its visibility in the campaign in favour of ethnic groups.12 Bringing these organisations together has provided the economies of scale that coalitions can afford (Yanacopulos 2005a, 259), and has allowed the publication of regular reports by drawing upon diverse resources. There are also two Arakanese coordinators based in Chiang Mai who focus on international advocacy including Wong Aung, the SGM Global Coordinator.13 The other core members are the SGM-Bangladesh and SGM-India, comprised of interested individuals from various exiled Arakanese and Burmese groups. These movements are similar to others based in the South in that they facilitate a local-global connection and link into broader justice and human rights campaigns (Chatterjee and Finger 1994, 76), in this case relating to Burma. The linking and networking with other campaigns such as those against the Yadana and Salween Dam projects (Simpson 2007), both in eastern Burma, has resulted in a cross-fertilisation of

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ideas resulting in more effective activities, a process that della Porta and Mosca demonstrate has also occurred elsewhere (della Porta and Mosca 2007).

The Shwe campaign illustrated the extensive cross-border linkages that characterise this sort of campaign. Both Northern and Southern activists cooperated across the region, even if they requested anonymity over their involvement. 14 One Northern activist based in Thailand noted that for the SGM there are a number of very close support groups, including myself and my organisation that participate in most activities but [we] stay away from formal membership as we also facilitate financial support. 15

Other formal members of the SGM who communicated regularly across the region included the Korean House for International Solidarity (KHIS), the Korean Federation of Environmental Movements (KFEM) and other NGOs in India and Bangladesh (ERI 2007; Shwe Gas Movement 2007b). 16

While these network members highlight their concerns over ecological damage associated with the Shwe project, the overriding concerns of the network relate far more closely to the inability of the Burmese people, and particularly ethnic minorities in Arakan and Chin States, to participate in any decision making processes regarding the project, with their involvement likely to be ‘limited to forced labour and land confiscation’. 17 With Arakanese exiles having personally experienced forced labour and torture under the military regime, 18 the gas project is considered to be primarily an ‘Arakan national issue’, inseparable from broader justice concerns. 19 Groups like the Burma Lawyers’ Council (BLC) therefore provide human rights training for Shwe activists in Chin state to enable more effective reporting of human rights abuses. 20 As with the Yadana campaign, concerns over human rights are manifest in any ecological concerns in the Shwe campaign with the founder and editor-in-chief of Mizzima News, Soe Myint, arguing that ‘the right to self determination is critical; the right [for local ethnic minorities] to exploit, protect [or] use the environment as they wish’. 21

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15 This anonymous organization also received funding from Oxfam America through their activist in Cambodia. Lazarus, K. (2005, 30 January). *Interview with author.* Oxfam America [now of IUCN Laos]. Phnom Penh, Cambodia.


21 Soe Myint was a student journalist in the mass protests in Burma in 1988 and later hijacked a plane from Thailand to Calcutta with a soap container to conduct a press conference on the situation in Burma. He is now
As a result the two campaign goals of the SGM were to:

postpone the extraction of the Shwe natural gas deposit until a time when the affected people in Western Burma can participate in decisions about the use of their local resources and related infrastructure development without fearing persecution and [for TNCs and governments to] refrain from further investment until dialogue can be held with a democratically elected government (Shwe Gas Movement 2007b).

The SGM was initiated in 2002 by the All Arakan Student and Youth Congress (AASYC), an exiled Arakanese group with offices in Bangladesh and Chiang Mai and Mae Sot in Thailand. It is largely the Buddhist Arakanese from Arakan State who have been at the forefront of the Shwe campaign. As Amnesty International points out, however, the Muslim Rohingya people of northern Arakan State face perhaps the severest discrimination in Burma (Amnesty International 2004). Being marginalised even more than most minorities in largely Buddhist Burma, the Rohingyas are effectively denied Burmese citizenship. Asia Watch has documented the systematic targeting of Rohingyas for forced labour and rape (Asia Watch 1992), while ALTSEAN-Burma has described the situation as ‘slow-burning genocide’ (ALTSEAN-Burma 2006). The detrimental effects of increased militarisation due to the Shwe Pipeline would therefore fall disproportionately on this community. The Arakan Rohingya National Organisation (ARNO) has lent its voice to the campaign (ARNO 2004) but, according to another activist, there is ‘friction between Muslim Rohingyas and Buddhist Arakanese causing difficulties’. Despite common opposition to the project and many other examples of multi-ethnic cooperation there remain residual ethnic cleavages that the Burmese military have traditionally exploited, following in the footsteps of the English colonial administrations (Fink 2001, 20, 54; Lintner 1999; Schober 2007, 58-60; Smith 1999). Nevertheless with the pipeline crossing the whole of Burma into China, activists saw it as a potential unifier, at least within the activist community: ‘the Shwe Pipeline is now an opportunity to bring together Arakanese, Burman Burmeses and Shan activists’. As an indicator of this emerging multi-ethnic cooperation the Shan coordinator of Salween Watch, which opposes large dams on Burma’s Salween River, attended meetings with the SGM in Chiang Mai in 2008 and 2009, indicating increased cross-campaign cooperation as well.


With the AASYC at the vanguard of the campaign from the beginning San Ray Kyaw, an AASYC Central Executive Committee member, contrasted the development of the Shwe campaign with the Yadana campaign, which was slow to initiate transnational links:

We learnt from the Yadana campaign. There is [now] cooperation between activists in Bangladesh, India, Burma, Thailand and Korea before [the Shwe project even] gets underway.26

Campaign committees were set up in all these countries and also the US with ERI participating but allowing the ethnic groups to drive the process.27 Nevertheless, some ERI activists were regularly involved in SGM meetings in Thailand while others helped set up the committee in South Korea with ERI founder Ka Hsaw Wa himself travelling to Yunnan to help establish the campaign there with alumni of the EarthRights Mekong School.28 In mid-2005 roundtable talks were held in Thailand with representatives from groups in all participating countries, including a Harvard Law School chapter of ERI (Arakan Oil Watch 2008b). Due to the travel involved, it was not until 2008 that representatives of all the core SGM members were in the same room again, with a strategy planning workshop bringing together members from India, Bangladesh, Thailand and South Korea.29 Despite the increased use of globalising communication technologies, activists felt that face-to-face meetings were essential for maintaining coherence and enthusiasm in the campaigns.

Soe Myint of Mizzima News argued there was no shortage of volunteers for the campaign committee in India as many NGOs in India’s northeast opposed the pipeline, seeing little benefit for local communities in both Burma and India.30 Kyaw Han, president of AASYC, also emphasised the lessons learnt from the Yadana campaign, specifically that promises to the communities around the Yadana Pipeline had been broken with the communities reaping few benefits and promises of electricity to local communities remaining unfulfilled.31 With Arakan State’s per capita electricity consumption the lowest in Burma there is a desperate need for greater electricity provision but the military has no serious plans for domestic consumption with most of the energy to be exported. Kyaw Han further argued that ‘Arakan

26 San Ray Kyaw (2005, 11 January). Interview with author. Central Executive Committee Member, All Arakan Students and Youth Congress (AASYC). AASYC Offices, Chiang Mai, Thailand.
30 The campaign committee for India was set up the day before the author interviewed Soe Myint at the Mizzima offices in New Delhi. Soe Myint (2004, 24 December). Interview with author. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.
31 During the visit to the Mizzima offices The author also conducted a phone interview from the Mizzima offices with Kyaw Han, an Arakanese leader normally based in Bangladesh who spoke from his mobile on his way to the New Delhi airport. Kyaw Han (2004, 24 December). Phone interview with author. President, All Arakan Students and Youth Congress (AASYC), based in Dhaka, Bangladesh. Undertaken from Mizzima Office, New Delhi, India.
State has no public knowledge of the pipeline, even compared with [Tenasserim Division prior to] the Yadana project’.  

This result corresponds to the view expressed in an interview with a local activist conducted undercover by an Al Jazeera correspondent:

> Some educated people are interested but most of the people in our state are not educated, so they don’t discuss it. Even when the people do discuss it, they are scared (Al Jazeera 2008).

As a result of the lessons learnt and shared by activists in the Yadana, Salween and Shwe campaigns – some of whom had been involved in all three – the strategy in the Shwe campaign focused on approaching companies and governments asking [them] not to do business in Burma [but the activists] don’t approach [the] Burmese regime as they have made it clear they will proceed whatever the concerns.

San Ray Kyaw likewise emphasised that they attempt to ‘stop [the project] through other means than contact with the SPDC’. The campaign therefore originally targeted the TNCs GAIL and ONGC in India and Daewoo in Korea. When it became clear throughout 2006-7 that the gas would be sold to China rather than India and that a pipeline would be built to Kunming, the focus of activists shifted eastwards and the Chinese TNCs, CNOOC and PetroChina were also targeted. As discussed above, local residents near Kyauk Phyu in Arakan State had demonstrated their opposition to the Chinese TNCs and an ERI activist later argued that the crackdown on Tibetan protesters by China in the lead-up to the 2008 Beijing Olympics was also used by the SGM to apply further leverage.

The other Arakanese organisation that was a core member of the SGM was Arakan Oil Watch (AOW), a small group with only three staff which, since the early stages of the Shwe campaign in March 2005, produced the Shwe Gas Bulletin on a bimonthly basis (Arakan Oil Watch 2008b). These publications were an essential conduit for disseminating information throughout the region via email and hard copy. The main author of the report was Jockai Khaing, an Arakanese Buddhist refugee who arrived in Chiang Mai in 2000. Initially a democracy activist, he became involved with the SGM as the project

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32 Ibid.  
gained publicity in the mid 2000s. Like most activists in the Burma campaigns, he was committed to nonviolence:

I think that it will be difficult for me to do something against ... Buddhism. I like the philosophy of nonviolence. I think that nonviolent action is the best way to resist against anything.

In early 2008 Jockai travelled to China and met with Chinese NGOs for discussions on the way forward on the China strategy. AOW later published a report that documented the protests in Arakan and argued that

without the rule of law, accountability and transparency mechanisms in Burma, Chinese and other companies operating in the country will be complicit in military abuses and conflict (Arakan Oil Watch 2008a, 3).

As well as working with AOW, Jockai had worked closely for many years with ALTSEAN-Burma, which used the Shwe project as well as the Salween and Yadana case studies in its security literacy training. This linkage provides further evidence of the networks created between organisations and activists from different campaigns that are linked into broader justice and human rights movements (Chatterjee and Finger 1994, 76; della Porta and Mosca 2007).

Apart from the regular Shwe Gas Bulletins, the main publication of AOW was *Blocking Freedom* (Arakan Oil Watch 2008a). The development and enhancement of communication skills, such as desktop publishing, by activists over the duration of the campaigns was a key driver in the increasing sophistication of the information dissemination. As an activist noted: ‘doing the Shwe Gas Bulletins really helped with our ability to put together Blocking Freedom’.

The other main report published by the wider SGM entitled *Supply and Command* (Shwe Gas Movement 2006) once again demonstrated the benefits to environmental movements of inexpensive desktop publishing and was driven primarily by AASYC with support from other groups. While the report lists ecological concerns such as the destruction of mangroves and rainforests (Shwe Gas Movement 2006, 38-39), much of the report focuses on the ongoing human rights abuses in the region such as forced labour and land seizure that have resulted from increased militarisation and the entrenching of the military regime through gas revenues. These issues are also connected by activists, with one arguing that mangrove swamps have been disappearing at an accelerating rate in the region since the mid-1990s when the military started

confiscating coastal land to create shrimp farms to enrich the local battalions. An article in the *Bangladesh Independent* in the same year, which was co-authored by Mizzima News, also highlighted this destruction to the ecosystem.

Invaded by steadily encroaching fisheries and illegal logging of species, mangrove areas in the country’s coastal region, especially in the ... Irrawaddy [delta], have received the most awesome blow to be depleted 80 percent over the past seven decades (*Independent Bangladesh* 2005).

The damage to these areas has some gradual impacts on local communities, but it can also be devastating with the ASEAN secretary-general blaming this mangrove destruction for the enormous death toll in Burma from Cyclone Nargis in 2008 (Kinver 2008).

Central components of the original transnational campaign, and ones that grew in importance over time in conjunction with the role of China, were several International Days of Action against the Shwe project. While the *Shwe Gas Bulletins, Supply and Command and Blocking Freedom* were available and distributed around the region in hard copy, the main online medium of information dissemination that greatly facilitated these events was the SGM website (Shwe Gas Movement 2005b). The internet has revolutionised communications and the dissemination of information for activists both from within and outside Burma as it has for other social movements (Eschle 2005, 21; Klein 2001). Although Northern activists assisted with the setting up of the site, it was predominantly local groups such as the AASYC that provided much of the information and research. As with most projects in Burma, the issues of human rights and environmental protection are closely related and the website cited threats to endangered species and Burmese rainforests juxtaposed with threats to the Arakanese way of life, land confiscation and forced labour.

The first International Day of Action was held a few months after the launch of the site in October 2005. Through email and internet promotion Burmese exiles and activists coordinated simultaneous protests outside Daewoo’s head office in South Korea and South Korean embassies across the world to protest Daewoo’s involvement with the Burmese regime (ERI 2005). Despite the project being in its infancy at this time, the campaign had spread more widely than at the same stage of the Yadana project with significant international involvement (RakhAroMa 2005; Shwe Gas Movement 2005a). Further International Days of Action were held in April and November 2006 and March 2007 (ALD 2006; Shwe Gas Movement 2007b). Prior to the March 2007 protests the campaign received a welcome boost from Human Rights Watch which supported the event and urged companies with interests in Burma’s oil and gas deposits to suspend activity until they can credibly demonstrate that their projects can be carried on without abusing human rights (Human Rights Watch 2007).

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The transnational campaign also gathered favourable international media attention around this time with reports in *The New York Times* (Perlez 2006) and *Al Jazeera*:

> While the gas goes abroad and profit goes to the military, locals live without electricity for all but two hours a day .... In this oil and gas-rich area, once the sun goes down and the region’s resources are piped across the border to China, the locals will once again be left in the dark (*Al Jazeera* 2008).

This attention from global organisations provided publicity for the protests throughout the North and South, far beyond the existing Shwe network.

The international days of protest were effective in raising consciousness in many countries but South Korean activists became central players due to the large involvement of Daewoo International in the Shwe project. Protest movements have steadily grown within South Korean society over the last few decades with various social movements challenging authoritarian governments from the 1960s until the transition to civilian government and ‘tentative democracy’ in the 1980s (Ranald 2002, 188). After the end of the conservative Kim Young Sam government in December 1997 there was a rapid expansion of civil society which joined the already active union sector and Buddhist community. Environment groups existed in South Korea in the 1970s, but their activity increased in the 1980s with the formation of Korean Federation for Environmental Movement (KFEM), the largest and most active environmental organisation in Korea (Lee 1999, 92-93). This group and the Korean House for International Solidarity (KHIS) became partner organisations of the Shwe Gas Movement (SGM) and participated in several International Days of Action. While having environmental concerns a central focus of these groups was human rights with Mikyung Choe, the executive director of KHIS, joining the Shwe campaign because ‘human rights violations by companies, especially TNCs, are increasing more and more [so] one of KHIS’s main [activities] is monitoring Korean companies abroad’.

Despite a history of authoritarianism Choe argued that South Korea had been transformed, largely as a result of the civil society sector, into a more open democratic society for activists to operate in. She and other activists felt little need to self-censor although she acknowledged that plainclothes police detectives turned out for every KHIS demonstration. Furthermore there is a diversity of media, although Choe argued that the ‘progressive media reports [KHIS activities] fairly and the conservative media don’t’. Although democratic institutions and organisations have expanded rapidly in South Korea in the last decade (Ranald 2002, 18), activists argue greater transparency is required over the activities of TNCs.

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48 Ibid.
A key argument against the involvement of TNCs in Burma is their complicity in the Burmese military’s oppression of its own people. In addition to its involvement with the Shwe project, NGOs suspected that Daewoo International was sending military hardware to Burma in violation of South Korean law. In an open letter to the government and media outlets questioning Daewoo’s military links with the Burmese regime, KHIS and twenty five other NGOs argued that the government of South Korea kept silent about the Burmese junta’s human rights violations and actions against democracy, and [lent] support to the regime under the slogan of energy security (Korean House for International Solidarity 2006, 2).

The connection between Daewoo’s interests in the Shwe gas deposits and its arms trade with Burma emerged throughout 2006-07 when fourteen high-ranking officials from Daewoo and associated companies, including Daewoo International President Lee Tae-Yong, were convicted on charges relating to illegally exporting production facilities and weapons technology to Burma while fabricating export documents (DVB 2007; Shin-who 2006; Yeni 2006). Lee Tae-Yong was fined over $50,000 while Lee Dukgyu, Daewoo’s executive director, was given a suspended one year jail sentence. While activists supported the conviction, the leniency was contrasted with the impacts of the offences: ‘These sentences should more closely reflect the seriousness of the crime. Burmese civilians struggling for democracy are being killed by weapons sold to the Burmese army’ (Shwe Gas Movement 2007a). The SGM also argued that ‘such lenient sentencing will only invite similar corporate crimes in the future’ (AP 2007). Mikyung Choe argued that this was a longstanding problem in South Korea: ‘We Korean NGOs always condemn the Korea judicature [for being] very lenient to business and [companies]’.

The court case did demonstrate, despite the relatively lenient sentencing, that the rule of law is ascendant in democratic South Korea. Despite recent analysis suggesting voluntary norms for TNCs can be effective (Mantilla 2009), however, this case also demonstrated the limited value of voluntary CSR commitments. In Daewoo International’s 2005 Annual Report the corporation’s rhetoric was one of ethics, social justice and transparency:

With the four principles of profit-oriented management, transparency management, ethical leadership, and social commitment as the core foundations of Daewoo International, we strive to establish customer satisfaction and complete trust as the core values associated with our company [emphasis added] (Daewoo International 2006, 7).

In 2006 Lee Tae-Yong announced that the Daewoo company slogan was ‘Clean and Good Company’, assuring shareholders that a ‘transparent and ethical management system will be addressed and implemented’ (Tae-Yong 2006, 5). Against the background of the subsequent convictions the argument from business leaders, noted by Zarsky, that global ethical standards are not needed because TNCs ‘drive up local standards’ in a ‘race to the top’ appears somewhat hollow (Zarsky 2002, 50).

Nevertheless, activists do see some benefit in TNCs adopting CSR terminology as they can be employed in the public sphere:

I think the closest to any solution for international advocacy has been to hold a fairly soft approach, but focus on the environmental and social responsibility jargon by some of the involved corporations and use it against them.  

Despite small gains this approach is not necessarily successful, however, as the fundamental logic of corporations is to maximise shareholder returns. In an attempt to reassure shareholders of the ethical leadership of Daewoo, Lee Tae-Yong resigned as head of the company when he was indicted and his deputy, Kang Young-Won, took over. Less than three weeks later, however, shareholder profits once more took precedence when Kang Young-Won travelled to Naypyidaw ‘to discuss matters of mutual cooperation’ with Burmese government officials including the Minister of Energy, Brigadier General Lun Thi (DVB 2007).

**Conclusion**

To be truly effective, environmental governance requires genuine participation from all stakeholder groups in decision making processes, including civil society actors. This is particularly crucial in the development and implementation of energy policies, given energy’s central importance to society and its intimate connection to environmental concerns. Political participation by social and environmental activists in energy development decisions contributes to environmental governance but the legitimate domestic political space available for participation under authoritarian regimes such as Burma’s is largely non-existent. As a result activists from Burma have shifted their attention to transnational arenas, particularly the Thai-Burmese border region, where the influence of domestic hierarchical structures is diminished. While these areas provide opportunities not found in the domestic sphere they may also be less responsive due to the diffusion of political power and authority.

In the analysis of social and environmental activism over the Shwe Gas Pipeline in Burma I have argued that the model employed by Doyle and Doherty which encompasses environmental activism and environmental governance is too limited (Doyle and Doherty 2006). In particular the definition of environmental governance is too focused on neoliberal wilderness-oriented approaches by NGOs of the environmental governance state (EGS) and omits the valuable role played by what can be considered emancipatory governance groups (EGGs) which organize and operate under emancipatory principles. Although they are opposed by powerful business and political forces these EGGs have raised considerable international awareness of the environmental and human rights concerns faced by ethnic minority and marginalized communities in Burma. While making significant changes to projects such as the Shwe Gas Pipeline is closely related to more general political reform in Burma the activists and groups engaged in this campaign are accumulating skills and knowledge which may prove significant in the stimulating a broader transformation. Regardless of their short term success this case study has demonstrated that greater inclusivity and diversity in decision making processes is necessary to address the central issues of justice and equity in the governance of energy-related development projects.

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