

## 4<sup>th</sup> Multi Stakeholder Advisory Group (MSAG)

### Thilawa SEZ

Park Royal Hotel, Yangon, 17<sup>th</sup> Mar 2016, 2pm

#### Participants:

##### Members

- ✓ Ms. Vicky Bowman, Myanmar Centre for Responsible Business (MCRB) (Chair of MSAG)
- ✓ U Kyaw Than, TSEZMC (representing Dr Than Aung)
- ✓ Mr Takashi Yanai, CEO of Myanmar Japan Thilawa Development Ltd.( MJTD)
- ✓ U Thurane Aung, Vice President. MJTD
- ✓ Daw Ei Ei Khaing, Community Relations Officer, MJTD
- ✓ U Mya Hlaing, Thilawa Social Development Group (TSDG)
- ✓ U Aye Htay, Thilawa Social Development Group (TSDG)
- ✓ U Aye Khaing Win, Project Affected People at Thilawa SEZ Phase 1
- ✓ U Sandar Wara, Income Restoration Programme/Shwemawhwun
- ✓ Ms. Jessica Spanton, Earth Rights International (ERI)
- ✓ U Zaw Zaw, Program Associate, Earth Rights International (ERI)
- ✓ Ms. Rosie Lei Zhang, Deputy Director, Myanmar Centre for Responsible Business (MCRB)
- ✓ Daw Ngu Wah Hlaing, MJTD, Assistant Officer
- ✓ Ms.Junko Kikuchi, Ko Zaw La, Ma Htar Aye Zan, Ko Eh Doh, Ma Hnin Yi Aung, JICA Expert Team (JET) (Secretariat of MSGA)

##### Observers

- ✓ U Min Ta La Nyan, Ball Asia Pacific Co.
- ✓ U Lang Khan Kaung, Human Resource Manager, Ball Asia Pacific Co.
- ✓ Mr. Moe Kyaw, ILO, Field Assistant
- ✓ Mr. Tong Sun, Lu Thai (Myanmar) Co., Ltd
- ✓ Mr. Wei Wei, Personnel Supervisor, Lu Thai (Myanmar) Co., Ltd
- ✓ Ma Nang Khin Khin Tun, Project Coordinator (Paung Ku)
- ✓ Ms. Naoko Katashina, Income Restoration Specialist(JICA Study Team)
- ✓ Mr. Hayato Kobayashi, Income Restoration Specialist(JICA Study Team)

#### 1. Introduction/ minutes of last meeting

- Regrets were received from Dr Than Aung, Secretary TSEZMC,, whom the Group wished the best for a speedy recovery, and from Ms Piyamal (ILO).
- The minutes of the December 2015 3<sup>rd</sup> MSAG were approved, and would be put on the MCRB website. <http://www.myanmar-responsiblebusiness.org/dialogues/thilawa/>

#### 2. Current situation of Thilawa SEZ – Zone A and B

##### Update from Thilawa SEZ Management Committee

- TSEZMC explained that the resettlement work plan for industrial area of Zone B development was underway in a phased approach. Initial public consultation for area 2-1 (approximately 100 ha) took place on 14 Feb 2016. A second public consultation was planned for 27 Mar 2016. Initial public consultation for area 2-2 (approximately 162 ha) was planned on 3 Apr 2016. Approximately 60 households in area 2-1 would be affected; for 2-2 it was too early to say. The main issues raised in consultation meetings so far were continued access to the cemetery during and after construction (the boundary was not yet finalised) and grazing on pastureland.

- TSDG members raised concerns about squatters entering the project area, and the lack of action by the authorities to prevent this. MJTD asked if they would prefer a fence to be erected. TSDG said that it would be preferable for the authorities to take action against illegal squatters. It was noted that inaccurate media coverage of the issue made it difficult for the police and GAD (Township) to solve address the issue of illegal squatters and encroachers, and it was important that the local community should publicly made clear that they wanted the squatters removed.
- TDSG also mentioned that continued uncertainty about the relocation site made it difficult for the community to plan their future. He also noted that the land ownership problem should be solved first by Thilawa SEZ Management Committee before starting any other process.
- TSDG said that the longstanding members of the community who have more farmland did not want to move to Myaing Thar Yar, the proposed relocation site. They had requested a resettlement area near their original place, and this request had already been submitted to Yangon Regional Government. TDSG noted that successful development of Zone B could not be achieved if the original residents do not move out.
- U Sandar Wara noted that the new government was not yet formed, and that the issue of squatters needed addressing by them. It was agreed that the new regional government should be briefed on the work of the MSAG and might send a representative to attend future meetings of the MSAG, in addition to representatives from TSEZMC. **Action: Chair**
- The chair also suggested the community could prepare the letter about their ongoing concerns, including squatters, to submit to the new government, and that she would ensure that this was received by them. **Action: Community**

#### Update from MJTD and locator companies

- Mr Yanai updated on zone A. Thirty-four companies out of 64 had already started construction work, 7 companies were operational. MJTD continued to recommend to all companies to employ as many local people as possible. Other companies will start construction work in next dry season.
- Ball Asia Co.Ltd noted that they continued to employ 7 PAPs. Construction work was expected to be finished in late May 2016.
- Lu Thai Co.,Ltd noted that their operations had started on 7<sup>th</sup> September 2015 with 810 employees from mostly Thanlyin and Kyauk Tan region. Lu Thai intend to recruit 1,000 worker and the next recruitment will be after Thingyan.

#### Update on Income Restoration Program from JICA Expert Team and Shwe Hmaw Wun

- JET presentation on some of the income restoration projects such as garment manufacture training and mushroom growing. Ko Aye Khaing Win while welcoming the vocational training provided to PAPs, noted that after attending the training, PAPs who applied for jobs were not chosen because they lacked experience. He asked companies and other participants to prioritise jobs for PAPs. Daw Ei Ei Khaing noted that PAPs also needed to have realistic salary expectations. The Chair agreed with both points.
- Representative of PAPs at Zone A explained that several meetings have been conducted to help the PAPs understand the microfinance program. The microfinance committee had been formed 9 months ago, and now 62 members were saving with a total of 23 lakhs saved. As chair of the Committee he believed that they were now ready to take on the management of the community development fund. U Sandawara added that microfinance committee undertook their own accounting and management.
- All participants recognised the progress of microfinance program and agreed the microfinance funds should be mobilised. **Action: JET**

### 3. Complaint, Request and Enquiries Status

- JET made a presentation on the logging of complaints, requests and enquiries received from PAPs of Zone A between Mar 2015 and Mar 2016 (see annex). During the year 74 complaints/requests/ enquiries had been received. 87% of these were resolved / closed and 13% are on track or under consideration. Complaints and requests were declining. According to research conducted by Shwe Maw Wun (SMW) at the beginning of March 2016, PAPs' current concerns mainly related to jobs. Their main sources of advice were family (45%), SMW (45%) and community representative or CSOs (10%).
- Daw Ei Ei Khaing (MJTD) reiterated her willingness to receive complaints and enquiries, and the efforts she was making to help PAPs with jobsearch.
- TSDG stated that the situation at Zone A was more or less ok but as for Zone B he wanted to raise the problem of one farmer who hadn't received 200 lakhs compensation. He was awaiting an update from TSEZMC. U Kyaw Than said that the issue had been noted by TSEZMC but awaited Dr.Than Aung's return for a decision.
- Representative of Zone A PAPs asked about the delay in clarifying the water distribution issue. Daw Ei Ei Khaing noted that this was taking time because it needed submitting to higher levels. U Sandar Wara said that it had been discussed with community and would be resolved soon. He undertook to share further information on this. **Action: U Sandawara**

### 4. Interim grievance/problem-solving mechanism

- The Chair enquired whether the quadripartite arrangements (CROs of TSEZMC, MJTD and JET, together with community representatives) discussed at a previous MSAG and working level meetings (see annex for diagram) had needed to be used to address any complaints.
- Zaw La (JET) said that generally the three parties (MTD, TSMC, JET) did not need to convene a joint discussion. If a PAP raised an issue with the JET, JET would contact MJTD, TSEZMC or anyone else who is related to the issues to seek its resolution. Similarly Daw Ei Ei Khine explained that she did her best to resolve all issues which directly concerned with MJTD, and in the case of others, turned to TSEZMC supported by JET.
- U Sandar Wara (Mediator) addressed that Interim Grievance Mechanism was not clear in the concept. He would like to request ERI to explain it.
- ERI replied that Interim Grievance Mechanism was not the idea of ERI. This was requested by PAPs and agreed at MSGA. ERI does not have responsibility for that.
- The Chair noted that the purpose of the interim quadripartite mechanism was to address any complex issues which needed collective decision making, including with the community representatives. It was not necessary for it to meet every two weeks just for the sake of meeting. It was only if the community decided to raise an issue to that level. The Community representatives needed to raise issues to that quadripartite process, but only if they felt that issues were not being addressed effectively by the individual organisations (i.e.MJTD, TSEZMC). If the community representatives did feel that was the case – for example concerning the water distribution issue – it was up to community representatives to take this forward.
- If the community representatives decided it was necessary to do this, the Chair suggested they put the request in writing, and let the MSAG Chair know as well, so that the next meeting could hear an update on progress.

### **AOB**

The chair suggested that after 4 official meetings and 1 informal meeting, and with a new government coming into place, it was time for a review of whether the MSAG was working effectively and the ToRs were still valid. She invited JET to arrange for a third party to speak to

members and do a short evaluation prior to the next meeting (tentatively scheduled for early July 2016)

The meeting was ended at 17.00

18 March 2016

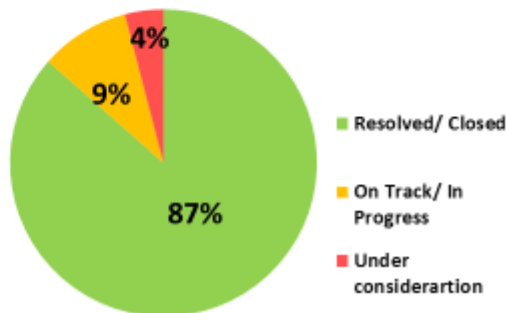
JICA EXPERT TEAM REPORT ON COMPLAINTS, REQUESTS AND ENQUIRIES

**Complaints, Requests, Enquiries Status  
(Mar 2015 - Mar 2016)**

	Number of Complaints, Requests and Enquiries			Complaint Resolution / Request Closed Status		
	Complaints / Consultation	Requests/ Enquiries	Total	Resolved / Closed	On Track	Under Consideration
Mar 2015	4	3	7	4+3=7	-	-
Apr	2	11	13	2+11=13	-	-
May	1	4	5	1+4=5	-	-
Jun	0	6	6	6	-	-
Jul	5	5	10	4+5=9	1	-
Aug	0	8	8	8	-	-
Sep	1	5	6	4	1	1
Oct	2	7	9	1+5=6	1	1+1=2
Nov	2	3	5	1+3=4	1	-
Dec	1	-	1	1	-	-
Jan 2016	1	2	3	1	1+1=2	-
Feb	1	-	1	-	1	-
Mar	-	-	0	-	-	-
<b>Total</b>	<b>20</b>	<b>54</b>	<b>74</b>	<b>64</b>	<b>7</b>	<b>3</b>

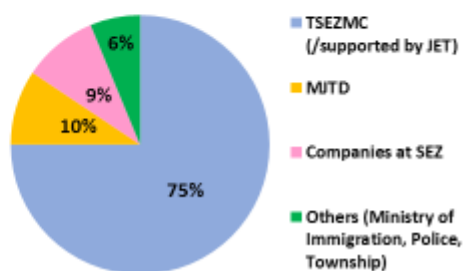
### Complaint Resolution / Request Closed Status (Mar 2015 - Mar 2016)

Status	No.
Resolved/ Closed	64
On Track/ In Progress	7
Under consideration	3
<b>TOTAL</b>	<b>74</b>

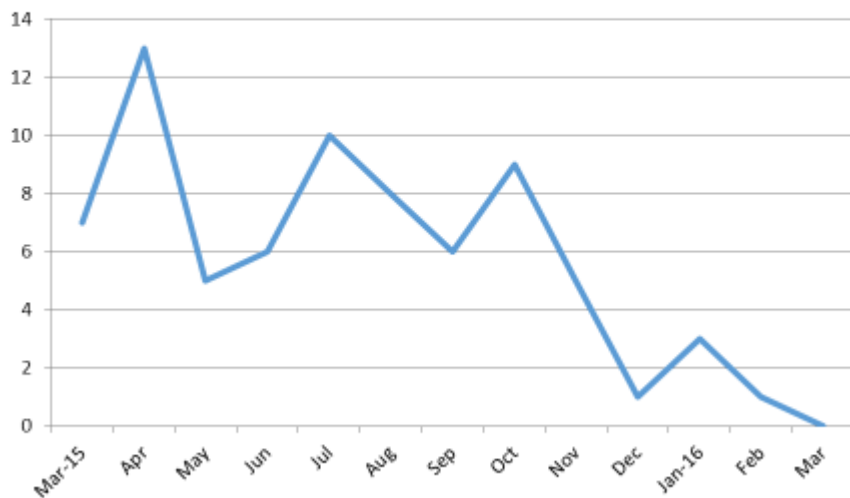


### Owners of Complaint , Request, Enquires Closed (Mar 2015 - Mar 2016)

Owner (Resolved/ Closed by)	No.
TSEZMC (/supported by JET)	48
MJTD	6
Companies at SEZ	6
Others (Ministry of Immigration)	4
<b>Total</b>	<b>64</b>



### Number of Complaints ,Request, Enquiries from Project Affected Persons (Mar2015 -16 Mar2016)



### Category of Complaints ,Request, Enquiries from Project Affected Persons (Mar2015 -16 Mar2016)

