



PSEA Network Myanmar: Risk Analysis Update June 2021

Main points

- Staff KAP survey results in 2020 highlight the need for ongoing and reinforced training, particularly on non-negotiables such as minimum age of sexual relations and prohibition of the use of sex workers.
- ActionAid Myanmar research demonstrates that community members are not aware of what constitutes SEA nor do they know where and how to report. This includes internally displaced persons in Kachin and Northern Shan States as well as among young people in Rakhine State. More needs to be done to include affected communities in the design and implementation of awareness-raising activities so that SEA is understood and community members know how to report.
- The impact of COVID-19 and the military coup has left many across the country food-insecure and limited access to income sources. Women are negatively affected as a vulnerable group and may turn to more risky behaviours to earn money and provide for families.
- Movement restrictions and accessibility challenges have meant that international actors are relying more heavily on local organisations to deliver services to affected populations. These local organisations may lack capacity to prevent and respond to allegations of SEA. Movement restrictions may also expose women and girls to encounter situations of exploitation and abuse.
- All allegations received by the PSEA Network since endorsement of the inter-agency Reporting Framework in 2020 have been against Myanmar national staff, highlighting the need to ensure that staff close to communities understand that SEA is strictly prohibited. As local actors are playing more active roles in response to the challenges posed by both COVID-19 and the military coup, there is a need to build capacity and support prevention and response.
- Female sex workers are facing extreme hardships as regular income is no longer available due to the pandemic. Along with other women who may have lost income, they may be driven to engage in exploitative behaviours which may include SEA in order to provide for families.

Introduction

An analysis of the risk of sexual exploitation and abuse (SEA) was drafted in June 2020 and was largely based on desk review of available documents in addition to focus-group discussions carried out in IDP camps in Kachin State. This update is based on the same methodology, i.e. desk review in addition to incorporating the results of a staff Knowledge, Attitudes and Practices survey conducted online from 30 July – 31 August 2020, as well as results from community research in Kachin, Northern Shan, Rakhine and Magway Regions by ActionAid Myanmar as part of a joint project with UNICEF Myanmar.

Activities of the PSEA Network 2019-2020

Priorities identified in the 2020 risk analysis included capacity-building of local organisations in PSEA in terms of both staff knowledge and organisational capacity to prevent and respond to allegations. It also highlighted the need to develop contextualised awareness-



raising tools for affected communities. Despite the activities carried out by the PSEA Network in order to build capacity within organisations,¹ results of surveys conducted indicate that there is still work to be done in terms of improving staff knowledge in addition to increasing community awareness in what constitutes SEA and how to report.

Staff knowledge, attitudes and practices survey

A staff Knowledge, Attitudes and Practices ('KAP') survey was conducted online from 30 July – 31 August 2020 with support from MIMU.² The survey was available in Myanmar and English languages. In total, 535 responses were collected, including 280 in English and 255 in Myanmar. The purpose of the survey was not only to have a sense of what colleagues knew about PSEA, but also to gauge if training efforts had been effective. Of those who answered the survey, the majority (67%) had undergone PSEA training in some form. Overall, there was a general awareness of the main principles of PSEA. Of concern, however, was that even among those who had completed PSEA training, some answered basic questions incorrectly. These include the minimum age of sexual relations for aid workers being 18, in addition to the prohibition of the use of sex workers at all times. Some respondents were also unclear regarding the obligation of mandatory reporting, and that individuals should not undertake investigations themselves. Lastly, respondents were not clear whether or not their organisations had conducted awareness-raising activities with communities on PSEA. Similar results were observed across staff based in different states and regions.

The KAP survey results highlight the fact that staff training on PSEA should be ongoing and regular, and that non-negotiable points such as the prohibition of the use of sex workers should be reinforced, in addition to the minimum age of sexual relations. Organisations should also emphasise the duty to report even rumours of SEA and that investigations should only be conducted by trained professionals following an assessment by management. Efforts should also be made to increase awareness-raising activities with communities so that they understand the issue and how to report. Nevertheless, it is encouraging that training is having a positive effect and that those trained in general had a better knowledge of PSEA principles than those who had not, thereby decreasing the risk of SEA occurring due to lack of knowledge of staff members.

ActionAid Myanmar research project

Between May 2020 and March 2021, ActionAid Myanmar conducted research into perceptions of SEA through a series of focus group discussions and key informant interviews in internally-displaced persons (IDP) camps in Kachin and Northern Shan States and in communities in Magway Region. Together with UNICEF, a survey was conducted using UNICEF's UReport tool, on community knowledge of SEA, in Kachin, Shan, Rakhine States and Magway Region. While the final reports are still forthcoming, the preliminary results of

¹ In carrying out activities as per the PSEA Action Plan for 2020, an organisational development consultant was hired and provided tailored training and tools for local organisations in Kachin, Northern Shan and Karen States. A pool of investigators was trained including investigators with ethnic language skills, who can be engaged by any organisations to provide investigation capacity. The national PSEA Coordinator trained over 2,000 national staff from more than 250 organisations across Myanmar in PSEA in an online course delivered in Burmese language. A PSEA page was developed on MIMU and resources uploaded, including a PSEA Toolkit for organisations; this page receives over 600 visits monthly in addition to downloads of policies and materials.

² The full report is available on the PSEA MIMU page: <https://themimu.info/psea-toolkit>



the research indicate that the majority of respondents, including IDPs, did not have a sound understanding of SEA. Many confused the concept with intimate-partner violence and sexual violence such as rape, with limited understanding of the interlinkages of power and subsequently abuse of power that can perpetrate SEA. According to the UReport survey, the vast majority of respondents, or 91%, were not aware that aid workers have standards of professional conduct. Furthermore, nearly 95% of respondents thought that engaging a sex worker or sex with children did not constitute SEA. The research also highlighted survivors' fear of retribution in the form of backlash or uncertainty of confidentiality of reporting mechanisms which was voiced as a barrier to reporting SEA.

Even in Kachin State, where humanitarian actors have been present for ten years, ActionAid Myanmar found that many internally displaced persons interviewed for their research did not know what constituted SEA nor where to report. ActionAid Myanmar made four recommendations that have been informed from the research: 1) increasing PSEA awareness among communities; 2) regularly conducting PSEA training with all staff, particularly community volunteers; 3) engage community members, specifically women and girls, in addressing SEA (for example, in prevention efforts as well as supporting confidential and safe reporting channels); and 4) ensuring coordinated PSEA mechanisms are integrated in women and girls' safe spaces. The results of the research are important in that they indicate that humanitarian actors have not been effectively communicating SEA standards with affected populations and that more needs to be done urgently in this area to ensure that SEA is not occurring with impunity.

COVID-19 and its impact

Most of the assessments related to COVID-19 were conducted by civil society, the Government of Myanmar and the UN in 2020, before the military coup of February 2021. The COVID-19 situation in Myanmar is changing daily, particularly in the west of the country bordering India, with much of Chin state in lockdown at the time of writing.³ The conclusions in this update will therefore be general in nature.

A report released in October 2020 on the Socio-Economic Impact of COVID-19 in Myanmar lists the impact on individuals, households, communities and nation, and the Government.⁴ It concludes that COVID-19 has contributed further to women's disempowerment, loss of support networks and, as in many countries, there has been a rise in domestic violence and gender-based violence as households have to deal with loss of income and other stresses.⁵ As SEA is a manifestation of gender imbalance and is a subset of gender-based violence, the risk of SEA may therefore be higher as a result of COVID-19. Moreover, at the household level, the report notes that families have suffered losses of productive assets such as access to land and housing as well as a rise in food insecurity.⁶

³ *Radio Free Asia*, 'Six Dead of COVID-19 in Five Days as Myanmar Wrestles With Chin State Outbreak', 3 June 2021; *The Irrawaddy*, 'Myanmar Sees Record High COVID-19 Spike Since Coup', 14 June 2021.

⁴ United Nations Myanmar, *Socio-Economic Impact of COVID-19 in Myanmar: Summary of findings and analysis from UN and non-UN impact assessments*, October 2020.

⁵ UN COVID-19 Impact Assessment, p 9.

⁶ Ibid.



The UN report on the impact of COVID-19 in Myanmar notes that women are ‘disproportionately impacted by disruptions to employment due to the crisis, including for reduced working hours.’⁷ It noted that an estimated 90% of the 700,000 people employed in Myanmar’s garment sector are women, and that the impact of COVID-19 on the garment sector renders women particularly vulnerable.⁸ The significant impact of COVID-19 on women in Myanmar may contribute to a higher risk of women engaging in risky activities such as sex work and exploitative relationships and/or sex in exchange for goods or services, with the possibility of this falling into the definition of SEA where aid workers are concerned.

Sex workers face extreme hardships as a result of COVID-19. A joint report found that most sex workers interviewed claimed that their income had been reduced by 90% or that they had no work at all.⁹ Many migrant sex workers faced additional challenges following border closures in addition to not being able to access government assistance due to lack of required identity documents.¹⁰ Sex workers interviewed expected that many women and girls will turn to sex work after losing jobs and fear that their market may soon be saturated.¹¹ As the humanitarian and economic situation in Myanmar continues to worsen, pressures on women including sex workers will continue to mount, driving them to engage in exploitative behaviours in order to survive and provide for families. SEA is a subset of these such behaviours and can be expected to also increase.

UN and NGOs have become more reliant on local actors to carry out programs in communities due to government-imposed restrictions of movement and lockdowns to prevent the spread of COVID-19. The fact that the pandemic has reached areas previously outside the humanitarian area of operation (that is, broader than Rakhine, Kachin and Northern Shan States) and is having wide-ranging affects has meant that the UN and NGOs have had to bring on new and more diverse actors. These actors may not have had PSEA policy implementation nor robust reporting mechanisms, thereby increasing the risk of SEA being perpetrated and not adequately responded to.

Military Coup Impact

The military coup of 1 February 2021 and its aftermath has seen the humanitarian situation in Myanmar deteriorate significantly, escalating into a ‘humanitarian catastrophe’ with widespread allegation of abuses, internal displacement, and threats to life and liberty.¹² Food prices have increased and people are unable to access cash,¹³ including internally displaced persons.¹⁴ In areas affected by conflict between the Tatmadaw and ethnic armed

⁷ UN COVID-19 Impact Assessment, p 19.

⁸ UN Covid-19 Impact Assessment, p 19.

⁹ UNAIDS, UNFPA, Marie Stopes Myanmar, CARE International, Premiere Urgence Internationale, Sex Workers Network Myanmar, *Lived Experiences of Sex Workers During COVID-19 in Myanmar*, August 2021.

¹⁰ Ibid.

¹¹ Ibid.

¹² *UN News*, ‘UN rights chief urges accountability for escalating ‘catastrophe’ in Myanmar’, 11 June 2021.

¹³ Thin Lei Win, *The New Humanitarian*, ‘Monsoon and conflict compound Myanmar’s post-coup food crisis’, 3 June 2021.

¹⁴ *Network Media Group*, ‘IDPs in Kachin State reliant on WFP stipends struggle amid banking restrictions’, 14 June 2021.



groups, reports of food and fuel shortages have been received.¹⁵ Lack of shelter and medical supplies for newly displaced persons in Kayah and Shan states have resulted in babies dying.¹⁶ In a post-distribution monitoring report conducted after the coup, WFP found that overall, food security had deteriorated, and that 63% of households surveyed had reported a reduction in income compared with their situation pre-crisis.¹⁷

There is an urgent need for humanitarian assistance particularly in conflict areas. However, access is severely limited without cooperation with the military due to safety concerns, placing humanitarian actors in a difficult position.¹⁸ Non-governmental organisations are also facing issues regarding legal status in the country, with the military government questioning the registration status of a number of international organisations.¹⁹ Access to cash is also a concern with NGOs unable to withdraw cash or pay employees.²⁰

As with the case of COVID-19, the political situation in Myanmar and the deteriorating circumstances across the country have hampered the delivery of humanitarian and development assistance by international actors, and increased the need for more localised action by 'non-traditional' partners. These partners may be small scale and may not have training and policies related to SEA, increasing SEA risk.

Again, women have been adversely impacted by the crisis. The June 2021 Gender in Humanitarian Action Report notes that the crises in Kachin, Northern Shan, Rakhine and Kayin 'disproportionately affect women and girls, as well as at-risk population groups, by perpetuating and exacerbating pre-existing, persistent gender and social inequalities, gender-based violence, and discrimination.'²¹ It has also been reported that women have been disproportionately affected by the Ministry of Education Civil Disobedience Movement strike, due to the overwhelming number of female staff: 'Over 22,000 women civil servants working for the Ministry of Education have been suspended or dismissed due to their participation in the Civil Disobedience Movement', representing over 82 percent of the total number of civil servants.²²

As evidenced by the recent reports of widespread incidents of SEA perpetrated by aid providers in the Democratic Republic of Congo during the Ebola crisis,²³ women are

¹⁵ *Kantawaddy Times*, 'Food and fuel costs soar in Karenni State amid conflict', 4 June 2021.

¹⁶ *Myanmar Now*, 'Newborn baby dies of cold after mother fleeing from attacks takes shelter in forest', 14 June 2021.

¹⁷ WFP, *How are relief beneficiaries in Myanmar faring since the start of the crisis?*, report from post-distribution monitoring in Chin, Kachin, Centra/Northern Rakhine and Shan States, April-May 2021.

¹⁸ Rodion Ebbighausen, *Deutsche Welle*, 'Myanmar: Time running out for NGOs to avoid humanitarian catastrophe', 15 June 2021.

¹⁹ *Deutsche Welle*, as above.

²⁰ *Deutsche Welle*, as above.

²¹ UNWomen and UNFPA, *Gender in Humanitarian Action Profile*, June 2021, p 6.

²² This estimate has been reached from data collected via lists shared with Khit Thit Media, Chin World, Mizzima Daily as well as Facebook Groups created to share information on the Civil Disobedience Movement where sometimes staff themselves post the information.

²³ Robert Flummerfelt and Nellie Peyton, *The New Humanitarian*, 'Exclusive: More than 50 women accuse aid workers of sex abuse in Congo Ebola crisis', 29 September 2020, available at:



particularly vulnerable to exploitative behaviour when employment is difficult or affected by a humanitarian situation. In the DRC, the perpetrators included men from the UN and international organisations with strong PSEA policies and training. This highlights the fact that even when all may appear well on paper, the huge power differentials between aid workers and community members renders the latter vulnerable to exploitation and abuse, and that this may be happening with impunity. Lessons should be learnt from the DRC context to ensure that vulnerable members of the community such as women and girls are supported to speak out about abuse and that accountability measures are taken.

Past data on SEA

Since the endorsement of the PSEA Network's Reporting Framework in early 2020, the Network has received steady reports of allegations of SEA, all of which have been against national staff.²⁴ This is consistent with a worldwide trend and reflects the fact that national staff numbers far outweigh the number of international staff and have more interaction with communities, thus increasing the likelihood of SEA occurring. While the overall numbers of cases reported are low, there are nonetheless a few allegations²⁵ against volunteer staff such as community outreach workers, which highlights the need to ensure that all frontline workers regardless of contract type or affiliation with an organisation are trained in SEA. This again reiterates the need to build capacity of local organisations, particularly the new actors brought on board to respond to the fast-evolving situation on the ground in Myanmar following both COVID-19 and the military coup. It is also consistent with the principle of localisation of humanitarian action and should be prioritised.

It is important to note that, even though the overall number of reports received since the Reporting Framework was implemented, these are only the number of reports actually received. As is the case with incidents of GBV, it is likely that the actual number of SEA cases in Myanmar is much higher, but due to various barriers to reporting,²⁶ survivors do not feel comfortable reporting. In addition, the number of SEA cases received by GBV specialised organisations is still also limited. This also indicates that not many SEA survivors receive appropriate support in addition to under-reporting. In this respect, it is also important to ensure that appropriate survivor support and assistance is rendered to all survivors.

Access to reporting channels

The number of complaints received through the PSEA Network helpline fell significantly following the military coup of February 1st, 2021, and may reflect the fact that staff are not in the field and not physically interacting with affected communities and/or that staff are

<https://www.thenewhumanitarian.org/2020/09/29/exclusive-more-50-women-accuse-aid-workers-sex-abuse-congo-ebola-crisis>

²⁴ As per the Reporting Framework, data received on allegations is not shared beyond pre-approved actors without consent of PSEA Network members. Therefore, only general information can be presented in this update.

²⁵ At least 30% of reported cases involved community volunteer staff (information for some allegations was not available, therefore the percentage could be higher).

²⁶ These barriers are detailed in the first Risk Analysis, and have been confirmed through the ActionAid Myanmar research, forthcoming.



not in the office and hearing/witnessing behaviour that may constitute SEA. While the risk of SEA is decreased with limited physical access to beneficiaries, as noted above, many international organisations and the UN are relying on local actors including government to distribute aid to affected communities.²⁷ These actors may have less knowledge of and ability to respond to SEA incidents.

In a survey on Accountability to Affected Population (AAP) conducted by the Myanmar Inter-Cluster Coordination Group in 2020, the majority of NGO and UN respondents sought feedback from aid beneficiaries through face-to-face interactions.²⁸ These interactions may be limited following the COVID-19 pandemic as well as the military coup, and for some NGOs may not be possible at all. The GiHA Profile notes that, with regard to Accountability to Affected Populations, the impact of COVID-19, in addition to conflict and the 2021 political situation has resulted in limited access to communities, which in turn 'hinders the ability to reach affected people including those with specific vulnerabilities (particularly for face-to-face options such as help desks that are most preferred by older people and those who are illiterate or lack access to phone)'²⁹. The presence of military actors at distribution points may also cause some beneficiaries to be reluctant to report allegations of SEA. With face-to-face feedback curtailed, there is a risk that this presents yet another barrier to reporting SEA. Increased checkpoints and restriction on freedom of movement also creates obstacles for accessing services safely and in a dignified manner, as people are often asked to state the purpose of their movement. This poses another obstacle for survivors who wish to seek support.

Government capacity

Prior to events of February 2021, the PSEA Network Action Plan and HCT PSEA Strategy had included capacity-building and strengthening of Government with regard to prevention and response to allegations of SEA perpetrated by Government officials, recognising that the Government of Myanmar is the main duty-bearer with regard to protection of its people and that it also receives funding and support from the UN. As noted in the GiHA Profile, and in line with the UNCT programming principles guiding the UN's limited engagement with de-facto authorities, the GiHA Profile does not recommend engagement with the de-facto authorities related to capacity building, technical assistance or advocacy on GiHA.³⁰ In this context, capacity-building efforts on PSEA are also paused for the time being, and will be reviewed in line with overall UN engagement.

Conclusion

The economic impact of COVID-19 and the military coup will drive women across Myanmar to engage in risky behaviours including exploitative behaviours in order to feed their families and to survive. Research conducted by ActionAid Myanmar and the PSEA Network in 2020-2021 highlight the need for ongoing training of staff in addition to more effective awareness-raising among communities on what constitutes SEA and how to report. There

²⁷ See below section on Government capacity.

²⁸ Community Engagement and Accountability to Affected Populations in Myanmar Survey, June-July 2020,

²⁹ UNWomen and UNFPA, *GiHA Profile* June 2021, p 26.

³⁰ UNWomen and UNFPA, *GiHA Profile* June 2021, p 4.



is a risk that SEA is occurring in communities without knowledge of this and without reporting or accountability.

With the situation in Myanmar deteriorating, conflict areas are moving beyond the well-established humanitarian settings as new displacements, both within and beyond Myanmar, are reported. In response, new actors are responding to humanitarian needs, who lack strong SEA prevention and response mechanisms. The risk of SEA is therefore exacerbated with the escalation of conflict and dire economic situation in Myanmar.