

## Interagency GBV and Trafficking Assessment in Northern Shan State

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The beautiful scenery of Northern Shan State

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*“Some nights, I couldn’t sleep because my neighbour’s husband (a drug addict and alcoholic) was beating my friend. I didn’t know what to do. In the morning, I would talk to her. The drug is a problem that never goes away (neither the husband nor the drug addiction), and it always makes us unhappy”*

### Executive Summary

The GBV and trafficking assessment in Northern Shan State (NSS) was conducted by 3 agencies: UNFPA (UN Population Fund), DRC (Danish Refugee Council) and KWA (Kachin Women’s Association). The main objective was to understand the situation of women and girls living in IDP camps in NSS, with a special focus on the risks and occurrence of GBV and human trafficking. The assessment was conducted in 10 locations<sup>1</sup>, and the methodology included focus group discussions with women and girls, key informant interviews and observation. The assessment team was also prepared to refer individual survivors to the appropriate health and psychosocial care facilities if any cases were identified during the trip.

The report is intended to be shared among protection actors in order to have a better understanding of the specific GBV and trafficking-related risks in NSS, needs and gaps. This report will also help inform DRC/KWA’s joint anti-trafficking programming along the Myanmar-China border in Kachin and Northern Shan States.

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<sup>1</sup> Target locations included the following IDP camps: Kutkai KBC, Kutkai RC, ZupAwng, KoneKhem Palaung, Nam HpakKa, Nam Hkawng, Namkham KBC, Namkham RC, Namkham Nay Win Ni Palaung and Muse KBC.



UNFPA, DRC and KWA also want the reader to understand and acknowledge the feelings and suffering of IDP and conflict-affected women and girls, and advocate for the implementation of humanitarian and development interventions aimed at addressing this issues and enforcing gender equity.

## Background

Several reports from multiple agencies have reported widespread protection concerns including trafficking and gender-based violence in displacement and conflict-affected areas in NSS. This inter-agency assessment was aimed at learning more about the range, scope and type of protection concerns in these areas, the services that are available, what and which type of organization is providing them, as well as the gaps or needs in service provision.

Northern Shan State has been strongly affected by recent fighting between Tatmadaw and KIA troops. Access for humanitarian actors, including protection agencies, is very limited due to geographical constraints and security concerns generated by a volatile context and sporadic clashes between conflicting parties. Most UN agencies and INGOs working on protection and covering NSS are based in Myitkyina and Bhamo, in Kachin State.

There are 6 townships in NSS: Hseni, Manton, Namtu, Kutkai, Muse and Nam Kham. There are a total of 21 camps<sup>2</sup> for internally displaced persons, accommodating a total of 5,715 individuals (according to most recent figures) in both government-controlled and non-government controlled areas (NGCA).

Because of the wide geographic scope of NSS, 3 townships which host 15 IDP camps were prioritized to be included in the assessment: Kutkai, Muse, and Nam Kham. These three were selected on the basis of three main reasons: the presence of newly displaced populations, the proximity to the border (therefore higher risk of trafficking), and relatively easier access. Due to renewed fighting during the assessment trip, the team cancelled the visit to Munji camp in NGCA.

## Objective

This assessment has three main objectives, which determine respective assessment questions:

- 1) To understand the protection risks and threats that displaced women and girls living in IDP camps in NSS are exposed to, the threats they are most fearful of, and the causes of their vulnerability;
- 2) To specifically assess the risks of GBV and human trafficking;

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<sup>2</sup> Updated Camp Master list as of 1 May 2014, compiled by the Shelter/CCCM/NFI cluster.

- 3) To identify the needs and gaps in service provision for GBV survivors, victims of human trafficking, and women at risk.

The information gathered during the assessment is intended to provide insight knowledge about these risks, as well as the needs and expectations of the affected communities.

The methodology of the assessment was qualitative. The assessment was conducted by 4 team members with different backgrounds, such as: health, protection, and women rights. All team members are originally from Kachin State and speak both Myanmar and Jingpaw languages; this facilitated the interaction and discussions between the interviewers and the beneficiaries.

## Methodology

The methodology included focus group discussions, key informant interviews and observation.

The focus group discussions were conducted with women aged between 20 to 40 years old.

The key informant interviews were conducted with the camp managers in all camps visited, and with women's groups' leaders in the camps.



Finally, observation checklists were filled in by observing the situation in the camps and conducting informal interviews with persons living in the camps.

Qualitative methods were used to explore the needs of women and their expectations in different situations. The information received from different members of the assessment team, was then verified with other sources.

## Tools and Sampling

The assessment team used the field tested UNFPA/DRC FGD tools and Key Informant Interview Questionnaires (see in annex). The women who participated in the focus group discussions were all selected among the camp population, some of them were camp leaders and others not. In



some camps where the majority of the population is of Palaung ethnic group it was necessary to use translation. The translators were members of the camp management committees.

### Limitations

The assessment was conducted over a period of two weeks including travel time from Myitkyina. However, it was not possible to cover all camps in NSS due to time limitations and broad geographic scope.

Besides, there were some difficulties in coordinating and preparing the field visits with the camp management committees due to lack of communication means in most remote camps.

Finally, some visits to certain camps had to be cancelled due to recent fighting and security concerns for the staff.

### **Findings**

#### General findings by location

##### **Kut Kai (2 camps)**

The assessment team visited 2 camps in Kut Kai town: Kut Kai KBC (86 HH/ 382 individuals) and Kut Kai RC (41 HH/172 individuals). Both are located within a church compound. Due to the limited available space inside the compound, the family shelters are tight and crowded, and the kitchens are located near or inside the shelters. Women and girls have no privacy because the shelters have only one room. There is a perception among adult women that their freedom is restricted due to the existence of many rules and conditions imposed by the camp management committee, which makes them feel unhappy and overly limited in their daily activities.

##### **Zup Awng and KoneKhem Palaung camps (Kut Kai township)**

The camps are situated in the rural area. Zup Awng has a population of 81 HH/465 individuals, while KoneKhem Palaung camp has a total of 86 HH/453 individuals. Each family has their own small house with a fence and a kitchen garden. Some IDPs have access to their farmland, and others have access to livelihood opportunities such as daily labor and small shops. The IDP women identified as their main priority the provision of durable solutions including opportunities for resettlement, as well as increasing their access to livelihoods and income generating activities in order to reduce their level of vulnerability.

##### **Nam PhakKha (Kut Kai township)**

Nam PhakKha is located in the church compound. Families live in overcrowded shelters due to the lack of sufficient space to accommodate additional shelters. IDPs feel that they are

discriminated by the surrounding local communities: *“people easily accuse us. When something wrong happens, they believe an IDP is responsible”*.

### **Nam Kham (3 camps)**

Around Nam Kham town there are 3 IDP camps: KBC (98 HH/390 individuals), KMSS (93 HH/337 individuals) and Palaung (Ta Ang) camp (92 HH/302 individuals). They are organized by the respective community. Women expressed concerns with regards to the cash distribution from WFP, which is intended to allow them to buy salt and oil (around 6000 kyats), but is instead used by their husbands to buy alcohol and drugs.

*“We have to prepare everything. They spend all the money [in drugs], then when they come back from outside, they start looking for something wrong to blame us to cover the money they spent”*.

Domestic violence is becoming a generalized problem in Palaung IDP camp, a situation that has become worse due to the drug consumption among the male population in the camp. *“Near the camp there are bushes and quiet places for drug injection and consumption”*. One IDP mentioned that drug addicts including her own relatives *“never die”*, creating unsolvable problems inside their communities.

In addition, women fear for their safety and security if going outside the camps on their own, since they feel there is a risk that they be looted or robbed by drug users around the camps.

Further to this, in Palaung Nay Win Ni camp there is a Tatmadaw battalion located very close to the camp. This is of grave concern because it affects the civilian nature of the camp, increases the exposure of the camp to being a legitimate target, generates fear among the camp population and increases the likelihood of GBV, violence and abuse.

### **Nam Khyet (Nam Hkawng)**

The camp has a total population of 40 HH/65 individuals. It is located in a small village 3 to 4 hours-drive from Muse town, inside the village church compound. The major challenge for women there is access to livelihood opportunities. There were also signs of psychological distress and trauma. One woman said: *“we are afraid that a bomb might explode in our shelter in our church compound”*. Other women mentioned that they could not sleep well during the night.

One of the main threats identified by the respondents was a general fear of violence and a sense of insecurity, caused by situations they’d been exposed to during the fighting or while fleeing: *“Bamar soldiers eat our pigs, they abuse us, and they beat our villagers”*.

Domestic violence is also identified as a main threat, a situation that is worsened by the problem of drug consumption among the male population in the camp: *“I am happy that my husband is not a narcotic. I am not beaten. Many are not lucky”*.

### **Muse camp**

The camp is located in Muse town, inside the KBC church compound. It has a total population of 126 HH/446 individuals, including some new arrivals after the clashes in April and May 2014. IDP women reported that they feel unsafe in the camp because of the type of shelter that is provided, which is not suitable for the rainy season. Some of them mentioned that the shelter ground “*is muddy, cold or watery*”. The other major threat that they are exposed to is the lack of livelihood opportunities and income generating activities for them. This, in turn, has an impact in educational opportunities for their children, since the women are not able to cover all educational expenses. Most of the women identified as a positive factor the fact that their children have better access to educational opportunities in Muse town, but are highly concerned about “*what will happen when the resettlement takes place without consulting us*”. The lack of information with regards to the government plans for durable solutions is hence a negative factor that contributes to their sense of insecurity.

#### Key issues and concerns among adolescent girls

Although the assessment team was not able to conduct focus group discussions with adolescent girls, in most of the camps visited women repeatedly identified the threat of early marriage as one of the major protection concerns.

They mentioned that displaced women and girls are getting married at a younger age (around 16), which is a result of poor economic conditions in the camps, limited options to have a normal life in the camps, low standards of life in the camps and over-crowded shelters where women and girls do not have privacy.



At the same time, some interviewees also identified a protective value of living in the camps. For instance, in one of the Palaung camps it was mentioned that the average age to get married in their village of origin was at 13 years old. Since they are in the camp, though, women and girls have been educated and are now getting married at an older age.

Human trafficking for the purpose of domestic servitude, sexual exploitation and forced marriage was identified as a major threat in NSS, affecting both IDPs and local communities. IDP women and girls are highly vulnerable due to the destruction of their coping mechanisms and community structure. Most of the respondents reported a feeling of fear and insecurity generated by the risk

of their children being victims of human trafficking. Most of them reported having heard of cases of human trafficking in the area, mostly by means of fraud or deception from close relatives or family acquaintances. At the same time, none of the respondents was aware of what type of services for victims of trafficking or persons at risk are available in close vicinity to the camps, if any, what to do or where to go in such case. They also reported not knowing what to do to prevent the occurrence of human trafficking.

### Key issues and concerns among adult women

The main factor contributing to women feeling unsafe in the camps, as identified by most respondents, is the limited access or lack of access to sustainable livelihoods. Further to this, they mentioned feeling unsafe due to the uncertainty and lack of information regarding resettlement plans and the provision of durable solutions; limited access to education of IDP children; and the presence or fear of presence of landmines. Women also mentioned being concerned by the fact that men may decide on their future without consulting them, and thus excluding them from participating and making a voluntary decision on their options for durable solutions.

In addition, domestic violence was identified as a main threat. Negative coping mechanisms such as drug consumption among displaced men were mentioned as contributing factors that increase their vulnerability. Further to this, women have to take the place of their husbands as protectors and providers for their family, taking care of the children, preparing food, ensuring that all domestic duties are done as well as working as seasonal daily workers to generate income for the family.

The privacy issue was also raised in many camps, where shelters are of one single room, with over-crowded spaces. In addition, IDP women living in religious compounds feel discriminated by the local community, and there is a perception that local women see them as “*inferior people*” especially when taking part in their worshipping services.

Discrimination and exclusion from decision-making structures in the camps and restrictions to the participation of women were also identified as main threats. For instance, one IDP woman mentioned that she had volunteered to take part in the camp management committee but instead the seat was offered to a male community member who is never present in the camp and thus has not enough information or understanding of the problems in the camp to make decisions on behalf of the camp population.

Finally, there is a perception of insecurity due to the presence of soldiers inside the camps. This is a grave concern because it is not only a violation of the civilian character of the camps but it also puts the population at risk by making the camps a legitimate target. It is also a negative contributing factor that increases the fear of the camp population, exposed to psychological distress and trauma due to the situations they faced during fighting and displacement. One woman reported: “*I don’t want to see the uniform, whenever I see them in the camp, I think that I am dead*”. Women in many camps mentioned that they don’t want to see soldiers or uniforms inside the camps: “*At least inform us in advance, so that we can prepare and don’t get afraid*”.

### Access to services and support

The information collected during the assessment showed that there are no specific services for displaced women and girls in the area. There are no functioning women's groups in the camps, there is no network of displaced women, and female participation in the camp committees is very limited.

IDPs in general and displaced women in particular can access the medical facilities in the area (hospital and/or clinics). However, they need a letter from the camp committee certifying that they are IDPs. This is a major barrier in access, because many women reported not wanting to be identified as IDPs in public health care facilities to avoid discrimination.

On the other hand, IDP children in NSS have access to education facilities free of charge, during primary school and in some instances during middle or high school. However, their parents still need to provide for their lunch at school, extra curricular classes and activities, night time study, and other needs that require their contribution.

Women identified the camp management committees as the main protective structure in the camps and the main service providers. They see the committees as the main protection actor that can also provide financial support and referral. Their most preferred coping mechanism is peer-to-peer support and talking to other women. Many girls and women mentioned that their first preferred contact for help is someone they trust but outside their family circle.

### Human trafficking

All respondents agreed that human trafficking is a major threat. The route of trafficking is not easily traced, nor the different people involved in the process. Many camp leaders mentioned that they have a system to generate a protective environment for the camp population, which includes registration of movements inside and outside the camps as well as the presence of strangers or outsiders. They also mentioned that they have an informal network to trace the location of the victims of human trafficking. However, these systems are still weak and not coordinated with the relevant authorities in most cases.

The assessment also found that there is still very limited understanding among the displaced communities of what human trafficking is and how to prevent it.

Arranged marriages are also one of the most contributing factors to human trafficking in the camps and nearby villages. According to the Kachin traditional practices, when a marriage is arranged the groom or his family have to make a payment in exchange for the bride. This payment is called "Kun Phoe" and the amount is usually of 20,000 Chinese Yuan. Many of the arranged marriages happen between members of the Kachin tribes located on both sides along the Myanmar-China border. In most cases, there is no regular contact between relatives living in different sides of the border. As a result, women and girls are highly vulnerable to human trafficking by means of fraud or deception from relatives claiming to be arranging a traditional marriage.



Further to this, some women choose to cross to China to work in the farms and plantations located on the Chinese side of the border. However, in most cases they don't have the required travel documentation, they don't have any information on the situation on the other side of the border and they cross under irregular circumstances. This makes them extremely vulnerable to exploitation and abuse once they reach China. Nonetheless, women continue to take the risk of working in China or getting married to Chinese men they barely know because, according to their perception: *“There are no jobs here [in the camps]. It is crowded. I want to work in China. My family is not happy. My father is a drug user”*.

Some anti-trafficking prevention mechanisms currently in place in different camps identified during the assessment are:

- Security gates and registration of persons who go inside and outside the camp (including residents and visitors);
- Patrol groups inside the camps;
- Fencing around the camps;
- Informal networks in China that help identify the trafficking routes and trace the victims.

### Documentation

The assessment team found that less than 10% of the IDPs have an identity card. The IDPs are now using a “Htaut Khan Sar” (a letter issued by the camp management committee that certifies that he or she is a resident of the camp). In some cases, the IDPs have to bribe the officials at the checkpoints or have to stay in a hotel to avoid controls. In addition, many respondents reported that their 3-folded NRC card was destroyed by the soldiers when they showed it at the checkpoints.

Others reported that before displacement the Immigration Department collected 5,000 kyats per person and their “Family List” claiming that they would issue their identity card. However, this process was disrupted by displacement and so far the families have not received their IDs back from the Department.

### **Conclusions and recommendations**

The information collected during the assessment shows that displaced women and girls in NSS are highly vulnerable to a number of threats they are exposed to on a regular basis. The limited

number of service providers, negative coping mechanisms, limited participation in decision-making, limited access to livelihood opportunities and lack of information are some of the factors that explain their increased vulnerability. Therefore, the following recommendations are made in order to reduce the risks and create a better protective environment for women and girls in situation of displacement in NSS:

To the parties in conflict:

- Respect the civilian character of the camps. In view of international humanitarian law, troops should be positioned sufficiently far from the IDP camps to ensure their civilian nature and protect them from being a legitimate target. Further to this, troops should not enter inside the camps especially if they are carrying weapons and/or dressed in military.

To the Myanmar authorities:

- The Immigration Department should issue personal identity documents to all IDPs who don't have an ID card yet or lost it during displacement or was destroyed.
- Engage in a constructive dialogue with the displaced communities in order to discuss opportunities for durable solutions; share all relevant information on the resettlement or return plans with the affected communities, in order to ensure that they make an informed decision; and respect the principles of voluntariness, dignity and safety of any durable solution envisaged.
- Implement the Anti-Trafficking in Persons Law and ensure that victims of human trafficking are identified, assistance is provided and those responsible are prosecuted and punished according to the law.

To the humanitarian actors:

- Ensure provision of services targeting specifically women and girls. There is a pressing need for psychological support in order to increase the resilience of women and increase their safety and well-being. Humanitarian actors should improve coordination in order to address the gaps in service provision.
- Promote participation of women in decision-making and camp management structures. There is no or little leadership/involvement of women in the camp management committee. This hinders the possibility to improve women's living conditions in the camps. Many women in the camps mentioned that they would like to be part of the decisions affecting them directly such as access to livelihoods and the provision of durable solutions and resettlement plans.
- Increase and improve coordination among anti-trafficking stakeholders in order to provide more effective prevention and response mechanisms to human trafficking.



- Youth Support Program. Most respondents identified that support for the youth is essential, in terms of morale, education and health support. These are also the factors that can prevent human trafficking and forced or early marriage. Many women said that early marriage happens because there are no options for girls in the camps other than getting married and having babies.
- Re-assess the effectiveness of cash for food programmes and the use that is being given to the cash provided, especially in those IDP camps with higher presence of drug users or increased risk of negative coping mechanisms or misuse of the money provided.
- Promote male engagement in all GBV programming and ensure that deep discussions are initiated at camp level in order to identify and address the structural pre-conceptions that favour gender inequality, unbalanced power relations and discrimination against women.
- Ensure equal access to education with zero cash contribution to most vulnerable families unable to contribute financially to the educational-related needs of their children.

Myitkyina, October 2014