



Operational Concept on Protection for Myanmar 2015 – 2017



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Abbreviations

CAAFAG	Children Associated with Armed Forces and Armed Groups
CSO	Civil society organisations
DRR	Disaster Risk Reduction
EAG	Ethnic armed groups
FDDPS	Swiss Federal Department of Defence, Civil Protection and Sport
FDFA	Swiss Federal Department of Foreign Affairs
FDJP	Swiss Federal Department of Justice and Police
GCA	Government-controlled areas
GoUM	Government of the Union of Myanmar
HSD	Human Security Division of FDFA
IASC	Inter-Agency Strategic Committee
IDP	Internally displaced people
IHL	International humanitarian law
M&E	Monitoring & Evaluation
Mol	Ministry of Immigration
MRE	Mine Risk Education
NGCA	Non-government controlled area
NSA	Non-state actors
OCHA	Organisation for the Coordination of Humanitarian Aid
RC	Regional Cooperation of SDC
SCSM	Swiss Cooperation Strategy in Myanmar
SDC	Swiss Agency for Development and Cooperation
SDC-HA/SHA	Swiss Humanitarian Aid Unit
SGBV	Sexual gender-based violence
SIRP	South-East Infrastructure Rehabilitation Project
WOGA	Whole-of-government-approach

Foreword

Protection broadly encompasses activities aimed at obtaining full respect for the rights of all individuals in accordance with international law.

Protection is a broad term that describes something that lies in all of us by nature: The need to live in a safe environment and the desire to protect the more vulnerable among us. The perception of *what* protection means and *how* it is provided depends on *who* wants to protect and *what* has to be protected. Protection is promotion of and respect for life, rights and dignity. Without dignity none of the protection offered by the various legal human rights mechanisms can have real meaning.

Myanmar is gradually embracing wide-ranging reforms. Every country's transition experience is unique, shaped by its history, culture, specific domestic conditions, and the prevailing international environment. In Myanmar there are an estimated 500,000 people displaced by armed conflict or inter-communal violence who are in need of protection and assistance.

Hence, the development of a clear understanding of protection in Myanmar is crucial to provide appropriate services to its people. Against this background, this Operational Concept emphasises the importance of protecting people in Myanmar. It also provides the Em-

bassy of Switzerland in Myanmar an orientation on how to address protection needs at different levels of intervention.

By means of its combined tools the Embassy implements protection primarily through the Swiss Agency for Development and Cooperation (SDC) divisions of Regional Cooperation and Humanitarian Aid and through the Political Directorate (the Human Security Division).

In an effort to ensure a holistic approach in the field, the Embassy of Switzerland will also work to strengthen linkages between political, humanitarian and longer-term development efforts, to ensure that early recovery is more fully integrated into the Myanmar Development Strategy. Our overall aim is to improve a protective environment for those affected as well as to enhance access to protection services for those in need.

Embassy of Switzerland in Myanmar,
March 2015



Christoph Burgener
Ambassador of Switzerland

1 Objectives of this document

This operational concept is written for the staff of the Embassy of Switzerland in Myanmar in Yangon and in the field. Its elaboration involved all domains covered by the Swiss Cooperation Strategy in Myanmar and the whole Embassy. It aims to provide a comprehensive explanation of what protection means in the context of Myanmar and to enhance the practical application of

protection activities in the country at field and policy level. It puts the Swiss protection framework (see chapter 2) into action and describes measures and instruments on how protection can be provided in Myanmar.

2 Switzerland's commitment to Protection

The legal framework for Switzerland to support and provide protection to civilians is composed of the four Geneva Conventions (1949) and their Additional Protocols (1977, 2005), the 1951 Geneva Refugee Convention and the Universal Declaration of Human Rights. It is furthermore stipulated by the relevant *Security Council Resolutions on Women and Peace and Security, the Protection of Civilians and Children in Armed Conflict*¹. Additionally, Switzerland uses the internationally acknowledged definition of the *protection of civilians* which was developed over the 1990s by the Inter-Agency Standing Committee (IASC):

Protection is described as *all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law and refugee law.* Human rights and humanitarian organisations must conduct these activities in an impartial manner and not on the basis of race, national or ethnic origin, language or gender. - IASC²

The protection framework developed within the Swiss Federal Department of Foreign Affairs (FDFA) is rooted in Switzerland's *Message on International Cooperation 2013 – 2016* where protection is highlighted as one of four priority axes of Humanitarian Aid. Consequently, protection is an integrated component of the Swiss Cooperation Strategy in Myanmar as part of one of its four domains of intervention (see annex 4).

As depicted in the graph below, this *Operational Concept on Protection for Myanmar* adapts the higher-level strategic bases for protection to the specific context of Myanmar.

The Swiss protection framework.



¹ United Nations Security Council Resolutions: S/RES/1325 (2000), S/RES/1674 (2006), S/RES/1998 (2011),

² The Inter-Agency Standing Committee Policy Paper, New York (December 1999): Protection of Internally Displaced Persons



3 Protection in the context of Myanmar

The need for protection emerges when there are exceptional circumstances threatening lives, causing the loss of livelihoods and even triggering displacement. *Protection of civilians* is rooted in International Humanitarian Law (IHL) which specifically applies to the context of armed conflicts. *In Myanmar*, additional kinds of threats generate exceptional circumstances and therefore *Switzerland provides protection to people who are affected by armed conflicts, other situations of violence³ or natural disasters⁴*.

Three scenarios lie at the heart of the protection issues described under chapter four: Armed conflicts, other situations of violence and natural disasters are **cause and concern at the same time**. Responding to the needs they

generate is equated with tackling the root causes of all protection concerns.

Armed conflicts

Cause: The long-lasting clashes and conflicts between the Myanmar armed forces and armed groups have caused death, injuries, displacement, forced labour, lack of development, immeasurable pain and grievances within the country. **Concern:** The torn families, disrupted lives, abuse of women and children, need for recognition and need for improved infrastructure and livelihoods affect more than 25% of the Myanmar population directly and the whole country indirectly. **Need:** Peace-building activities are needed since peace is the underlying condition for safe and dignified live conditions. Furthermore, the specific needs of displaced men, women and children and the other consequences of over 60 years of armed conflict have to be addressed.

³ ICRC Protection Policy, Volume 90 / Number 871, page 751 (September 2008); article 1.2 Additional Protocol II *a contrario*

⁴ OCHA Webpage, access August 2014:
<http://www.unocha.org/what-we-do/policy/thematic-areas/protection>

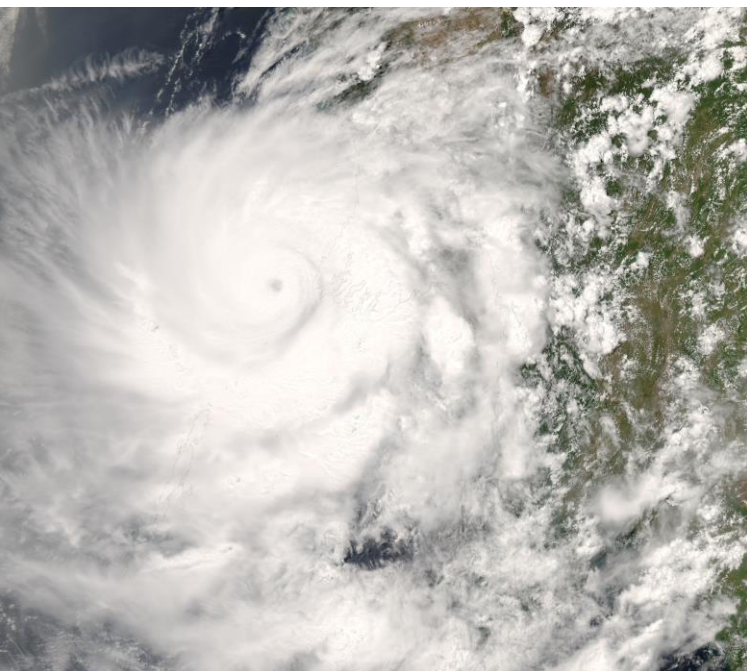
Other situations of violence

Cause: Other situations of violence occur in Myanmar, such as in Rakhine and elsewhere, in which a group of people attack, pillage and threaten another group of people. **Concern:** Inter-communal violence in Rakhine and elsewhere in the country has led to the displacement of over 125,000 people who live in IDP camps. Since June 2012, more than 80,000 have risked their lives to flee the Bangladesh-Myanmar border by sea⁵. **Need:** Besides addressing the need of displaced women, men and children support for dialogue between estranged communities should contribute to peaceful coexistence and solve the underlying grievances.

Natural disasters

Cause: Due to its geographic position and climate conditions, Myanmar is exposed to forces of nature emanating from water, wind, earth and fire. Cyclones often come along with storm surges and devastate the coastal regions.

Divided into three seismically active regions, earthquakes happen regularly and the country's 2,400 kilometre coastline is prone to tsunamis. Landslides occur frequently in the Myanmar uplands. The dry zone is regularly affected by fire and drought. **Concern:** Natural disasters cause deaths, loss of livelihoods, displacement, destroy Myanmar's developmental gains for women, men and children and hinder interventions. For example in 2008, the most devastating cyclone in the living memory, Cyclone Nargis, caused 84,537 deaths⁶. **Need:** Disaster Risk Reduction (DRR) measures have to be applied systematically to mitigate the impact of natural hazards (such as displacement of people), minimize vulnerability and increase preparedness for future natural disasters. DRR compiles a broad range of tools aiming at building safe and stable infrastructures, implementing early warning systems, providing awareness rising through education and capacity building, contingency planning, and so on.



⁵ UNHCR: South-East Asia, Irregular Maritime Movements January – June 2014

⁶ Myanmar Action Plan on Disaster Risk Reduction 2012

4 Protection concerns and needs

Protection concerns and needs emerge as a consequence of the root causes discussed in chapter three. The primary responsibility to respond to protection needs lies with the authorities of Myanmar. The role of international assistance is to support the Government in its responsibilities towards the people who need protection, never to substitute for it. In case the Government is unable or only partially able to cope with the needs for protection, annex 1 provides an overview of the measures that can be proposed by Switzerland to address the protection needs of vulnerable population groups.

The Embassy of Switzerland has identified the following situations (listed in alphabetical order) that call for protection support in Myanmar.

Forced displacement

Concern: Forced displacement is a direct consequence of armed conflicts and other life-threatening situations in Myanmar. Women, men and children living in zones of armed conflicts or in Rakhine flee from the violence resulting in about 250'000 people seeking shelter in IDP camps⁷. In South-East Myanmar an estimated number of 200,000 – 400,000 people left their homes over the last 60 years of armed conflict and more than 100,000 live in refugee camps along the Thai border and in Malaysia. **Need:** Displaced people and particularly women, children and elderly people who live in camps or with host communities need protection from violence and support for basic services (food, water, health, and shelter), livelihoods and educational facilities.

⁷ MIMU: IDP sites map Kachin (February 2015) and Rakhine (January 2015)

Land grabbing

Concern: The two land laws passed in 2012 overturned socialist-era institutions of land-to-the-tiller, to create a land market while opening large-scale allocation of land for concessions. While these laws enable agribusiness development and regularized land ownership, in the absence of strong regulation, and in the face of high debt levels, they also threaten land tenure security of small family farms. Land concessions made over the last 20 years, including land taken for use by the military government, are highly contentious and farmer protests are on the rise. The current land laws do not adequately address tenure security for those women and men farmers practicing rotating fallow systems in the uplands, or for traditional tenure. Families farming in contested border regions are especially vulnerable to loss of land, as land administration is inconsistent, investment pressure from across the border is especially high in some areas, mechanisms for legal recourse are lacking, and the process for resettlement of displaced persons is unclear. **Need:** Land tenure has to be protected and livelihoods for small-scale upland women and men farmers ensured.



Landmines

Concern: In Myanmar, anti-personnel mines have been used for decades by all parties and even by citizens and village guard groups. Detailed and reliable data on landmine contamination in Myanmar is not available. To date there is no Information Management System for Mine Action (IMSMA) in place. Land mine contamination has been reported mostly in the border areas where the Myanmar armed groups and armed forces have fought each other⁸. Demining is not yet possible because both the armed forces and the armed groups are reluctant to allow access to humanitarian demining organisations. **Need:** There is the need for comprehensive data collection and mapping of contaminated areas, provision of extensive mine risk education (including in very remote areas), capacity building of authorities and increasing assistance for survivors (including medical and trauma treatment, rehabilitation through vocational training etc.). National platforms such as the Myanmar Mine Action Center (MMAC) under the Ministry of Social Welfare and the inter-ministerial Mine Risk Education Working Group need to be either created or strengthened to act as a focal point for humanitarian mine action activities. Additionally, the Government of Myanmar should be encouraged to accede to the Ottawa Convention banning the use of anti-personal landmines.

People without ID cards

Concern: Identity documents in Myanmar are vital to allow people to move freely and to access higher education as well as social and legal services. Over the years of conflict, many people in the affected areas have either lost their ID-cards or possess damaged or unreadable ones. Others are still holders of *temporary ID-cards* vested in laws before the actual Citizen Law of 1982 came into force. And finally, some people never applied for identification

documents due to limited financial means, constraints in knowledge or because they mistrust the government. Consequently, there are an uncounted but estimated high number of Myanmar people who hold either not applicable or no identity documents at all⁹. **Need:** Protection activities focus on the issuing of ID cards for men, women and children from ten years onwards and the provision of other civil documents (e.g. birth registration, household lists etc.) to facilitate their access to social and other services as well as civil and political rights.



Recruitment and use of children in armed forces and groups

Concern: According to international law, children are defined as persons under eighteen. The International Labour Organization (ILO) declares the use of children in armed conflict as one of the worst forms of child labour¹⁰ and the

⁸ Landmine and Cluster Munition Monitor, 2014

⁹ From mid 2013 – end 2014 the Norwegian Refugee Council NRC facilitated the issuing of > 20'000 ID-cards only in Mon and Kayah State.

¹⁰ International Labour Organization ILO (Geneva, 1999): Worst Forms of Child Labour Convention, 1999 (No. 182)

UN Secretary-General has it identified as one of six grave violations of children's rights¹¹. Children in Myanmar have been widely used in armed conflict by both the armed forces and non-state armed groups. Hundreds of children are currently enrolled in armed conflict and are used as combatants or as porters, spies, cooks, maids, for sex etc. This has serious implications for their lives and causes trauma, psychosocial distress, lacking education and other fatal consequences. In 2012, the GoUM and the UN signed an Action Plan to end and prevent the recruitment and use of children. Despite the discharge of over 500 child soldiers by the Myanmar armed forces, children continue to be recruited. **Need:** The recruitment and use of children in the armed conflict has to be stopped and prevented through systematic monitoring, strengthening and advocating for the legal framework. Furthermore, released boys and girls need assistance for rehabilitation and reintegration.



¹¹ UN Office of the Special Representative of the Secretary-General for Children in Armed Conflict (New York, 2013): The Six Grave Violations against Children during Armed conflict: The Legal Foundation.

Sexual and Gender-Based Violence SGBV

Concern: Reports and needs assessments in IDP camps in Rakhine¹² and Kachin¹³ conducted by UN organizations, INGOs and LNGOs reveal that SGBV is a serious concern in IDP camps in Myanmar. SGBV encompasses different forms of sexual violence including rape, sexual abuse and sexual harassment¹⁴. Particularly in IDP camps where men, women and children live together in confined spaces and abuse of alcohol and drugs among men is high, women, girls but also boys are increasingly exposed to sexual harassment, rape and even killings¹⁵. Furthermore, SGBV is often linked to trafficking and marriages of girls who are minor. Impunity is an additional concern since in the majority of cases the perpetrators¹⁶ are not prosecuted. **Need:** Referral systems have to be strengthened to provide medical treatment, psychosocial and judicial support to SGBV survivors. Furthermore, data collection and awareness-raising are basic to respond to SGBV appropriately and to enhance prevention. To end impunity there is the need for legislative reform considering all forms of SGBV and for installing effective and accessible complaints mechanisms.

Statelessness

Concern: A stateless person is one who is not considered as a national by any state. A large group of people in Myanmar are stateless because neither Myanmar nor neighboring countries recognize them as citizens of their own. This means that these people are not protected

¹² GBV Area of Responsibility of the global Protection Cluster (Rakhine, 2013): Rapid Assessment Protection Situation of Women and Girls – Rakhine Humanitarian Response.

¹³ UN Population Fund, Danish Refugee Council, Kachin Women's Association (2014): Interagency GBV and Trafficking Assessment in Northern Shan State.

¹⁴ United Nations General Assembly: Declaration on the Elimination of Violence against Women, A/RES/48/104 (1993) Art. 2.

¹⁵ Human Rights Watch (2012): "Untold Miseries" – Wartime Abuses and Forced Displacement in Burma's Kachin State.

¹⁶ Women's League of Burma (2014): Same Impunity, Same Patterns.

by a state of their own, and therefore are easy victims of exploitation and other human rights abuses. They cannot move freely from one country to another, nor can they move within Myanmar. Their children cannot go to official schools and they cannot access official social services. In light of rising inter-communal tensions these people are particularly vulnerable as they are stigmatized as not belonging to the

community or as being illegal. **Need:** Even without a legal status, people have the right to be respected and protected in their basic human rights of safety and security. Being given a nationality and legal recognition allows women, men and children to access social services such as health care and education, as well as providing remedies for violations committed against them.

5 Responding to protection needs

Strategic orientation and overall goal

This operational concept follows the results framework as defined in the *Swiss Cooperation Strategy Myanmar 2013 – 2017 (SCSM)* with regard to the domain goals and specific outcomes. In line with the overall goal¹⁷ of the SCSM and the understanding of the local context the *protection activities of Switzerland in Myanmar aim to ensure a safe environment for women, men and children at risk and all people affected by armed conflict, other situations of violence or by natural disasters.*

Implementing Switzerland's guiding principles

Switzerland responds to protection needs in Myanmar by applying the *Strategic Guiding Principles* of its SCSM and putting them into practice for the specific requirements.

Protection is a cross-cutting topic with direct implications on all domains of the SCSM (e.g. land-grabbing and landmine contamination constrain agricultural development, survivors of SGBV rely on health services, villages hosting displaced people need more social infrastructures etc.).

The **whole-of-government approach (WOGA)** constitutes an appropriate set-up to facilitate implementation of protection as an important topic.



¹⁷ The Swiss Cooperation Strategy Myanmar for 2013–2017 (SCSM) pursues the vision that *Swiss cooperation contributes to political, social and economic transitions in Myanmar that aim at a peaceful, inclusive and equitable society as well as democratically legitimised institutions.*

Besides applying a WOGA Switzerland translates protection through the principles of *Do-No-Harm* and *conflict-sensitive programme management*, choosing the most appropriate *mix of implementation modalities*, remaining *flexible and opportunity-driven* and through the *alignment and harmonisation* with the *Nay Pyi*

Taw Accord for Effective Development Cooperation (January 2013)¹⁸.

Specific modalities for protection

More concretely, Switzerland's specific modalities to engage in protection in the Myanmar context are as follows:

Modality	Types of intervention
Financial support	Switzerland makes large multi-bi contributions to international organisations with protection mandates (ICRC, UNHCR, UNICEF) and other organisations whose efforts address protection needs (e.g. WFP) to support their activities in Myanmar. Through bilateral contributions Switzerland supports project partners in their implementation of protection projects in diverse contexts of Myanmar.
Self-implementation	Through self-implemented projects in southeast Myanmar, Switzerland provides social infrastructures (rural health sub-centres, school facilities) and increased humanitarian access (roads and bridges).
Secondment of protection experts	By seconding protection experts from the Swiss Humanitarian Aid Unit (SHA) and the Swiss Expert Pool for Civilian Peace Building (SEP) Switzerland supports international organisations with its expertise. These experts are assigned to the corresponding UN head offices in Yangon or to their related field offices.
Policy Dialogue, Advocacy and Demarches	Switzerland is committed to the processes of political and humanitarian dialogue conducted with governmental authorities, representatives of ethnic armed groups and/or local and international partners. By maintaining an intensive dialogue with a variety of stakeholders Switzerland enhances peace-building and good governance processes. Thereby, it fosters legal transition and rule of law, which both provide a protective environment in the long-term. Last but not least, Switzerland may exert a protection effect simply through its presence in the field.
Grassroot interventions through actions on the ground	Reaching out to communities and civil society organisations (CSOs). Past experience has shown that humanitarian aid activities are a useful means to pave the way for a long-term strategic orientation. For example, the rapid response activities required in 2008 after Cyclone Nargis were a starting point for Switzerland to build up trust with a variety of stakeholders. This facilitated the later launching of long-term development cooperation interventions.
Mainstreaming	Internal workshops and trainings led by HSD and SDC-HA enhance the awareness and understanding on protection concerns. They serve furthermore as a source of inspiration to identify innovative and appropriate ways to respond to specific protection needs. Furthermore, protection focal points are trained to actively support the Humanitarian Affairs at the Swiss Embassy and the field office in Mawlamyine.

¹⁸ For particular explanations on these guiding principles s. SCSM 2013 – 2017 p.16 ff.

6 Coordination and Monitoring & Evaluation of protection activities

Coordination of protection activities

With reference to the synopsis of Swiss Cooperation Strategy Myanmar depicted in annex 5, protection is part of domain IV that involves activities of the Human Security Division and Humanitarian Affairs. Therefore, these two divisions play a key role in the coordination of protection activities. At the same time, all four domains are guided by one common country strategy and address protection issues together (as depicted in the annex 1 overview).

To coordinate its protection activities in the wider context, Switzerland participates actively in protection working groups and clusters chaired by UN organisations (UNHCR,

UNICEF, UNFPA and WFP). These platforms provide important information on the humanitarian situation in Myanmar and help to identify potential fields of intervention. As shown in annex 4, the official humanitarian protection coordination structure in Myanmar maintains a primary focus on Rakhine and Kachin.

In Yangon, regular staff meetings as well as meetings of the Operational Committee are held on a weekly basis. They serve as platforms to coordinate activities and exchange information throughout all domains. In case of emergencies, additional meetings are convened on an ad-hoc basis.



In the south-east, the SDC Field Office in Mawlamyine chairs the monthly DRR Working Group and participates in the regular Case Management Group meetings (focussing particularly on SGBV) and the Mon State Inter-Agency Coordination meetings. Furthermore, the Local Security Plan 2015 includes the communication protocol for security incidents and crisis situation, which is applied to report on observed protection issues in the field.

Monitoring & Evaluation

The results framework of the SCSM refers in its domain goals and outcomes to *IDPs and refugees* (domain 1), *food security* (domain 2) and *conflict-affected and vulnerable populations* (domain 3). Particularly domain four in which protection is an integrated aspect states that [...] *conflict-affected people are better protected from violations of their basic rights*. It specifies in its outcome three that *conflict-affected people can live in, or return to a place of their choice without fear, and have access to assistance as required*.

The indicators of each domain were reviewed in 2014. As a result, the current Data Monitoring Sheet for protection is based on accessible indicators, which are regularly assessed by Switzerland's protection project partners. This system uses data on the number of discharged Children Associated with Armed Forces and Armed Groups CAAFAG, provided MRE

trainings and assisted mine victims, issued ID-cards, contributions to international organizations with protection mandates, and others.

Additionally, all protection-related projects have their own monitoring cycle with indicators (including sex-disaggregated data) to measure the performance of the protection project portfolio. As far as possible, the performance of the Swiss protection portfolio is put in relation with the nation-wide development of the protective environment.

However, in Myanmar data collection and accessibility still need to be developed. Data provided by the UN and INGOs concentrate mainly on the *hotspots* of humanitarian crises, currently Rakhine and Kachin/Northern Shan. Information on country level is scarce, not accessible or even non-existent. Therefore, during the protection working groups, efforts are taken to improve the M&E system and to measure the performance of protection activities more comprehensively.

As data availability might improve in the coming years, Switzerland will increasingly be able to provide more sex-disaggregated and other target-group specific data and to better relate the performance of the Swiss protection portfolio to the nation-wide development of the protective environment.

7 Review of this concept

Against the background of Myanmar's on-going transformation processes protection concerns, needs and means to address them may be subject to change. Therefore, the contents of this "Operational Concept on Protection in

Myanmar" are revisable at any time but have to be reviewed at the mid-term review of the SCSM beginning of 2016 and by end of 2017 in view of a revised new version 2018-20.



8 Annexes

Annex 1: Overview of the Swiss activities to respond to protection needs in Myanmar

Annex 2: SDC-HA implemented protection modalities in Myanmar (March 2015)

Annex 3: Risk assessment

Annex 4: Humanitarian Protection Coordination Structure in Myanmar

Annex 5: Synopsis of the Swiss Cooperation Strategy Myanmar 2013

Annex 6: Map of Myanmar with geographic focus for Swiss cooperation

Annex 7: Abbreviations

Annex 8: Picture credits

Annex 1: Overview of the Swiss activities to respond to protection concerns in Myanmar (January 2015)

Addressing the causes for protection concerns	Protection Concern	Vision of change	Implemented tool	Swiss contribution / Project
	Armed Conflict	Myanmar has moved from armed conflicts to negotiated peace.	Ambassadorial Level and Diplomacy	<ul style="list-style-type: none"> Advocacy and Demarches Diplomatic missions to conflict areas
			Human Security Division	<ul style="list-style-type: none"> The Human Security Division (HSD) supports the peace negotiation process in Myanmar during which questions concerning the humanitarian situation and protection are addressed. SDC contributes to a referral system for protection information and cases (as the one of UNHCR); the trends analysis can be used in protection advocacy with the government and armed groups in cease-fire preparations and human rights dialogue
			Regional Cooperation SDC	<ul style="list-style-type: none"> Through the primary health care project: support to the convergence of the ethnic and government health-systems Provision of vocational trainings to people living in war affected zones
			Humanitarian Aid Division	<ul style="list-style-type: none"> Presence in fragile context and conflict area Creating trust, confidence and space for encounters between GoUM and NSAs while setting
	Other situations of violence	Diversity is respected and differences are settled without the need to resort to violence.	Diplomatic Affairs	<ul style="list-style-type: none"> Single or joint letters Representations made on tolerance, no hate speech
			Human Security Division	<ul style="list-style-type: none"> Support to freedom of speech, no hate speech and grassroot peace building initiators
			SDC Regional Cooperation	<ul style="list-style-type: none"> Paung Ku Society Strengthening Programme: Support to intercommunal dialogue
			SDC Humanitarian Aid Division	<ul style="list-style-type: none"> Multi-bilateral contributions to UN organizations, WFP and ICRC

Addressing the causes for protection concerns	Natural Hazards	Policies, contingency plans and early warning systems are in place to enhance Disaster Risk Reduction measures which prepare for, enable reacting to and mitigate the effects of natural hazards.	Ambassadorial Level and Diplomacy	<ul style="list-style-type: none"> ▪ Participation in joint advocacy
			Human Security Division	<ul style="list-style-type: none"> ▪ Support to Nansen Initiative ▪ Preparation of policy and advocacy (prevention of displacement)
			SDC Regional Cooperation	<ul style="list-style-type: none"> ▪ Contributions to MIMU for maps and information sharing
			SDC Humanitarian Aid Division	<ul style="list-style-type: none"> ▪ Participation in the DRR Working Group in Yangon and chairing the DRR WG in Mawlamyine ▪ Providing DRR trainings for CBOs and awareness rising in the southeast ▪ Elaboration of the school construction guidelines ▪ Construction of earth-quake proof, flood and storm resistant social infrastructures ▪ Cooperation with Relief and Resettlement Department in Mon State
Addressing protection concerns and needs	Forced Displacement	Myanmar enables safe and stable living conditions where people have freedom of movement.	Ambassadorial Level and Diplomacy	Participation in joint advocacy
			Human Security Division	<ul style="list-style-type: none"> ▪ Policy dialogue for IDPs, durable solutions and the prevention of displacement ▪ Support of Nansen Initiative
			SDC Regional Cooperation	<ul style="list-style-type: none"> ▪ Health services for IDPs through the primary health project ▪ Provision of vocational trainings to IDPs and returning refugees ▪ Support to a land policy in Myanmar that addresses the needs of settlement of displaced persons
			SDC Humanitarian Aid	<ul style="list-style-type: none"> ▪ Return assessment in SDC direct implementation project villages in the SE (questionnaire, analysis, sharing of information with relevant partners). ▪ Contributions to INGOs with Camp Management Activities in Rakhine and Kachin ▪ Preparing for the hosting of returnees through SIRP ▪ Support to UNHCR Myanmar and Thailand through multi-bilateral contributions and secondments ▪ Support to Human Trafficking Project in Mon State

Addressing protection concerns and needs	Land grabbing	The Government respects the land rights of men and women and implements a national land policy.	Ambassadorial Level and Diplomacy	<ul style="list-style-type: none"> ▪ Representation to the respective ministries on law reforms
			Human Security Division	<ul style="list-style-type: none"> ▪ Governmental authorities and EAGs respect law tenure and land policies ▪ Political dialogue
			SDC Regional Cooperation	<ul style="list-style-type: none"> ▪ Advocacy on land right and policy at national and international level through the Paung Ku Civil Society Strengthening Programme ▪ Technical support to the finalization of the national land policy, in particular to an extensive consultation process ▪ Support to dialogue on land rights in ethnic minority areas through TNI ▪ Support to an open access land-related spatial database that includes tenure rights at certain levels
			SDC Humanitarian Aid	<ul style="list-style-type: none"> ▪ IOS-certificate for social infrastructures projects through which the land is officially registered ▪ Supporting to the “Information Counselling and Legal Assistance” project
	Landmines	Myanmar abolishes landmines and ratifies and implements the Ottawa treaty.	Ambassadorial Level and Diplomacy	(Participation in joint) advocacy;
			Human Security Division	<ul style="list-style-type: none"> ▪ Technical support for landmine policy ▪ Political dialogue
			SDC Regional Cooperation	<ul style="list-style-type: none"> ▪ Mine Risk Awareness trainings as an integrated part of local vocational trainings in the South-East.
			SDC Humanitarian Aid	<ul style="list-style-type: none"> ▪ Financial support for INGOs to implement Mine Risk Education and Victim Assistance
	People without ID Cards	All people in Myanmar can apply for civil documents and new-borns are registered at birth.	Ambassadorial Level and Diplomacy	(Participation in joint) advocacy
			Human Security Division	<ul style="list-style-type: none"> ▪ Supporting the compliance with the Human Right to be recognised before the law
			SDC Regional Cooperation	
			SDC Humanitarian Aid Division	<ul style="list-style-type: none"> ▪ Contribution to INGOs to implement projects to provide civil documentation ▪ Support to UNHCR through multi-bilateral contributions and secondments

Addressing protection concerns and needs	Recruitment and use of children in armed forces and groups	Protected by the Myanmar child law, persons below the age of 18 years cannot be forcibly recruited.	Ambassadorial Level and Diplomacy	(Participation in joint) advocacy
			Human Security Division	<ul style="list-style-type: none"> ▪ Advocating for National Ceasefire Agreement and DDR
			SDC Regional Cooperation	<ul style="list-style-type: none"> ▪ Provision of vocational trainings to children discharged from armed forces and groups
			SDC Humanitarian Aid Division	<ul style="list-style-type: none"> ▪ Support to UNICEF through multi-bilateral contributions and secondments for their implementation of the Action Plan with armed groups and armed forces
	Sexual Gender Based Violence	SGBV is recognized under national law as a serious violation of Human Rights and perpetrators are prosecuted and sentenced.	Ambassadorial Level and Diplomacy	(Participation in joint) advocacy
			Human Security Division	<ul style="list-style-type: none"> ▪ Policy inclusion (NCGA) policy dialogue ▪ Contribution to small activities for women in peace talks
			SDC Regional Cooperation	<ul style="list-style-type: none"> ▪ Specific support to NGOs working on SGBV as part of the gender equality budget line in the global credit
			SDC Humanitarian Aid Division	<ul style="list-style-type: none"> ▪ Participation in the SGBV Working Group ▪ Support to UNICEF through multi-bilateral contributions and secondments ▪ Financial support to INGOs to implement GBV projects
	Statelessness	All people in Myanmar are recognized before the law irrespective of their religion, gender or ethnicity.	Ambassadorial Level and Diplomacy	(Participation in joint) advocacy
			Human Security Division	<ul style="list-style-type: none"> ▪ Regional dialogue on Rohingyas/Bengali ▪ Implementation and revision of the 1982 citizenship law
			SDC Regional Cooperation	
			SDC Humanitarian Aid Division	<ul style="list-style-type: none"> ▪ Support to UNHCR through multi-bilateral contributions and secondments

Annex 2: SDC Humanitarian Aid implemented protection modalities in Myanmar (March 2015)

Project implementation

Partner	Project focus
IOM: International Organisation of Migration	Social Protection for trafficking victims (Mon & Kayin)
NRC: Norwegian Refugee Council (Co-funding)	Improved access to Civil Documentation (Mon & Kayah)
DRC/DDG: Danish Refugee Council / Danish Demining Group (Co-funding)	Mine Risk Education and Victim Assistance (Kachin & Kayah)
IMC: International Medical Corps	SGBV: Prevention and Response (Kachin)
SIRP: South-East Infrastructure Rehabilitation Project (Self-implemented projects)	Provision of social infrastructures (rural health sub-centres, school facilities) and increased humanitarian access (roads and bridges).

Financial support to strategic partners (Multi-bi contributions)

Partner	Project focus
ICRC	Promotion and implementation of IHL
UNHCR Myanmar	Support to IDPs and host communities
UNHCR Thailand	Convergence MYA-THA on voluntary return of refugees
UNICEF Myanmar	Child protection
WFP	Food support to IDPs and host communities
OCHA	Coordination of humanitarian activities in Myanmar

Seconded staff to international Organizations

Partner	Project focus
UNHCR (Secondment)	Protection Specialist in Bhamo (Kachin)
UNICEF (Secondment)	Child Protection Specialists in Yangon Child Protection Specialist in Myitkyina (Kachin)

Policy dialogue with partners and authorities

Framework of dialogue	Lead Agency	Protection issues
Humanitarian Protection Working Group	UNHCR	Humanitarian Protection
Child Protection Working Group	UNICEF	Child Protection
Gender Based Violence Working Group	UNFPA	GBV
Humanitarian Communication and Advocacy Group	UNOCHA	Advocacy for protection issues
Southeastern Myanmar Consultations	UNHCR	Protection issues relating to returnees, IDPs, host communities
Social protection & DRR Sector Working Group	Ministry of Social Welfare	Social Protection

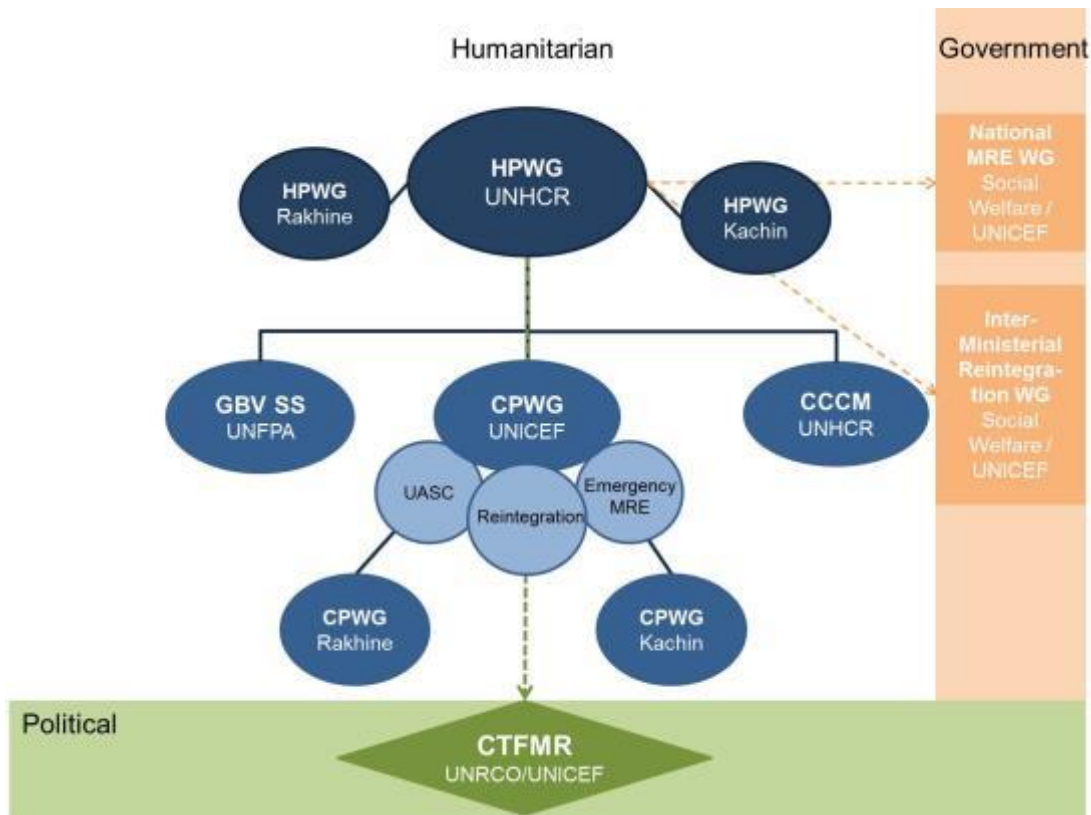
Annex 3: Risk assessment

In view of the ongoing transformation processes in Myanmar, Switzerland's provision of protection has to cope with a variety of risks and challenges. Their occurrence and level of impact in case they occur are critical for the achievement of the goals and outcomes as explained under chapter 7.

Risk	Likelihood	Consequences for Switzerland to provide protection	Mitigation measures
Up-coming elections cause more communal violence with large-scale, short term displacement. The need for protection increases whereas humanitarian access and trust building becomes increasingly difficult particularly if the groups are not structured.	High	Major	Switzerland maintains humanitarian access through advocacy, political and peace dialogue at policy level as well as trust building and maintenance of credibility at grassroot and policy level. Furthermore, through strengthening relationships with strategic partners Switzerland maintains access to address needs from large-scale displacements.
Parliamentary elections provoke additional disunity and fragmentation of communities. The need for protection increases whereas humanitarian access and access to peace dialogues becomes increasingly difficult.	Medium	Major	Through advocacy, political and peace dialogue at policy level as well as trust building and maintenance of credibility at grassroot and policy level Switzerland maintains (if it is for itself) / contributes to (if it is for others) humanitarian access and access to dialogues at high political level.
Democratization process is stopped. The provision of protection at grassroot and policy level is hindered or even became impossible.	Medium	Major	Through advocacy, political and peace dialogue at policy level as well as trust building and maintenance of credibility at grassroot and policy level Switzerland maintains humanitarian access and access to dialogues at high political level.
The national ceasefire agreement which is a means to target one of the root causes for protection concerns is not achieved.	Medium	Minor	Advocacy, political and peace dialogue at policy level as well as through community work in the field Switzerland contributes to the continued conflict-resolution between different parties and stakeholders.

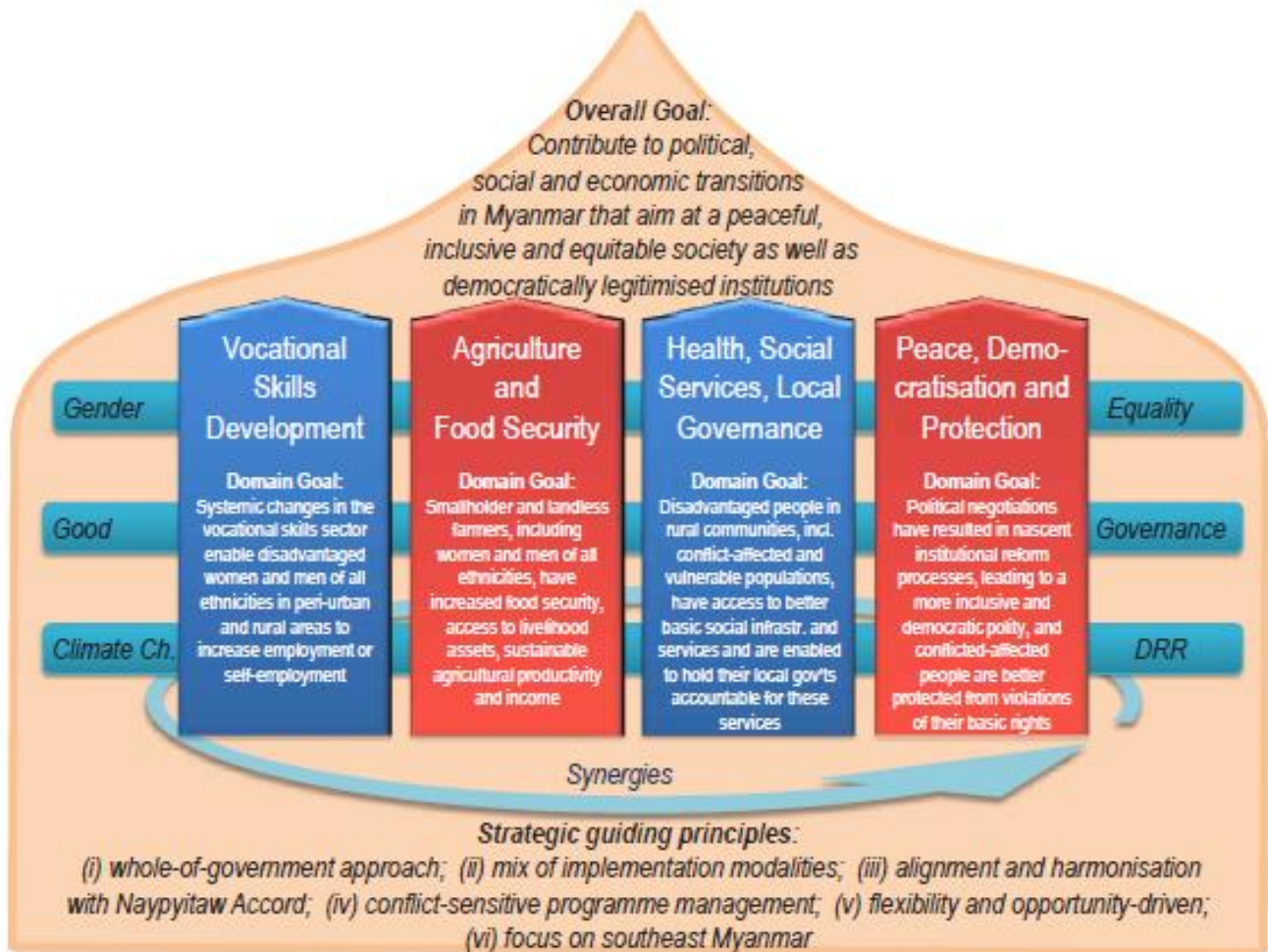
<p>The communication and spreading of sensitive data during the implementation of protection activities puts national project staff and communities at risk of causing the loss of life and / or livelihoods and triggers their own displacement</p>	<p>Low</p>	<p>Major</p>	<p>Switzerland protects its national staff through conducting regular conflict analysis, consequent application of the “Do-No-Harm” approach and “Conflict-Sensitive-Programme Management”. Furthermore, compliance with security guidelines and the Local Security Plan mitigates security risks. Particular political dialogue incl. authorities at local and state level and NSAs helps to keep security measures up-to date.</p>
<p>Advocacy activities of the Swiss Embassy damage the positive reputation of Switzerland in Myanmar and weaken its influence at policy level.</p>	<p>Low</p>	<p>Moderate</p>	<p>Switzerland holds regular consultation with HQ Bern and reviews its compliance with general guidelines on communication (e.g. with media etc.).</p>
<p>International staff’s access to projects is increasingly hindered, either through increased security risks or increased bureaucracy.</p>	<p>Low</p>	<p>Moderate</p>	<p>Switzerland conducts regular risk analysis and consequently applies the “Do-No-Harm” approach and “Conflict-Sensitive-Programme Management”. Particular political dialogue incl. NaTaLa (e.g. for Travel Authorizations), local authorities and NSAs helps to strengthen trust, protect the staff in the field and maintain humanitarian access. Security risks are mitigated through the Local Security Plan. In case activities cannot be conducted by international staff anymore, it will be substituted by qualified national staff.</p>
<p>Comprehensive statistics and nationwide data are limited or difficult to access. This bears the risk of not providing appropriate services / implementing relevant activities.</p>	<p>Low</p>	<p>Minor</p>	<p>Information about availability of data is ensured through the participation in inter-agency meetings and diverse working groups. Due to increased project activities and the development of governmental capacities there will be more and better data available in the future.</p>

Annex 4: Humanitarian Protection Coordination Structure Myanmar



Acronym	Description
<i>Humanitarian</i>	
CPWG	Child Protection Working Group: Humanitarian sub-sector to coordinate child protection interventions. National forum launched in March 2014, sub-national CPWG established for Rakhine (Sittwe) and Kachin (Myitkyina/Bamaw).
UASC	CPWG Technical Group on Unaccompanied and Separated Children. Comprised of MYRCS, Australian Red Cross, Canadian Red Cross, ICRC, Save the Children, World Vision and UNICEF
Reintegration TG	CPWG Technical Group to ensure common approach on reintegration of children formerly associated with armed forces/groups
Emergency MRE	CPWG Technical Group on Emergency Mine Risk Education. Activities focus in Kachin
PWG	Protection Working Group
GBV WG	Gender-Based Violence Working Group
<i>Government</i>	
National MRE WG	National Mine Risk Education Working Group co-chaired by Ministry of Social Welfare and UNICEF
Inter-Ministerial Reintegration Working Group	Developing a national framework to ensure common standards across Ministries on Reintegration of children affected by conflict.
<i>Political (Peace and Security)</i>	
CTFMR	Country Task Force on Monitoring and Reporting of Grave Violations against Children as per UN SCR 1612/1882. Co-Chaired by UNICEF and Resident Coordinator Office.

Annex 5: Synopsis of the Swiss Cooperation Strategy Myanmar 2013 - 2017



Annex 6: Map of Myanmar with geographic focus for Swiss cooperation



Annex 7: Picture credits

Picture	Description / Credits
Cover picture	Children in IDP camp in Sittwe Author: © UNICEF Myanmar / 2013 / Sittwe
Page 7	IDP camp in Rakhine State Author: SDC Myanmar / 2013 / Rakhine
Page 8	Left: Very Severe Cyclonic Storm Nargis, seen from MODIS on the Terra satellite at 0645Z May 2 near landfall on Myanmar. Author: NASA / 2008; Source: Wikimedia Commons Right: These houses [<i>in the delta region</i>] are right at the water's edge, with open sea behind them. When the flood came it covered the roofs of these houses. Author: Marianne Jago / AusAID / 2008; Source: Wikimedia Commons
Page 9	Rubber plantation in the South-East Author: SDC Myanmar / 2015 / Mon State
Page 10	Women at a training center, IDP-camp in Myitkyina (Kachin State) Author: SDC Myanmar / 2014 / Kachin
Page 11	Discharge of children in armed conflicts / Bayint Naung Transit Unit, Yangon Author: ©UNICEF Myanmar / 2012 / Myo Thame
Page 12	Little boy in an IDP-camp in Myitkyina (Kachin State) Author: SDC Myanmar / 2014 / Kachin State
Page 14	Children seeking shelter under the new school building in Hti Sum (Kayin State) constructed by SDC-HA Myanmar. Author: SDC Myanmar / 2011 / Kayin State
Page 16	IDP-camp in Myitkyina (Kachin State) Author: SDC Myanmar / 2014 / Kachin State

Imprint

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Yangon, March 2015