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Embassy of Switzerland in Myanmar

Operational Concept on Protection for Myanmar 2019–2023



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Abbreviations

AA	Arakan Army
ALP	Arakan Liberation Party
ARSA	Arakan Rohingya Salvation Army
CoP	Centrality of Protection
CSO	Civil society organisation
DRR	Disaster Risk Reduction
EAG	Ethnic armed group
EAO	Ethnic armed organization
FDFA	Swiss Federal Department of Foreign Affairs
GCA	Government-controlled area
GoUM	Government of the Union of Myanmar
HSD	Human Security Division of FDFA
IASC	Inter-Agency Standing Committee
IDP	Internally displaced people
IHL	International humanitarian law
IIFFM	Independent International Fact-Finding Mission
LGBT	Lesbian, Gay, Bisexual, and Transgender
M&E	Monitoring & Evaluation
NGCA	Non-government controlled area
NSA	Non-state actor
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OCPM	Operational Concept on Protection for Myanmar
SCPM	Swiss Cooperation Programme in Myanmar
SDC	Swiss Agency for Development and Cooperation
SDC-HA	Swiss Humanitarian Aid Unit
SGBV	Sexual and gender-based violence
WoGA	Whole-of-government-approach

Foreword

Protection is the desire to live in a safe environment and care for the most vulnerable people. It lies in the nature of human beings. We all need some kind of protection at one point in our lives, no matter what. The perception of what protection means and how it is provided may depend on time and cultural context, however, we all agree that it entails the respect for the life and dignity of each human being. Without dignity, it would be impossible to provide meaningful protection.

Myanmar is embracing wide-ranging reforms and is changing rapidly. This transition is shaped by its particular history, culture, specific domestic conditions and the prevailing international environment. It is facing important challenges in terms of peace, democratic transition and social inequality. New threats such as climate change add to Myanmar's already high vulnerability to natural disasters and the impact of

conflicts in different parts of the country. In many states and regions, a significant number of internally displaced persons are in need of protection and assistance. For the various actors to better meet the individual needs of the affected populations, protection should be more systematically integrated in all humanitarian activities.

It is therefore with great satisfaction that I sign this revised Operational Protection Concept which will help us integrate protection concerns, not only in humanitarian aid but also in all other activities of the Swiss Cooperation Programme Myanmar 2019-2023, in line with other important concepts such as Leave No One Behind, Conflict Sensitive Programme Management and Do No Harm.



Giacomo Solari,
Head of Cooperation

1. Objectives

The Operational Concept on Protection for Myanmar 2019–2023 (OCPM) is written for the staff of the Embassy of Switzerland in Yangon/ Myanmar and in the field. Its elaboration involved all domains covered by the Swiss Cooperation Programme Myanmar 2019–2023 (SCPM) 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 at policy level. It puts the Swiss protection framework into an operational perspective and describes how Swiss engagements in Myanmar can strengthen protection for vulnerable people.

2. Switzerland's commitment to Protection

International human rights law, international humanitarian law, international refugee law, and international criminal law (e.g. Rome Statute) provide the international legal framework for protection of people affected by humanitarian crises. Each of these branches of international law comprises a number of instruments and customary international law principles that define the rights that affected people have. The rights include the right to life, the right to legal personality and due process of law, the right to freedom of movement and protection against *refoulement*, the prohibition of slavery, torture, and other cruel, inhuman or degrading treatment or punishment. International humanitarian law furthermore contains important provisions in relation to means and methods of warfare for the protection of civilians, such as the principle of distinction between military and civilian objectives, the principles of precaution and proportionality in attack, the prohibition of the use of starvation as tactic of war and the prohibition to use certain types of weapons.

Protection is firmly rooted in Switzerland's humanitarian tradition. The Federal Constitution states that "Switzerland is to promote respect for human rights and democracy, as well as the peaceful co-existence of peoples." To respect and to ensure respect for international law is an essential part of Switzerland's foreign policy, as stated in the Swiss Foreign Policy Strategy 2020–2023. Additional commitments arise from the Federal Department of Foreign Affairs' (FDFA) Strategy on the Protection of Civilians in Armed Conflicts; the FDFA Action Plan for the Protection of Children Associated with Armed Forces or Groups in Armed Conflicts; the FDFA Human Rights Strategy; the Mine Action Strategy of the Swiss Confederation 2016–2022 Towards a World Free of Anti-personnel Mines, Cluster Munitions and Explosive Remnants of War; the International Combat against the Illicit Trade in and Misuse of Small Arms and Light Weapons: the FDFA National Action Plan to Implement UN Security Council Resolution 1325 on Women, Peace and Security.

Furthermore the Dispatch on Switzerland's International Cooperation 2021–2024 outlines protection as a priority theme. SDC/HA's Operational Concept on Protection (OCP) reiterates commitment to the Centrality of Protection (CoP) and Human Rights Up Front (HRUF) calling on all actors to protect people from harm as a priority in their all engagements. Swiss global priorities on protection as outlined in the OCP are:

- Reduce violence against children;
- Address forced displacement and the quest for durable solutions;
- Provide legal identity and civil documentation for all.

In the area of protection, Switzerland can capitalize on specific strengths and values that lend legitimacy to its commitment and foster its operational capacity. Among these strengths

are Switzerland's good offices and convening power, along with its culture of consensus-building and dialogue; the tradition of solidarity and protection of minorities; the historic role of Geneva in international humanitarian law and promotion of human rights; a foreign policy guided by international law, together with its widely recognized neutrality. More specifically on operational capacities, Switzerland has consolidated a whole-of-government approach (WoGA) that integrates the collaborative efforts between the various federal agencies to achieve unity of endeavors. A multi-faceted approach to the protection response that takes advantage of potential synergies between humanitarian and development programs, human rights, peacebuilding and conflict resolution initiatives, multilateral and bilateral initiatives, as well as policy dialogue and diplomatic efforts.



3. Protection Risks in Myanmar

A protection risk analysis results from the combination of different factors such as threats (e.g. violence, natural disasters, human rights violations, economic shocks etc.), vulnerabilities (e.g. personal, economic, and social attributes), and capacities to cope (e.g. withstand, resist, recover, and transform).

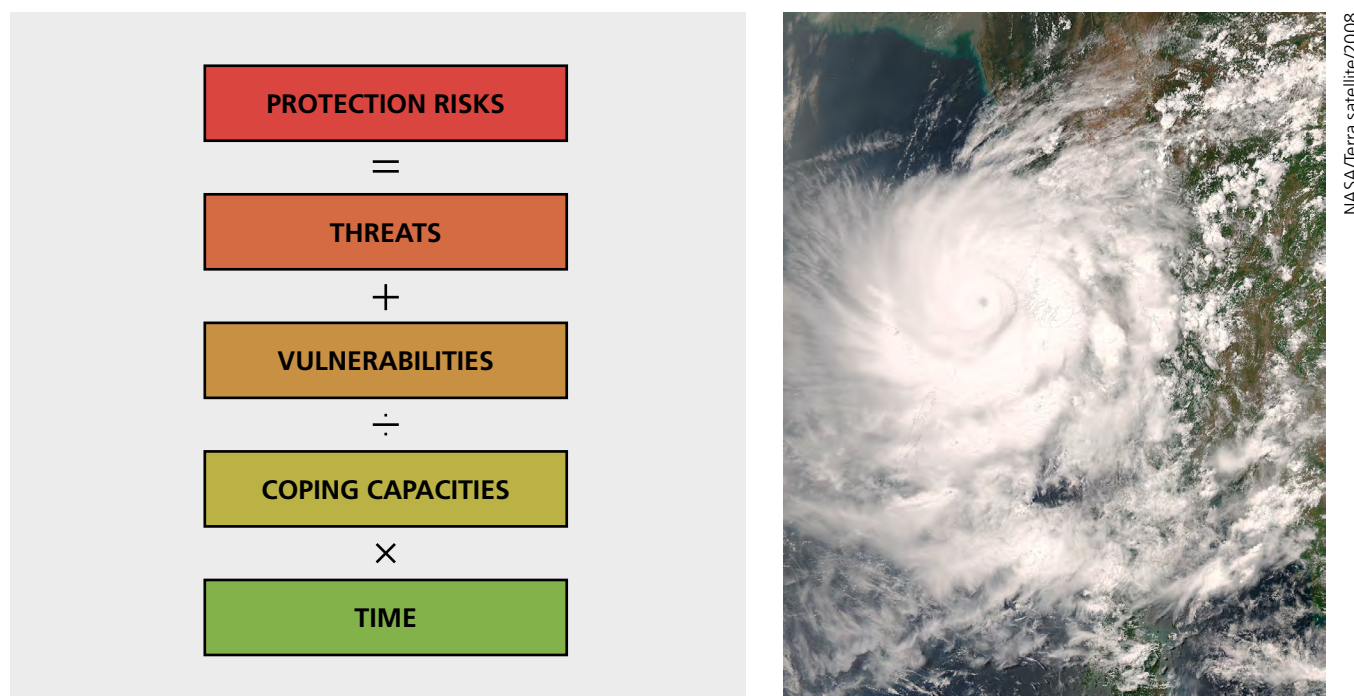


Figure 1: Core protection elements

Figure 1 above illustrates the core elements of protection: 1) understanding what types of threats exist; 2) identifying different vulnerable groups based on situational analysis; 3) understanding how people cope to threats and vulnerabilities; and, 4) assessing how long people will be exposed to the threat. In general, the longer people are exposed to a threat, the greater their vulnerability and likelihood to adopt negative coping mechanisms. *For more see Annex I: Protection Backgrounder.*

3.1 THREATS

The three most prevalent protection threats in Myanmar are natural disasters, armed conflict and other situations of violence, and forced deprivation/systemic discrimination. An extensive threats presentation is listed at *Annex 1: Protection Backgrounder.*

Natural Disasters

Myanmar is ranked second in the Global Climate Risk Index of countries most affected by long-term climate risks from 1999 to 2018¹. The United Nations Office for Disaster Risk Reduction rates Myanmar as one of the top three most vulnerable countries to extreme weather events with an estimated 3 per cent of Myanmar's annual GDP being lost due to the effects of nature induced disasters². These includes cyclones, tropical storms, storm surges, flooding, earthquakes, and tsunamis. The Ayeyarwady Delta, the central Dry Zone, and coastal areas including Rakhine State are among the most at-risk areas³.

Armed Conflict and Other Situations of Violence

The Government of the Republic of the Union of Myanmar (GoUM) and 10 ethnic armed groups signed the 2015 Nationwide Ceasefire Agreement (NCA). This is a significant achievement given decades of armed conflict between ethnic armed organisations (EAOs) and the Myanmar's military known as the *Tatmadaw*. Nevertheless, almost a quarter of the total population, or roughly 12.3 million people, have been affected by armed conflicts. These conflicts are characterized by competition for power on land and resources and a quest for equal rights.

Landmines and Explosive Remnants of War (ERW) continue to pose a substantial threat to people, especially children. Nine out of Myanmar's 14 states and regions are contaminated with landmines and ERW. According to UNICEF Myanmar, one in four casualties of landmines are children in Kachin and Shan states topping the list for the worst landmine contaminated areas⁴. The use of landmines and limited progress on clearance make achieving durable solutions for displaced populations even more difficult as the presence of landmines and other ERW limit the safe return of refugees and internally displaced people (IDPs).

Forced Displacement and lack of durable solutions affect hundreds of thousands of people across the country. In northern Shan, as well as in Rakhine State, people have been forced to flee violence multiple times. Displaced populations tend to stay with their families or other community members which complicates their identification and any assistance provided for them and the host communities. Furthermore, in the south-east of the country, hundreds of thousands of people are displaced across the border in Thailand or internally within Myanmar, still lack sufficient conditions to enable large-scale returns in safety and dignity. Regarding to durable solutions for IDPs in northern Myanmar, various studies show that most of the IDPs wish to return their homes, however, are unable to do so due to ongoing conflict and other security and safety reasons. Durable solutions in Rakhine State are widely hindered because of structural discrimination as well as the rising level of violence.

Deliberate Deprivation and Systemic Discrimination

Poverty in Myanmar is characterized by a lack of social and economic development as well as deeply embedded inequalities and systemic discrimination, particularly, but not exclusively, towards Myanmar's ethnic and religious minorities. Exclusion and discrimination, which often results in poverty, continues to be one of the main grievances against the authorities in many ethnic minority areas. Additionally, due to the



weak legal framework, ethnic and religious minorities, as well as women, face structural barriers in terms of accessing justice and legal protection. Furthermore, discrimination is exacerbated by laws and regulations that do not systematically take into account the gender and ethnic equality and further promotes discrimination.

3.2 VULNERABILITIES

Vulnerability refers to the diminished capacity of an individual or group to anticipate, cope with, resist, and recover from the impact of a threat (natural disasters, conflicts, deliberate deprivation/systemic discrimination)⁵. Gender, age, ethnicity, religion, disability, income, and, literacy are examples of factors that may influence the scope of vulnerability.

Vulnerability varies across the context and the different communities depending on whom the programme or intervention is targeting. The SDC/HA OCP refers to the importance of having a 'situational understanding of vulnerability' based on the specificities of where an intervention is working.

The SDC Guidance Note on Leave No One Behind refers to drivers of exclusion such as sex and gender, religion, race, ethnicity, disability, age, and economic status and calls for data that can be disaggregated along these characteristics in order to ensure inclusion of these vulnerable groups and to strengthen the relationship between rights holders and duty bearers. *For more on different forms of vulnerability in Myanmar, see Annex I: Protection Backgrounder.*

3.3 COPING MECHANISMS

Coping mechanisms are the behaviours, skills, and practices individuals and communities use to cope with risks. Coping mechanism can consist of any of the following: withstanding hardship; resisting negative influences; adapting to circumstances; anticipating changes; and, recovering from damages. Coping mechanism can entail both positive and negative

behaviours. For example, a positive coping behaviour for children affected by crises is attending school which offers some stability and continued learning opportunities. A negative coping mechanism is drinking alcohol, using drugs, or survival sex – sex work to meet basic needs.

In addition to positive and negative coping behaviours, there are also positive and negative effects of specific behaviours or practices. For example, during conflict, displacement can be a form of coping from violence by removing oneself from the area of hostility. However, displacement also introduces other risk effects such as loss of livelihoods and assets, or increased exposure for vulnerabilities, particularly for girls and women, to sexual exploitation.

In Myanmar, many protection risks are related to negative or harmful coping practices. For example, drug use and drug trafficking are a way of coping with psychological and economic hardship. Furthermore, people get lured into human trafficking through seeking economic or other survival opportunities. In northern Shan communities have been repeatedly displaced introducing new risks from loss of sustained livelihood opportunities, disruption in education, and psychological trauma. *For more on coping mechanisms, see Annex I: Protection Backgrounder.*

3.4 TIME

The longer the exposure is to a threat, the bigger is its impact on people as well as the likelihood of other threats. For example, the length of time of displacement increases the exposure of displaced persons to secondary threats, such as sexual exploitation or human trafficking. It also increases the likelihood of people resorting to negative coping behaviours such as drug use or survival sex. Understanding whether a threat is short-term or long-term influences the selection of the types of interventions that are most effective and appropriate. A combination of initiatives, and sequencing of activities can provide room for addressing both immediate and long-term threats.

4. A Whole-Of-Government Approach to Protection

“Delivery of protection is understood as a dynamic concept, moving from emergency/ life-saving and life-sustaining support through to support in protracted crisis situations, the search for durable protection solutions and resilience. Protection requires the engagement of humanitarian, development and political actors.” The SDC/HA OCP

The Swiss Embassy in Myanmar adopts a WoGA approach to addressing protection. While the Focal Point for Protection remains within SDC/HA, all other programmes and portfolios have a responsibility in ensuring that their actions Do No Harm and support a strengthened protection landscape wherever possible.

4.1 HUMANITARIAN PROGRAMMING

All SDC/HA humanitarian response programmes have an obligation to ensure the Centrality of Protection (CoP) in their programming⁶. This does not mean that all humanitarian projects have to be protection stand-alone projects. But it means that all projects – whatever the sector – are to be accountable to protection outcomes, in particular regarding the safety and dignity of conflict-affected populations. For doing so, there are two requirements: first, conducting a protection analysis is necessary for identifying the specific threats and vulnerabilities relative to the context we will engage in; second, the Do No Harm and Conflict Sensitive Programme Management (CSPM) lenses are to be applied in order to ensure that the project/programme will not add protection risks. In addition, specific protective action for strengthening protection environments should be taken whenever required. This means SDC/HA must ensure its support to multilateral and bilateral partners, secondments, and direct implementation systematically and consider protection when reviewing proposals, project documents, and setting funding allocations. *See Annex V: Do No Harm and Protection Mainstreaming in Project Proposals.*

As the lead for protection, the SDC/HA Focal Point on Protection has an important coordination role in supporting SDC/SC, HSD, and the wider Embassy to consider protection and to roll out this Operational Concept on Protection.

4.2 PROTECTION AS A WOGA APPROACH

A WoGA requires all sections of the Swiss Embassy in Myanmar to consider their impact on protection, ensure the Do No Harm principle, and strengthen the protection environment wherever possible. Working on protection as an approach means assessing different intervention impacts on threats, vulnerabilities, and coping mechanisms.

4.3 POLICY DIALOGUE AND ADVOCACY

The HSD, SDC/SC, the political section of the Embassy, and the Swiss Ambassador have important roles in ensuring the Operational Concept on Protection is put into practice, particularly in terms of strengthening the protection environment in Myanmar through their respective programmes. All engagements with the Myanmar government should consider their impact on whether they are strengthening protection for vulnerable people, or, whether they may be unintentionally contributing to the risks people face.

Cooperation modalities, policy dialogue, and advocacy should be reviewed annually to ensure coherence and complementary goals. In line with the SDC commitment on Leave No One Behind, progress on the meaningful inclusion of ethnic minorities, stateless people, and other vulnerable or excluded groups should be assessed periodically to ensure they are benefiting from programmes, and their ability to claim their rights is improving.

5. Protection, Conflict Sensitive Programme Management (CSPM) and Leave No One Behind

SDC's commitments to Protection, Conflict Sensitive Programme Management (CSPM), and Leave No One Behind provide strong entry points for SDC/HA, SDC/SC, HSD, the Embassy, staff from headquarters, and implementing partners to integrate the Do No Harm principle throughout humanitarian, development, peace, and diplomatic engagements supported by the Swiss programmes in Myanmar.

5.1 WHAT IS CSPM?

Conflict-Sensitive Programme Management (CSPM) is a procedure designed to anchor the conflict perspective in the SDC Programme Cycle Management. CSPM draws attention to a core question: does a programme contribute to the prevention of violence and peaceful transformation of conflict or does it aggravate it? Conflict sensitivity recognizes that all activities, whether by local, national, or international actors, have either positive or negative effects on the context. Moreover, conflict sensitivity aims to minimize negative unintended consequences and maximize positive effects. Key elements of CSPM are:

- Context Analysis
- Connectors and Dividers Analysis
- Actor Mapping
- Programme Analysis, or integrating CSPM into the project cycle
- Making changes to programmes to minimize Dividers and maximize support to Connectors.

Understanding Connectors and Dividers

Identifying and prioritizing Connectors and Dividers are the essential element of CSPM. Connectors are things that create, or contribute to, cooperation, trust, and good will across divided groups. Dividers are things that create, or contribute to, mistrust and divisions. Connectors and Dividers exist in all contexts regardless of what engagements Switzerland has in the area. Understanding Connectors and Dividers means understanding how Swiss engagements are affecting the relationships and conflict dynamics among the different actors in a specific area. *For more on identifying Connectors and Dividers, see Annex II: Do No Harm and Protection Mainstreaming Tool for Programmes.*

The Do No Harm principle

Once Connectors and Dividers are identified in a particular area, the next step in CSPM is to ensure that Dividers are not being unintentionally strengthened through the project/programme/policy, and that wherever possible, Connectors are being supported. CSPM requires that at a minimum, all Swiss interventions ensure that they are not supporting Dividers.

Do No Harm in action

CSPM requires that all Swiss projects, programmes, policies etc. are periodically assessed and adapted to ensure that activities or policies are not having a harmful effects on the context. This requires understanding the interaction between projects, programmes, policies and the context and having systems and procedures in place to adapt activities and actions accordingly. *For more on how to do a context analysis incorporating Protection, CSPM, and Leave No One Behind see Annex II: Do No Harm and Protection Mainstreaming Tool for Programmes*

5.2 LEAVE NO ONE BEHIND

SDC Guidance on the 2030 Agenda for Sustainable Development *Leave No One Behind* applies the OECD-DAC framework on multidimensional poverty which includes 'protective' dimension of poverty such as economic shocks, natural disasters, and conflicts. The Guidance Note refers to key drivers of exclusion including race, ethnicity, religion, disability, age, sex and gender, origin etc. These factors for exclusion, in practice, often overlap with protection vulnerability criteria and are also often elements in defining Connectors and Dividers in Myanmar. It is important to understand Who is excluded? Why? From What? By Whom? Leave No One Behind requires that each Domain identify at least two excluded groups for ensuring inclusion through their actions. Similarly, to Protection and CSPM, Leave No One Behind requires integration in programme design and implementation to ensure that the most excluded groups are served through Swiss engagements.⁷

5.3 PUTTING INTO PRACTICE: COMBINING PROTECTION, DO NO HARM, AND LEAVE NO ONE BEHIND

The Myanmar context offers significant room for a joined-up approach to analyzing protection, CSPM, and exclusion issues. Often, many Dividers in Myanmar are related to systems, practices, attitudes, and experiences of peoples being discriminated or excluded politically, socially, economically and legally. Similarly, many Connectors are also related to experiences, attitudes and values that enable divided groups to become politically, socially, and economically included.

There may be occasions when these approaches create tensions and trade-offs for SDC and the Embassy in Myanmar. For example, the Leave No One Behind approach may require a Domain to target only one or two groups who are *most* excluded. However, other groups who are not necessarily the most excluded but nevertheless experience substantial effects of exclusion may be omitted. In Myanmar this relative exclusion dynamic, for example, in Rakhine State between Rohingya and Rakhine communities, has been a source of harmful political, economic, and social tensions feeding into Rakhine feelings of neglect and marginalization. In such an example, a pure focus on Leave No One Behind without equally considering CSPM and Protection dynamics is likely to increase Dividers.

The Tools annexed to this OCPM are designed to integrate Protection, Do No Harm, and Leave No One Behind approaches to simplify analysis processes for staff and implementing partners, and streamline action to ensure programmes and policies are informed by all elements.

6. Protection Outcomes in the Swiss Cooperation Programme Myanmar

This section synthesizes protection approaches by different Domains under the Swiss Cooperation Programme Myanmar (SCPM).

6.1 DOMAIN I: PEACE, STATEBUILDING, AND PROTECTION

All three outcomes under Domain I contribute toward enhanced protection for vulnerable people. A protection approach will be integrated into infrastructure reconstruction projects by selecting locations, beneficiaries, and target communities based on the presence, and level of prevalence of protection risks. Rather than interventions focusing explicitly on protection, these infrastructure projects will seek to improve access to services and presence for protection monitoring through reconstruction activities. This means that 'the most in need' areas for infrastructure will be determined based on the level of threats and vulnerabilities of communities and not necessarily the availability or quality of infrastructure. DRR activities will similarly adopt a protection approach by seeking to connect traditional government authorities involved in reconstruction in approaches that promote and ensure inclusion of the most vulnerable people.

6.2 DOMAIN II: SKILLS AND MARKETS

The domain tries to reduce the discrimination, marginalization and exclusion by increasing the number of persons benefiting from self-employment opportunities. Also as an example of activities in the 'remedial sphere', the programme is addressing the toll that conflict, natural disasters, and deliberate deprivation/systemic discrimination take on education, jobs, and livelihoods. Supporting improved access to vocational training and jobs helps strengthen positive coping capacities and reduce vulnerabilities.

6.3 DOMAIN III: HEALTH

The focus is on mother, child and neonatal health and the outcome has the potential to address a particularly vulnerable group – young infants, new mothers, and pregnant women. This group is more susceptible to the negative effects of natural disasters, conflict, and deliberate deprivation/systemic discrimination due to their health status. If implemented in contexts of crisis, and if addressing broader policy reforms to enable access and non-discrimination, this outcome has the potential to impact all three spheres of protection impact.

7. Coordination

The Swiss Cooperation Programme Myanmar identifies the lead for protection under Domain I, involving activities of the HSD of the Political Directorate, SDC/SC, and SDC/HA. While Humanitarian Aid retains the overall lead for Protection and the coordination of protection activities across the Embassy, each Head of

Domain should assure that sufficient importance will be given in maximizing protection impacts. In addition, during the weekly operational meetings, the operational teams have the opportunity to coordinate activities and exchange information throughout all domains.

8. Monitoring & Evaluation

The results framework of the SCPM refers to the domain goals. All domain indicators should be carefully monitored to ensure that protection relevant components are being captured with regard to inclusion of ethnic and religious minorities, non-discrimination, and equitable access to vulnerable populations.

In particular, monitoring and evaluation should capture the extent to which conflict-affected people are able to live in safety and with dignity, access equitable services, and steps taken by the government to address deliberate deprivation/systemic discrimination. The Leave No One Behind Guidance Note calls for disaggregated data according to traditionally excluded groups in order to assess the extent to which inclusion is improving.

Projects have their own monitoring cycle with indicators (including age, gender, and diversity data) to measure the performance of Swiss Embassy and SDC in Myanmar on protection. Specific review of the Humanitarian Portfolio should also be conducted annually to ensure the Centrality of Protection is being upheld in all programmes and activities supported by SDC/HA.

9. Annual OCPM Review

The Operational Concept on Protection in Myanmar (OCPM) should be reviewed on a regular basis to ensure relevance to the most pressing protection threats faced by people throughout Myanmar. Another outbreak of violent conflict or significant disaster may alter the protection landscape substantially thereby warranting a re-evaluation of priorities. Hence

this Concept should be integrated in the process update of the MERV as well as of the SCPM Mid-Term review. The Protection Focal Point within SDC/HA should lead the annual review, ensuring that additional protection analysis informs annual strategic planning processes. The OCPM should be part of the mid-term review of the SCPM in 2021.

Annex I:

Protection Background

1. WHAT IS PROTECTION?

- The right to live in safety and dignity.
- Preventing and protecting people from violence, coercion, forced deprivation and their effects.
- The physical safety and psychological well-being of crisis affected populations.

Protection is rooted in international humanitarian, human rights, and refugee law and seeks to ensure all strategies and programmes implemented in crisis areas are designed and implemented in a way that upholds these rights. The concept of protection was originally conceived in, and aimed at, the humanitarian sphere. However, in situations of protracted crises, such as in Myanmar, protection is increasingly relevant and needed for all sectors: humanitarian, development, human rights, peace promotion, diplomacy, and trade.

Protection consists of assessing **threats**, **vulnerabilities**, and **coping mechanisms**.

Protection-oriented programming and diplomacy entails ensuring policies and activities are based on an assessment of the physical and psychological threats posed to people such as conflict, natural disasters, and forced deprivation. Protection is about understanding why some individuals may be more vulnerable to the exposure and negative consequences of threats. Factors related to human development such as gender, age, and income/level of assets often make some people more vulnerable than others. In conflict contexts, factors such as ethnicity, religion, displacement, legal status, and geography are important additional vulnerabilities to consider.

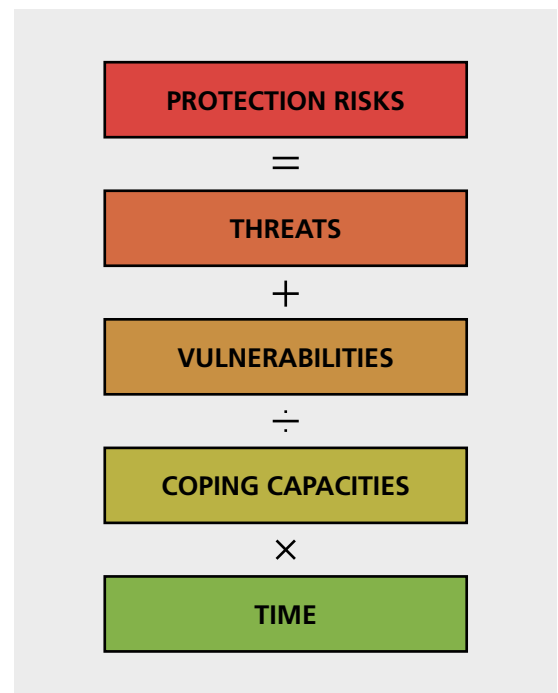


Figure 1: Core Protection Elements

The capacity of people to positively or negatively cope with threats influences their level of vulnerability. The duration of a threat also affects the level of harm to which people are exposed the extent as well to which coping capacities are strained. For example, a protracted crisis where people are displaced for years or decades will result in increased exposure of people to secondary threats as well as likely straining coping capacities compared to a displacement that lasts weeks or months.

2. PROTECTION AND CONFLICT SENSITIVE PROGRAMME MANAGEMENT (CSPM) AND DO NO HARM (DNH)

Conflict sensitivity, or, Do No Harm (DNH), are an integral part of protection and is a needed first step in achieving protection for vulnerable populations. CSPM is the approach adopted by Switzerland including DNH and aimed at ensur-

ing policies and programmes do not contribute to conflict, and support peace, wherever possible. CSPM aims to ensure that minimally programmes do not support *dividers* – that is factors that create harm, conflict, or tensions. Wherever possible, CSPM also aims to support *connectors*, or factors for peace.

Protection goes beyond the scope of conflict sensitivity. Conflict sensitivity focuses on inter-group dynamics related to socio-political tensions or violent conflict. Protection assesses these dynamics and then asks: what can be done to protect the physical and psychological well-being of affected individuals? In conflict contexts, there is often overlap between protection and conflict sensitive actions when looking at systemic or environment building issues.

3. KEY PROTECTION RISKS IN MYANMAR

3.1 THREATS

The people of Myanmar face a diverse array of threats affecting their physical and mental well-being illustrated in the outer red cycle in Figure 2 below.

Myanmar is ranked second in the Global Climate Risk Index of countries most affected by long-term climate risks from 1999 to 2018.⁸

A range of natural hazards including cyclones, tropical storms, storm surge, flooding, earthquakes, and tsunamis affect the country. The Ayeyarwady Delta, the central Dry Zone, and coastal areas including Rakhine State are among the most at-risk areas to disasters.⁹

Just under a quarter of the total population, or roughly 12.3 million people, are conflict-affected in Myanmar.¹⁰ Much of these armed conflicts are concentrated in the north-east, parts of the southeast, and Rakhine State. Most of these conflicts are characterized by three factors:

- Competition for power between military and civil leadership;
- A quest for equal rights between majority and minority communities; and
- Greater power and resource sharing between Union and state/local levels.¹¹

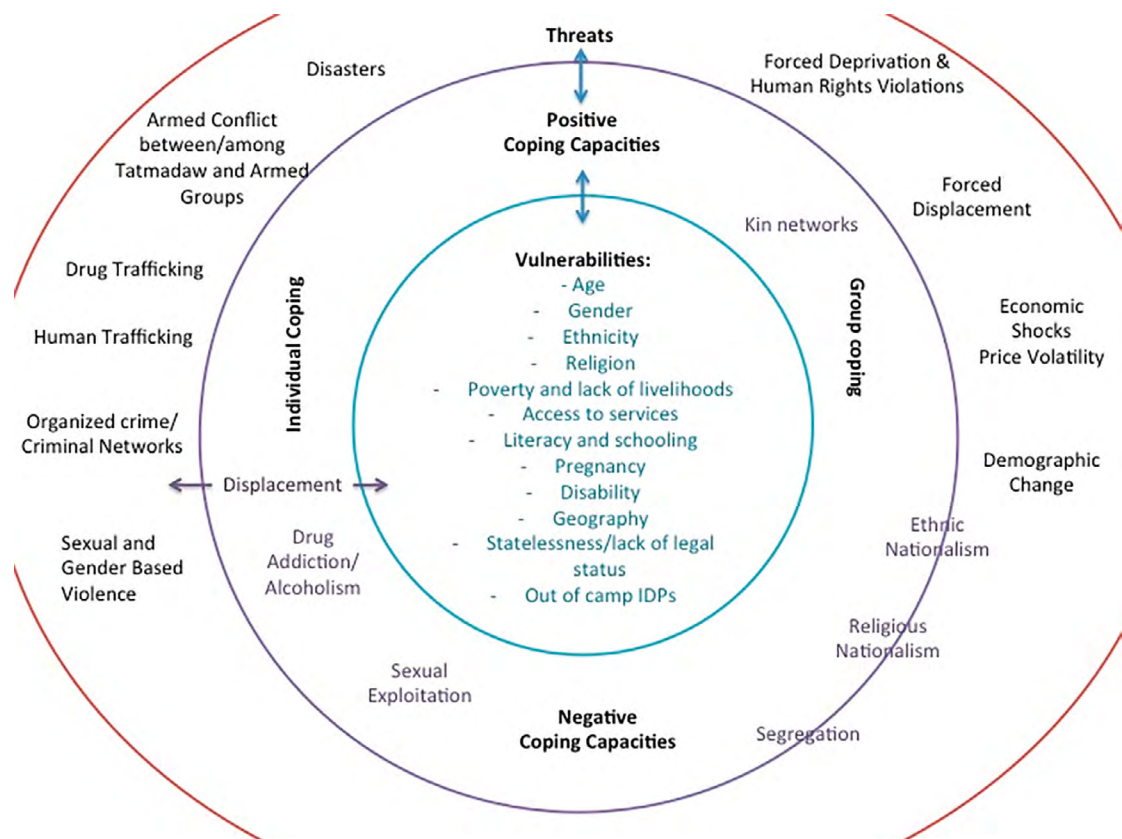


Figure 2: Protection Landscape in Myanmar

In 2015–2016, there were at least 1,095 conflict related fatalities recorded over the two-year period.¹² Not surprisingly, much of these instances are attributed to non-signatory groups to the Nationwide Ceasefire Agreement (NCA) in Kachin, Shan, and Rakhine states. This follows the trend of increasing levels of violence in the three states since 2013 illustrated below in Figure 3.¹³

Impunity for abuses by security forces and armed groups remains high throughout the country. As part of military operations in response to attacks by the Arakan Rohingya Solidarity Army (ARSA) in August 2017, the Myanmar security forces are accused of committing crimes against humanity including ethnic cleansing of nearly 700,000 Rohingya from northern Rakhine State.¹⁴ ARSA is also alleged to have committed massacres against Hindu minorities in northern Rakhine as well as acts of unlawful killings, abductions, and other human rights abuses.¹⁵ The Myanmar government and security forces have thus far denied these allegations with the exception of massacres that occurred in Inn Din village where seven soldiers have been sentenced to 10 years in prison for the summary execution of 10 people suspected of being members of ARSA.¹⁶

Landmines and Explosive Remnants of War (ERW) continue to pose a substantial threat to people, especially children. Nine out of Myanmar's 14 States and Regions are contaminated with landmines and ERW. According to UNICEF Myanmar, in 2016 and 2017 alone, 337 casualties were reported with one in four casualties being a child.¹⁷ One in four of these accidents also resulted in death.¹⁸ Kachin and Shan states top the list for the worst contaminated areas.¹⁹ The use of landmines and limited progress on clearance makes achieving durable solutions for displaced populations even more difficult as the presence of landmines and other ERW limit the safe return of refugees and IDPs.

Statelessness and lack of civil documentation continues to be a persistent challenge in Myanmar, with UNHCR estimating a case-load of some 495,000 stateless people within Myanmar's population of 54 million in 2018. Absent in this figure are the approximately 700,000 Rohingya refugees from Myanmar in Bangladesh, many of whom are stateless and lack civil documentation.

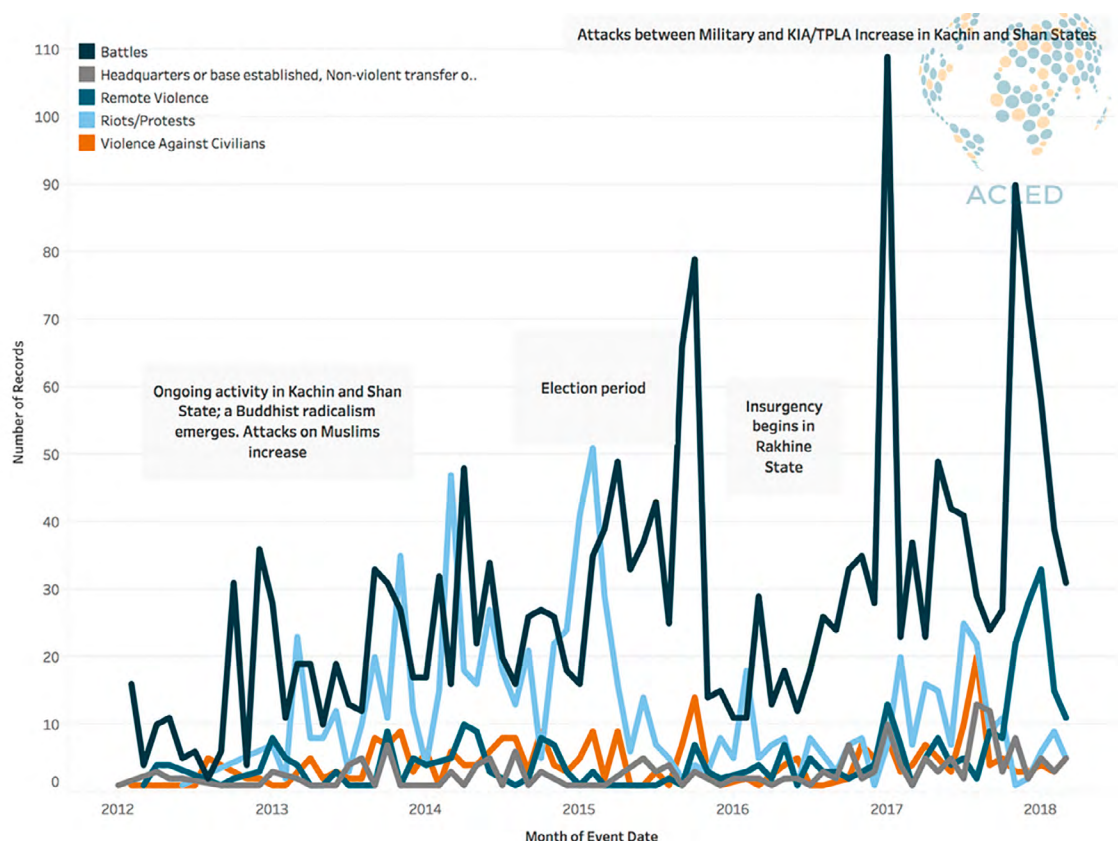


Figure 3: Trends in violence © The Armed Conflict Location and Data Project (ACLDP)

Children continue to face the threat of being recruited into armed groups, human trafficking, drug abuse, child labour, and sexual exploitation and abuse. Children continue to be more affected by landmine incidents and constitute a large number of the internally displaced.

Landlessness, land grabs, and land-related conflicts are likely to worsen by the recently adopted Virgin, Fallow, and Vacant (VFFV) land law. The law overwhelmingly affects ethnic minority areas, does not sufficiently recognize customary or communal land practices, and is seen as opening the door for significant land grabs by private companies or powerful individuals. Lack of land for housing and farming could also further delay prospects for durable solutions for many displaced people.

Drug trafficking, human trafficking, and criminal networks pose substantial threats to the health, safety, and psychological well-being of people living throughout the country, particularly in border areas with China, Thailand, and Bangladesh.

Incidents of communal violence continue in Myanmar, including in Rakhine State between Rohingya and Rakhine individuals, as well as between Buddhists and Muslims in central Myanmar. Anti-Muslim campaigns by prominent Buddhist monks have had a countrywide effect on increasing religious tensions. To a lesser degree, periodic small-scale tensions have also occurred between Christians and Buddhists in Rakhine, central Myanmar, and the south-east.

Hate-speech is prevalent throughout Myanmar dehumanizing ethnic and religious minorities. The Independent International Fact-finding Mission calls for both the civilian administration and Tatmadaw to act to combat hate-speech that amounts to incitement to discrimination, hostility or violence. The report refers to systematic campaigns led by nationalistic political parties and politicians, leading monks, academics, prominent individuals and members of the Government in portraying Muslims, and the Rohingya in particular, as an existential threat to Myanmar and Buddhism. The report (fact finding mission) suggests the

role of the Tatmadaw in using dehumanizing and demoralizing language as part of a broader propaganda campaign aimed at inciting hatred, discrimination and violence.

Economic shocks and price volatility continue to affect the ability of poor families to buy staple food and goods. This is particularly concerning given the large amount of the population hovering close to the poverty line. A fluctuation in prices of basic commodities or death of an income bearer often means these families are no longer able to meet their basic needs.

Sexual and gender-based violence (SGBV) is experienced widely in Myanmar in conflict or crisis affected areas as well as in non-crisis areas. SGBV affects men, women, boys and girls. However, the low status of women, discriminatory laws that prevent women from claiming their full rights, a weak framework for protecting and advancing women's rights, and traditional practices, combine to make the reality of many girls and women one where they encounter multiple forms of violence throughout the course of their life. Inheritance, marriage, and land laws in particular continue to pose legal barriers to the protection of women's rights in practice.

3.2 VULNERABILITIES

Myanmar has the lowest life expectancy among ASEAN countries.²⁰ A number of factors contribute to this including underdevelopment, in part driven by deliberate deprivation, violent conflict, and frequent exposure to natural hazards. Assessing vulnerability in Myanmar therefore requires a multi-faceted approach focusing on personal factors, developmental factors, and conflict-related factors.

Personal factors

- **Sex:** Women often face barriers to inclusion due to discriminatory land, inheritance, and marriage laws and lack legal protections.
- **Sexual orientation and gender:** People identifying as LGBTQ face legal discrimination and social stigma affecting their ability to access appropriate services.
- **Age:** Children and the elderly are more vulnerable due to limited physical and/or mental ability.

- **Disability:** People with physical, visual or hearing impairments as well as with intellectual or mental impairments require different types of assistance.

Developmental factors²¹

- **Remote/rural:** People living in more isolated areas may be hard to reach during times of disaster.
- **Economic:** People living under – or close to the poverty line with little assets may suffer more as a result of damages to their property or livelihoods.
- **Household:** High child dependency ratios or female-headed households might have a harder time fulfilling the needs of all within the household.
- **Literacy:** Illiterate people may not be able to receive the quality and timely information they need on services and may be more susceptible to rumours.
- **Nutrition:** People with high levels of malnutrition or stunting are likely to suffer more adversely from disruptions in food availability or loss of livelihoods.
- **Housing:** People with poorer quality shelters and homes are likely to suffer more damages from natural hazards.
- **Access to clean water and sanitation:** People with less access to clean drinking water and sanitation are more likely to have poorer nutrition and suffer other health ailments taking a toll on their livelihood/income generating potential and possibly limiting educational outcomes.
- **Electrification:** People without access to electricity may have less access to information and likely to live in poorer areas.
- **Landlessness:** Myanmar is still largely a subsistence farming economy. People without legal access to land due to lack of legal documentation (ex. stateless people), or due to discriminatory policies (women), or, due to land grabs, may face a harder time securing enough food.

Conflict factors

- **Statelessness:** People without citizenship lack basic legal protection and sometimes freedom of movement and do not have the documentation necessary for accessing government services or livelihood opportunities. While the Rohingya in

Rakhine are the largest stateless population in Myanmar, there are significant groups of other stateless people in other parts of the country.

- **Lack of Legal Documentation:** These individuals may be citizens of Myanmar, or, non-citizens, who do not have legal documentation on their identity, place of residence, or land. People lacking legal documentation have a more difficult time, or are simply unable, to access government services including education and health facilities.
- **Ethnicity:** Discriminatory policies and practices toward people belonging to ethnic minority groups limit equitable access to services. Fear of government or other community groups may limit inter-group relationships. Different languages may limit communication between groups and with government.
- **Religion:** Similarly to ethnicity, discriminatory laws, policies, and practices limit access to services and social and political inclusion.
- **Displacement:** The number of times and duration of displacement experienced by people internally (IDPs) and to neighbouring countries (refugees/returnees) influences vulnerability. Myanmar has a high level of internal displacement due to conflicts in Kachin, Shan, the South-East and Rakhine in both 'camp' and 'non-camp' settings.

3.3 COPING CAPACITIES

Coping capacities refer to the **knowledge, behaviours, skills, networks, and resources** used by individuals or groups, which help them to withstand, adapt to, or even transform, adverse experiences. Capacities are the opposite of vulnerabilities revealing people's agency and ability.

Coping capacities can be positive or negative depending on the effects or consequences of actions. For example, a positive coping capacity is relying on spiritual, family, or kin networks for support during times of distress. A negative coping mechanism is seeking solace in alcohol or drugs or relying on kin networks to the detriment of forming other inter-group bonds resulting in greater propen-

sity for ethnic or religious nationalism. Negative coping capacities can create new or secondary threats. For example, a coping capacity to violent conflict is often displacement, which in turn poses new risks such as lack of livelihoods and greater exposure of girls and women to SGBV.

The extent to which a threat adversely impacts an individual is based on both their vulnerabilities as well as their ability to cope. People with multiple vulnerabilities may be able to withstand conflict or disaster if they have strong coping mechanisms. Conversely, someone with vulnerabilities and lacking coping mechanisms is more likely to be detrimentally affected.

The first step in assessing coping capacities is understanding the types of self-protection strategies used by people and their families/communities. Often, people have ways of averting or dealing with the effects of threats – understanding the helpful and/or harmful aspects of these practices is important in determining what kind of programmatic actions can help strengthen positive coping and reduce negative coping and vulnerabilities.

Figure 2 above illustrates how coping capacities, whether individual or group, and whether positive or negative, mediate the extent to which a person with vulnerabilities may be affected by a threat. The diagram highlights specific coping capacities adopted in Myanmar, particularly with regard to conflict that are negative and also pose new or additional threats. **Displacement** can be a coping capacity, source of vulnerability, and threat, when it is forced in nature.

Ethnic and religious nationalism are both coping mechanisms as well as threats – particularly when mobilized against specific groups of people. For example, in Rakhine State both Rakhine and Rohingya communities use ethnic nationalism as a means of coping by strengthening in-group bonds and diffusing any intra-community disagreements by coalescing around a common religious and ethnic identity. These kin networks can be a positive and important means of coping, however when mobilized by extremist actors, they can also

lead to high level of insularity, in-group dependence, and the disintegration of inter-group connections.

Rakhine communities largely use ethnic segregation in Rakhine State as a coping strategy in responding to fear and tensions with the Rohingya. While government policies of discrimination are a threat (forced deprivation), the resistance by many Rakhine communities to inter-mingling with Rohingya is largely based on fear and a negative coping means to be unable to respond to tensions with Rohingya. Ethnic segregation as means of coping for the Rakhine majority also translates into a psychological and physical threat for the Rohingya limiting positive coping opportunities through access to livelihoods and inter-group relations and increasing vulnerability due to the corresponding limitations on access to healthcare, education, and other basic services.

In Kachin and Shan states, the prevalence of drug addiction and trafficking poses substantial challenges increasing vulnerabilities and exposure to threats. Young people may resort to drug use as a way of coping yet such behaviour also further entrenches conflict dynamics increasing conditions that enable threats over the long term.

Protection-oriented programmes seek to mitigate negative coping, strengthen positive coping, and reduce vulnerabilities and exposure to threats. Rather than standard humanitarian or development projects and peace initiatives that do not address vulnerabilities and an understanding of coping capacities, the examples from Rakhine and Kachin/Shan illustrate that in such contexts protection-oriented programming is all the more relevant and essential in achieving wider goals toward peace, democratization, and human rights. Practically, this means building in project components on psychosocial support, access to rights and empowerment of marginalized groups, and Do No Harm. Equally, a protection-oriented approach seeks to use other tools, for example, diplomacy or advocacy, to improve the overall policy and political environment for government authorities to uphold and fulfil their obligations as a duty bearer.

Annex II:

Do No Harm and Protection

Mainstreaming Tool for Projects and Programmes

Integrating protection in activities/programmes requires to ensure that protection risks and potential violations are taken into consideration. This means understanding *who* is at risk, from *what* or *whom* as well as *why*, and thinking through what may be the consequences of actions or inactions on the threats people experience, their vulnerability, and, coping capacity.

This Tool incorporates commitments by SDC and the Swiss Embassy in Myanmar on Protection, Conflict Sensitive Programme Management (CSPM), and Leave No One Behind. It is intended to streamline analytical processes required by SDC and the Embassy staff as well as Implementing Partners. For staff and partners less familiar with protection and/or CSPM, this tool is best used in conjunction with periodic training for staff and partners.

Protection Principles	CSPM/Do No Harm Principles	Leave No One Behind
Prioritize Safety and Dignity and Avoid Causing Harm: Prevent and minimise as much as possible any unintended negative effects of your intervention, which can increase people's vulnerability to both physical and psychosocial risks.	Understand the context, the actors, and the relationships among them: Analyse and prioritize Connectors -that is what creates trust, goodwill, and cooperation between divided groups; and Dividers – that is what reinforces or created mistrust and divisions.	Focus on people living in poverty, giving special consideration to the poorest of the poor, and recognizing the multiple dimensions of poverty: Make a priority of those especially vulnerable to stress and shocks.
Meaningful Access: Arrange for people's access to assistance and services in proportion to need and without barriers. Pay special attention to individuals and groups who may be particularly vulnerable or have difficulty accessing assistance and services.	Ensure that Dividers are not being unintentionally strengthened: analyse projects/programmes/policies to ensure harmful tensions or violence are not being supported through the programme.	Aim for transformative change by tackling exclusion, discrimination and inequality: The commitment to leaving no one behind demands critical measures to facilitate the conversion of human rights into equitable opportunities and well-being at the lowest end of the social ladder.
Accountability: Set-up appropriate mechanisms, through which affected populations can measure the adequacy of interventions, and address concerns and complaints.	Assess the interactions between projects/programmes/policies and the context: Continuously monitor effects on the context to ensure Dividers are not being strengthened.	Ensure that populations left behind or at risk of being left behind are considered in all new SDC co-operation and thematic strategies: Systematically and explicitly inform all SDC process from the very beginning of the development of strategies and programmes.
Participation and Empowerment: Support the development of communities' and individual capacities and assist people to claim their rights.	Wherever possible, support Connectors: looking for opportunities to support peace, ensuring that Connectors are not unintentionally undermined and strengthened as much as possible.	Enhance information systems and the production of disaggregated data: reveal the challenges of those left behind and strengthen the relationship between duty bearers and rights holders.

1. What are the main threats to the physical and psychological well-being that people face? (Check all that apply)

- 2. If all threats are present, are some more impactful on your target beneficiaries than others? List in order of priority and specify.**

- ☐ History of conflict
- ☐ Political competition and exclusion
- ☐ Militarization
- ☐ Environmental issues and management of natural resources
- ☐ Institutional or governance problems
- ☐ Religion
- ☐ Economic competition and exclusion
- ☐ Social exclusion
- ☐ Illicit economy (ex. drug trafficking, human trafficking, extractive resources)
- ☐ Social / cultural issues
- ☐ Geography
- ☐ Other?

On a large piece of flip chart, draw different shapes indicating different actors in our project area. Use big shapes for powerful actors and small shapes for less powerful actors.



Identify the types of relationships among the numerous actors. For strong positive relations use a bold green line. For weak positive relations use a thin green line. For tense or uncertain relations use a yellow line. For negative or hostile relations use a jagged red line, use bold for very bad relations, and thin lines for mildly bad relations. Remember the objective of the exercise is to discuss and think through the types of relations that exist in our project areas.

A) Could the project unintentionally be making harmful actors and relationships/power dynamics stronger?

☐ Yes ☐ No

If yes, re-evaluate who you are working with.

B) Could the project unintentionally be making vulnerable actors weaker?

☐ Yes ☐ No

If yes, re-evaluate who you are working with.

C) What is the level of willingness of authorities to address the threats faced by people including exclusion, discrimination, and gender inequality?

☐ None ☐ Low ☐ Medium ☐ High

- 5. Identifying Connectors: What is it that brings people together, creates good will and trust across divided groups? The list below may help you identify different categories of Connectors. List a max of five Connectors.** (Tip: people are not connectors, instead examine their attitudes, actions, values, interests, experiences, and systems/institutions to which they belong)

- **Symbols:** (ex. flags, monuments etc.)
- **Attitudes and Actions:** (ex. attitudes such as tolerance and appreciation of diversity, behaviours such as including those from other groups in activities)
- **Values and Interests:** (ex. charity, taking care of others, economic interests)
- **Experiences:** (ex. women from different groups sharing the experiences of GBV, or the experiences of receiving assistance or good will from another)
- **Systems and Institutions:** (ex. inclusive institutions that are open and accessible to range of social, ethnic, religious groups)

Leave No One Behind: Consider the various drivers of exclusion (race, religion, ethnicity, sex and gender, disability, age, origin, economic status, etc.) and how factors that support inclusion may be Connectors.

Gender Equality: Consider whether there are experiences, attitudes, systems unique to girls and women that function as Connectors.

Connectors List:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

6. Identifying Dividers: What is it that divides people, creates mistrust, or ill-will between people? The list below may help you identify different categories of Dividers. List a max of five Dividers.

(Tip: people are not dividers, instead examine their attitudes, actions, values, interests, experiences, and systems/institutions to which they belong)

- **Symbols:** (ex. flags, monuments etc.)
- **Attitudes and Actions:** (ex. attitudes such as group superiority and behaviours such as spreading harmful rumours)
- **Values and Interests:** (ex. competition over resources)
- **Experiences:** (ex. negative past interactions between different communities)
- **Systems and Institutions:** (ex. institutions that discriminate against some groups of people)

Leave No One Behind: Consider the various drivers of exclusion (race, religion, ethnicity, sex and gender, disability, age, origin, economic status, etc.) and how these may function as Dividers. For example, religion is not a divider, however perceptions that a particular religious group poses an economic threat could be a Divider.

Gender Equality: Consider whether there are experiences, attitudes, systems unique to girls and women that function as Dividers.

Dividers List:

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

7. Has the activity/project/programme been designed and implemented in a way to support Connectors?

☐ Yes ☐ No

If no, what changes need to be made to ensure Dividers are not being strengthened?

If no, what changes need to be made to ensure Connectors are being supported?

8. Has the activity/project/programme been designed and implemented in a way to not contribute to Dividers?

☐ Yes ☐ No

If no, what changes need to be made to ensure Dividers are not being strengthened?

If no, what changes need to be made to ensure Connectors are being supported?

9. To what extent are authorities implicated in human rights abuses including promoting hate speech, intolerance, discrimination, exclusion, and inequality (including on gender)?

☐ None ☐ Low ☐ Medium ☐ High

10. Is the project directly benefitting or legitimizing authorities or others implicated in abuses or seemingly unwilling to address threats?

☐ Yes ☐ No

If yes, re-evaluate who you are working with.

STEP II. VULNERABILITY ANALYSIS

1. What Types of vulnerabilities do people have? Check all that apply.

Personal

- | | |
|---|--|
| <input type="checkbox"/> Sex (M/W) | <input type="checkbox"/> Gender orientation (LGBT) |
| <input type="checkbox"/> Age (Child, Elderly) | <input type="checkbox"/> Disability |

Development

- | | | |
|---------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Remote/rural | <input type="checkbox"/> Literacy | <input type="checkbox"/> Electrification |
| <input type="checkbox"/> Economic | <input type="checkbox"/> Nutrition | <input type="checkbox"/> Access to Land |
| <input type="checkbox"/> Household | <input type="checkbox"/> Water/Sanit. | <input type="checkbox"/> Housing |

Conflict

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Statelessness | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Lack of legal documentation | <input type="checkbox"/> Displacement |
| <input type="checkbox"/> Ethnicity | |

Other

2. Which drivers of exclusion are most present? Identify all.

- | | | |
|------------------------------------|---|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Sex and gender | <input type="checkbox"/> Origin |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Disability | <input type="checkbox"/> Economic status |
| <input type="checkbox"/> Ethnicity | <input type="checkbox"/> Age | <input type="checkbox"/> Other? |
-

3. Which vulnerable or excluded groups are most *exposed* to natural disasters, conflicts, deliberate deprivation/systemic discrimination?

Natural disasters

Armed conflicts and other situations of violence

Deliberate deprivation/systemic discrimination

4. Which vulnerable or excluded groups are most *susceptible* to natural disasters, conflicts, deliberate deprivation/systemic discrimination?

Natural disasters

Armed conflicts and other situations of violence

Deliberate deprivation/systemic discrimination

5. Which vulnerable or excluded groups are most *impacted* by natural disasters, conflicts, deliberate deprivation/systemic discrimination?

Natural disasters

Armed conflicts and other situations of violence

Deliberate deprivation/systemic discrimination

- 6. What are the barriers to access that different population groups face in relation to the project? What about barriers faced by implementing partners? Or government ministries?**

- 7. What will the project do to address the above barriers to access?**

- 8. How has the project considered non-discrimination toward vulnerable or excluded groups?**

- 9. How has the project considered pro-active steps toward equity and inclusion of more vulnerable or exclude groups?**

- 10. Are project monitoring indicators disaggregated by gender, ethnicity, religion, age, disability, or other vulnerability and exclusion criteria?**

☐ Yes ☐ No

If no, re-evaluate project design.

11. Does criteria for targeting partners and beneficiaries include consideration for the range of vulnerability or excluded groups?

☐ Yes

☐ No

If yes, specify.

12. Has a communication plan been put in place explaining targeting criteria to external actors so that they understand who is receiving benefits and why?

☐ Yes

☐ No

If no, develop a communication plan and distribution list of key stakeholders.

STEP III. COPING MECHANISMS ANALYSIS

1. What positive coping capacities do people have?

2. What negative coping capacities are people using?

3. How are positive and negative coping mechanisms different for girls and women?

4. How are positive and negative coping mechanisms different for children, the elderly, and people with disabilities?

5. Is the project/programme designed to strengthen positive coping mechanisms?

☐ Yes

☐ No

If no, re-evaluate project design.

6. Is the project/programme designed to reduce the reliance on, and effects of, negative coping mechanisms?

☐ Yes ☐ No

If no, re-evaluate project design.

7. Have different population groups, including the above identified vulnerable or excluded groups, been consulted in project design, implementation, or monitoring?

☐ Yes ☐ No

If no, re-evaluate project design.

8. Is there an accessible feedback / complaint mechanism for beneficiaries to comment on the services they are provided with safely and anonymously?

☐ Yes ☐ No

If no, re-evaluate project design.

9. How will the project/programme strengthen the positive coping mechanisms of excluded groups?

ANNEX III:

Minimum Do No Harm and Protection Mainstreaming Requirements for Direct Implementation Projects

Note on use: This checklist is intended for SDC/HA Programme Managers or others leading Direct Implementation Projects. The checklist should be reviewed during the project inception and at least annually thereafter. It is also intended to inform M&E, mid-term reviews, monitoring missions by providing staff with key issues for consideration.

	Y	N
01. Have SDC staff involved in Direct Implementation received training on protection, CSPM and context analysis prior to the beginning of the project?	<input type="checkbox"/>	<input type="checkbox"/>
02. Are there external mechanisms in place for staff to report protection abuses that may occur during the project's implementation? Ex. Protection Cluster, with government, with ethnic services providers, among international organizations.	<input type="checkbox"/>	<input type="checkbox"/>
03. Are there internal mechanisms in place for staff to report protection abuses that may occur during the project's implementation? Ex. Confidential reporting lines established to ensure staff reporting incidents are able to communicate safely and quickly with people of sufficient seniority to act.	<input type="checkbox"/>	<input type="checkbox"/>
04. Have staff been trained in how to use these mechanisms and to manage, record, and communicate on protection incidents in a way that is safe and confidential and does not put victims/survivors at risk?	<input type="checkbox"/>	<input type="checkbox"/>
05. If staff are expected to provide protection through presence, have monitoring and referral mechanisms been established with the Protection Cluster and other protection actors in the area?	<input type="checkbox"/>	<input type="checkbox"/>
06. Have all contractors/implementers been provided with information on zero tolerance for sexual exploitation and abuse and child protection policies?	<input type="checkbox"/>	<input type="checkbox"/>
07. Have all contractors/implementers and vendors been vetted for involvement in human rights abuses including the promotion of hate speech, discrimination, exclusion, and inequality (including on gender)?	<input type="checkbox"/>	<input type="checkbox"/>
08. Do staff understand what to do if they see a contractor or other individual involved in an incident of abuse?	<input type="checkbox"/>	<input type="checkbox"/>
09. Has budget and time for an initial Do No Harm and Protection assessment been allocated?	<input type="checkbox"/>	<input type="checkbox"/>

	Y	N
10. Does the project design include periodic training on protection, including how to communicate on protection incidents and make appropriate referrals?	<input type="checkbox"/>	<input type="checkbox"/>
11. Does the project M&E include consideration for monitoring the context for changes in the conflict and protection environment and make needed changes to the project?	<input type="checkbox"/>	<input type="checkbox"/>
12. Do staff have the appropriate cultural sensitivity to communicate with communities in the project area in order to understand the protection and conflict context?	<input type="checkbox"/>	<input type="checkbox"/>
13. Have we undertaken CSPM analysis including actor mapping, making a list of the most important Connectors and Dividers, and made the needed changes to our Direct Implementation work to ensure we are not strengthening Dividers and supporting Connectors?	<input type="checkbox"/>	<input type="checkbox"/>
14. Have all stakeholders been appropriately informed on the objectives of programme and agreed to the implementation?	<input type="checkbox"/>	<input type="checkbox"/>
15. Has the project design been evaluated for sustainability, ownership, and maintenance and included as part of the programme?	<input type="checkbox"/>	<input type="checkbox"/>
16. Have we assessed our impact on improving access to services and inclusion of vulnerable or excluded groups in the project area?	<input type="checkbox"/>	<input type="checkbox"/>
17. Have we assessed our impact on gender equality in the project area?	<input type="checkbox"/>	<input type="checkbox"/>
<p>Remarks:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		

ANNEX IV:

Do No Harm and Protection

Mainstreaming Checklist for Contributions to Multi-Donor Funds

Note on use: This checklist is intended for SDC / Embassy staff participating in Multi Donor Fund (MDF) Boards. It is intended to guide or inform regular meeting contributions and discussion points and serve as a check-in for staff in whether MDF contributions are supporting wider goals.

	Y	N
01. Does the Fund strategy include reference to Do No Harm and protection?	<input type="checkbox"/>	<input type="checkbox"/>
02. Does the Fund governance structure have an oversight function allowing for the strategic steering of CSPM/Protection?	<input type="checkbox"/>	<input type="checkbox"/>
03. Is there an annual check-in for changes in the context which may warrant changes to how the Fund operates or to its priorities?	<input type="checkbox"/>	<input type="checkbox"/>
04. Is there a Conflict Advisor or similar position working to mainstream conflict sensitivity and protection in strategies, policies, programme frameworks, M&E at the level of the Fund?	<input type="checkbox"/>	<input type="checkbox"/>
05. Does the proposal submission process for Implementing Partners include requirements for Do No Harm, inclusion, and Protection?	<input type="checkbox"/>	<input type="checkbox"/>
06. Are Implementing Partners required to undertake periodic context analysis?	<input type="checkbox"/>	<input type="checkbox"/>
07. Are Implementing Partners required to develop context monitoring indicators to assess changes in the context/conflict and make changes to their programmes?	<input type="checkbox"/>	<input type="checkbox"/>
08. Is the Fund adopting adaptive management and flexible approaches allowing Implementing Partners to make changes if needed to programmes in order to be conflict sensitive?	<input type="checkbox"/>	<input type="checkbox"/>
09. Are there budget lines in Implementing Partner proposals for training and capacity building for staff on Do No Harm and Protection?	<input type="checkbox"/>	<input type="checkbox"/>
10. Does the Fund M&E for Implementing Partners include consideration for Do No Harm and Protection?	<input type="checkbox"/>	<input type="checkbox"/>
11. Have confidential reporting lines been established for Implementing Partners, or others, to report incidents of abuse?	<input type="checkbox"/>	<input type="checkbox"/>
Remarks: <hr/>		

ANNEX V:

Do No Harm and Protection

Mainstreaming in Project Proposals

Note on use: This checklist has been adapted from the Global Protection Cluster Protection Mainstreaming Tool Kit and is intended to guide all projects funded by SDC, HSD, the Swiss Embassy in Myanmar, and headquarters. It should be used at the proposal vetting stage before project documents are approved. It is most likely used one time, with feedback to inform discussions with partners to strengthen protection dimensions of their programmes. The checklist can be used in combination with the Context Analysis Tool (Annex II) for implementing partners to improve their protection analysis.

	YES (2)	PARTIALLY (1)	NO (0)	SCORE
01. Does the project proposal refer to a Protection Analysis identifying the protection threats, vulnerable groups, and coping mechanisms?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
02. Does the project proposal explain how the organisation will take into consideration or respond to the protection risks identified?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
03. Has the organisation prioritized the safety and dignity of beneficiaries and considered the principles of Do No Harm in the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
04. Has the organizations undertaken a Connector and Dividers analysis and prioritized the Connectors and Dividers most relevant to actively monitor throughout the project cycle?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
05. Does the project include time, flexibility, and modalities to periodically review the project for effects on Connectors and Dividers and to make changes to the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
06. Does the project specify which vulnerable or excluded groups it will target?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
07. Does the project specify why these groups have been selected with clear and transparent criteria?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
08. Does the proposed project enable equal and impartial access to assistance and services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Y	P	N	S
01. Have beneficiaries and affected populations have been involved in the different stages of the project: needs assessment and project design?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
02. Will specific mechanisms be put in place to enable beneficiaries and affected populations to provide feedback and complaints?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
03. Does the project proposal include specific activities to address differentiated needs of particular vulnerable groups? For example, women, girls, boys and men, boys, or other identified vulnerable group.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
04. Have programme staff been/will be trained on protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
05. Does the budget allow for activities to be implemented in a way that promotes the safety, dignity, access and participation of the affected population?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
06. Have the project indicators systematically been disaggregated by sex and gender, age, ethnicity, religion, and disability as well as other context-specific vulnerable groups?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
07. Does the project specify how it will support positive coping mechanism and reduce negative coping mechanisms?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Remarks: <hr/> <hr/>				

GUIDE ON SCORING

Below 10:

Protection is not mainstreamed.

Between 11–16:

Improvements are required to mainstream protection.

Between 17–24:

There is an acceptable amount of consideration for protection for it to be considered mainstreamed. But there is still room for more.

Over 24:

Excellent protection mainstreaming.

Endnotes

- ¹ German Watch: Global Climate Risk Index 2018 (2018).
- ² Ibid.
- ³ Humanitarian Assistance and Resilience Programme Facility and Myanmar Information Management Unity: Vulnerability in Myanmar, (2018).
- ⁴ Ibid.
- ⁵ International Federation of the Red Cross (IFRC) (2018): [link](#).
- ⁶ The Inter Agency Standing Committee Statement on the Centrality of Protection (2013).
- ⁷ The Swiss Agency for Development and Cooperation: Leave No One Behind Guidance Note, (2018).
- ⁸ German Watch: Global Climate Risk Index 2018 (2018).
- ⁹ Humanitarian Assistance and Resilience Programme Facility and Myanmar Information Management Unity: Vulnerability in Myanmar, (2018).
- ¹⁰ The Asia Foundation: Contested Areas of Myanmar: Subnational Conflict, Aid, and Development, (2017).
- ¹¹ The Asia Foundation: Contested Areas of Myanmar: Subnational Conflict, Aid, and Development, (2017).
- ¹² According to the Armed Conflict Location and Data Project (ACLDP) website, available at: [link](#). Accessed 25 June 2018.
- ¹³ Image taken from the ACLDP website available at: [link](#). Accessed 25 June 2018.
- ¹⁴ For more see Amnesty International: “We Will Destroy Everything” Military Responsibility for Crimes Against Humanity in Rakhine State, Myanmar (2018).
- ¹⁵ Amnesty International: New evidence reveals Rohingya armed group massacred scores in Rakhine State, (2018): [link](#). Accessed 25 June 2018.
- ¹⁶ Myanmar Times: Soldiers get 10 years, (2018): [link](#). Accessed 21 June 2018.
- ¹⁷ Unicef website, accessed 25 January 2019: [link](#)
- ¹⁸ Ibid.
- ¹⁹ Ibid.
- ²⁰ 2019 Myanmar Humanitarian Response Plan, (2018).
- ²¹ Categories taken from Humanitarian Assistance and Resilience Programme Facility and Myanmar Information Management Unity: Vulnerability in Myanmar, (2018).

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