



## FACTORS INFLUENCING MISCONDUCT REPORTING IN KACHIN, MYANMAR

### **About this document**

The purpose of this document is to provide a summary of the critical factors that influence decision-making behaviour related to misconduct reporting in Kachin, Myanmar, based on a human-centred approach.

The intended primary audience includes the accountability, safeguarding and technology teams from Oxfam Great Britain (OGB) and members of the Oxfam in Myanmar country offices. This document is also intended for other humanitarian audiences interested in understanding the critical factors that influence misconduct reporting in Kachin.

There are four sections to this document. The first section provides some background information on this initiative and the approach guiding this work. The second section provides specific details on the research process, ethical considerations and limitations. The third section presents a summary of the key findings and themes. The fourth and final section offers some high-level recommendations for moving forward.

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This case study is part of a series of papers written to inform public debate on development and humanitarian policy issues.

For further information on the issues raised in this paper please email [etomkysvalteri@oxfam.org.uk](mailto:etomkysvalteri@oxfam.org.uk)

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Cover photo: During a research interview, a woman engages in conversation about misconduct within the camp setting. Credit: Micki Semler/Sonder Collective.

# 1 STRATEGIC CONTEXT

## BACKGROUND: THE 'YOUR WORD COUNTS' PROGRAMME

Oxfam GB is committed to improving accountability to the people with whom it works, and has made significant strides in programming efforts to do so in the past several years. This includes collecting, managing and responding to feedback from community members and the individuals who work directly with them. Despite such improvements, there remains a gap in understanding the barriers and other influencing factors people experience when it comes to reporting issues such as sexual exploitation, abuse and fraud.

Oxfam GB has therefore begun the 'Your Word Counts' programme, a year-long research process in multiple countries to understand the barriers and preferences related to reporting, with the long-term goal of designing community-led, context-specific feedback mechanisms. The broader vision and purpose of the programme is to deliver better feedback options for misconduct reporting which are safe and confidential, and for Oxfam GB to strengthen its accountability to affected people on a global scale.

## THE RESEARCH TEAM: A COLLABORATION

Oxfam GB engaged Sonder Collective<sup>1</sup> to incorporate human-centred design principles in the research process. This document pertains to the first phase of immersive research, which took place in Kachin, Myanmar, in July 2019. In-country research was conducted by a member of the Sonder Collective team and an Oxfam Global Safeguarding Advisor, in collaboration with the Oxfam in Myanmar team. Translation expertise, which was a highly critical component of this process, was provided by a local consultant. The next steps are to conduct similar human-centred research in two other countries where Oxfam facilitates programmes.

## THE PURPOSE: TO UNDERSTAND INFLUENCING FACTORS

Oxfam GB and Sonder Collective began with an Intent Workshop, which was attended by individuals from four separate Oxfam teams (Safeguarding, Anti-corruption and Fraud, Protection, and Information Communication Technology (ICT) in Programme). Collectively, these teams explored the current state of the system and why this work is necessary, identified the key user groups and walked through the various pathways that an individual may or may not take to report misconduct.

Based on previous global findings and in-country observation, two important aspects of Oxfam-related misconduct reporting were used as a starting point:

- Members of the community do not speak with Oxfam representatives about misconduct experiences.

- When members of the community do speak up, they usually talk to field staff, who often do not report these experiences appropriately or use formal systems.

To better understand the factors influencing the above, it was determined that the first step would be to map the decision-making process that occurs 'on the ground', at the community level.

We then collectively identified the following **research themes for exploration**:

- **Understanding the context:** Reporting mechanisms can be designed more effectively if we gain deeper insight into norms and customs in day-to-day life, and how they may influence what community members want to report and what they do not feel is appropriate or necessary to report.
- **Building trust:** People are more likely to report if they can use existing routes or trusted lines of reporting.
- **Creating an enabling environment:** Being human-centred means creating a safe and enabling environment to really listen, before acting. The priority focus should be on real consent, confidentiality and community understanding – so people know what will happen to their data and feel that they can make an informed choice about sharing it.
- **Ensuring safety of community members:** To create effective feedback mechanisms, as well as keep community members safe, we need to first understand the specific risks associated with various types of reporting.
- **Closing the feedback loop:** To build more trust, Oxfam needs to be in communication with communities not only after matters have been 'addressed', but throughout the process when they are being managed. This also includes referrals and feedback to services beyond Oxfam.

Ultimately, the following question was agreed to guide the research: *How might we increase the likelihood that people will come forward and report through multiple, integrated channels?*

## THE CONTEXT: KACHIN STATE

Like all humanitarian contexts, Kachin, the northernmost state in Myanmar, is a highly complex environment and is characterized by a significant degree of instability. According to a 2018 Humanitarian Policy Group working paper, 'decades of armed conflict and violence, restricted access to humanitarian assistance and underinvestment in or disruption to essential services have had a devastating impact on the civilian population in Kachin State'.<sup>2</sup>

In June 2011, conflict in Kachin State resumed after a ceasefire that had lasted nearly 17 years.<sup>3</sup> This was primarily due to tension between government security forces and ethnic armed organizations (EAOs).<sup>4</sup> The waves of armed conflict that resulted have caused people to flee their homes and leave their old lives behind. There are currently 97,600 people in Kachin who remain displaced and are living within 136 camps and camp-like settings which are spread across the state.<sup>5</sup> Figures suggest that 76% of people who are currently displaced are women and children.<sup>6</sup> The primary providers or implementers of assistance and protection programming within Kachin are civil society organizations (CSOs).<sup>7</sup>

# THE FOCUS: COMMUNITY MEMBERS AND FIELD STAFF

The purpose of the research was to better understand the barriers and preferences relating to perceptions and experiences of misconduct reporting among *community members and field staff*. Field staff refers to any individual who has contact with members of the community on a regular basis, whether in a full-time, part-time, volunteer, partner staff or Oxfam capacity.

From an accountability perspective, we were also dedicated to understanding the decision making and behavioural determinants influencing programme partners, who work alongside Oxfam to deliver community-based programming. Specifically, the scope of this work focused on experiences related to safeguarding and anti-corruption, such as sexual harassment, sexual exploitation and abuse, and fraud and corruption.

## THE APPROACH: EXPLORATORY AND HUMAN-CENTRED

The research was informed by principles of Human-Centred Design (HCD). HCD is an approach where the needs, wants and limitations of end-users of a product, service or process are given extensive attention at each stage of the design process.<sup>8</sup> This approach allows teams to deeply understand human experiences and preferences, in a way that heightens participants' voices in a change process. In a humanitarian context like Kachin, where people may feel their voices are not always heard, an approach informed by HCD can be highly effective. It is critical to note, however, that this project did not utilize a complete HCD process, which would continue beyond the research phase and into generating new ideas, co-designing, rapidly prototyping and iteratively user-testing solutions. Oxfam GB will, however, take this work forward following the research in a further two countries.

Taking this approach helped the research team to remain exploratory and immersive in order to gain a deep understanding of the current landscape of misconduct reporting at the community level. It supported the aim of understanding the *detail* and *nuance* relating to the emotional and motivational drivers behind decision making.

## 2 RESEARCH SPECIFICS

### THE RECRUITMENT

Oxfam in Myanmar staff members possessed the greatest knowledge and potential for facilitating the research in a way that would effectively capture the voices of community members and field staff. They were best positioned to steer the research team, especially when it came to identifying the specific participants whose voices we hoped to hear from and understand.

The project team was unable to secure the necessary Travel Authorization clearance required to enter the Government Controlled Areas (GCAs) and Non-

Government Controlled Areas (NGCAs) where the majority of camps in Kachin are located. For this reason, participants were transported to the Oxfam Myitkyina office by staff members from that office. Research interviews took place in the office, and were conducted in fully private settings in order to ensure confidentiality and comfort for all involved.

Based on the findings of the research, particularly when it comes to hesitancy in speaking up for fear of consequences, it is unclear whether the camp/village setting would have been a more conducive research environment or not. There are most likely pros and cons to each approach that should be assessed for future research of this kind.

## THE PARTICIPANTS

The team met with individuals who reside in camps, townships and villages across Kachin. In total, we spoke to 20 community members and 10 programme staff on an individual or two-person basis. We also conducted two focus group discussions, each with six female community members. Within this document, we use 'Kachin' generally to refer to the townships and villages in which the participants reside. When we refer to the *camp setting* or *camp management*, we are also including experiences that occur within village settings and under the management of village administrations. Since the research is focused on the personal, human experience, the distinction between the two settings is of less importance to our overall understanding, as compared to *how people experience reporting* within those settings.

## THE METHODS

Utilizing principles of HCD, the research team approached conversations with participants with the exclusive purpose of understanding the ways in which *they* experience their world. Given that the best way to understand an individual's decision making is to speak with them about it directly, we engaged in semi-structured interviews and focus group discussions which were centred around the research themes listed above. Participants were not asked directly to describe in detail personal experiences with misconduct. Instead, they were prompted to think about how they would respond in specific instances, or how they know others have responded. Prompt cards which listed types of misconduct were used as tools to stimulate conversations around safeguarding.

## THE ETHICS

In keeping with Oxfam's accountability policy as well as basic principles of ethical research practice, the names of specific camps, programmes and organizations have been removed and/or modified in order to ensure confidentiality for the research participants as well as for the organizations they spoke about. During the research process, participants were not asked to provide their full names, and all data collected was anonymized to protect the privacy of those involved. The quotes in this summary are mostly verbatim, and were captured through audio-recording after obtaining written and verbal consent from participants. Some quotes have been modified with the addition of occasional filler words in instances when the literal translation may be confusing to the reader. Disclosures were directly reported to Oxfam's Global Safeguarding team in Oxford via the Safeguarding Advisor. Any issues and/or

concerns were then dealt with as per Oxfam GB's standard operating procedure on receiving, logging and managing safeguarding cases.

## THE LIMITATIONS

There were several limitations to the research process which ought to be taken into consideration.

**Reaching the 'right' people** was one of the most significant limitations to the findings. Camp management leaders and similar administration figures were responsible for selecting and coordinating the individuals to be interviewed, based on the general criteria provided to them. For this reason, the research team had very limited control over *who* the management chose and *why they chose them*. This contributed to a notable over-representation of individuals who held leadership positions. This was limiting in that it provided exposure to community members and field staff in positions of authority, who therefore hold a greater degree of power and influence within the system. This also prevented the research team from speaking with more field staff who work in closer proximity to community members. Their voice could have contributed greatly in further understanding the day-to-day dynamics within camp settings and among host communities.

Another limitation of the recruitment process was that we did not speak with participants who had personally experienced an incident of misconduct. Individuals who meet this criterion are hard to identify, and there were additional barriers and ethical considerations that influenced the recruitment process. The fundamental driver behind the current research makes this limitation unsurprising – however, it is important to note, given that it is always better to learn about an individual's preferences by hearing what they *did do* rather than what they believe they *would do*.

**The availability of female translation** support was another significant limitation to the research process. Given the highly sensitive nature of the research topic, it was planned that the research team would work with female translators, particularly when interviewing female community members in an individual setting. Ultimately, a lack of local availability prevented the research team from securing a trained female interpreter, which meant that many interviews were facilitated by a trained male interpreter and/or were translated by a female volunteer with no previous experience in a research and translation capacity. Additional translation support and review of audio-recordings took place after the research concluded to clarify any questions and capture specifics that were missed. Word-for-word translation and emotional sentiment, including tone of voice and body language, are critical components of human-centred research. Capturing these nuances allows researchers to better understand the chronological components of an individual's story as well as the emotional sentiments attached to decision making. For this reason, highly experienced translators are instrumental in supporting research outcomes.

Despite these limitations to the research process, the initiative has resulted in an increased understanding of the specific dynamics that influence the decision making and behaviour of community members and field staff when it comes to safeguarding and misconduct reporting.

# 3 SUMMARY OF FINDINGS

This section summarizes the key findings based on what the research team heard during both individual and group conversations.

This summary should be utilized as a starting point, or a tool that can help guide subsequent efforts that are dedicated to understanding the community-level experience of misconduct reporting.

## THE INFLUENCING FACTORS

In Kachin, there are a host of factors that influence an individual’s ability to ‘speak up’.

Throughout this summary, we use ‘influencing factors’ to refer to the specific variables which influence the way people make decisions when it comes to reporting, problem-solving and sharing information related to misconduct.

After analysing the data from individual and group conversations, and distilling down larger themes into patterns, it became evident that barriers to reporting can be best understood as falling into three main categories. The figure below illustrates these categories, and was used as a framework for summarizing the various influencing factors that emerged during the research.

1. Personal	2. Interactional	3. Structural
E.g. I react based on what is expected, and accept that this is the way things are.	E.g. I am afraid of losing status, privileges or access to services.	E.g. I make decisions based on my immediate environment.

**Personal factors** are most closely tied to how someone innately thinks and feels. These include factors that are intrinsic, or belonging naturally to an individual, and are most strongly tied to their sense of self. Personal factors can be thought of as intangible characteristics, such as a person’s belief system, the values that they hold and the lived experiences that they carry with them.

**Interactional factors** are more identifiable, and are more visibly the result of an interaction between a person and their social network or environment. Interactional factors include the negative consequences in relation to *other* people and/or organizations that can occur as a result of speaking up.

**Structural factors** refer to the tangible elements or the formal systems and structures in an individual’s immediate environment that shape the choices that are and are not available to them.

Decision-making behaviour in any environment is dynamic, and can never be fully distilled down to its individual components. Similarly, behaviour relating to safeguarding and misconduct reporting in the Kachin social environment cannot be deconstructed in its entirety. For that reason, the above framework was utilized as a guide to orient thinking, with the understanding that the various influencing factors overlap and can strengthen or diminish the weight of each other.



# 1. Personal factors

These are the factors that are most closely tied to how someone innately thinks and feels.

## 1.1 Gratitude

I don't want to appear ungrateful, it is inappropriate.

## 1.2 Shame

I do not wish to bring shame upon myself or others.

## 1.3 Resignation

I can't change my situation, this is the way things are here and now.

## 1.4 Trust

I prefer to speak to someone I am more comfortable with.

## 1.1 Gratitude

*I don't want to appear ungrateful, it is inappropriate.*

*'In Myanmar and Kachin... a majority of us have less awareness about the feedback, the complaints, most people really just say "thank you, thank you", so they are less likely to speak about their complaints, their feedback.'* Staff supervisor

When it comes to speaking up, gratitude pertains to what it is customary and culturally appropriate to speak about. A salient theme across nearly all conversations was the cultural expectation to demonstrate gratitude, acceptance and appreciation, and to refrain from directly expressing sentiments that could be considered adversarial to the status quo. During conversations with both programme staff and community members, it was common to hear that people 'rarely say bad things' and have 'so much gratitude in their hearts already'.

*'...culturally and traditionally, Kachin people are very thankful that NGOs and local organizations are helping them, so relationships are very friendly, so some staff may take advantage of this.'* – Staff supervisor, in explaining why he believed that sexual harassment could be the most likely form of misconduct in the camp setting.

Gratitude typically manifests itself differently in behaviour and decision making depending on a person's gender. Considering gender in relation to personal influencing factors is particularly important in light of the fact that traditional gender norms typically dictate what is considered acceptable to speak up about.

The scope of the current research did not include a gender analysis or focus on the specific ways in which misconduct reporting behaviour differs between male and female community and staff members. It is critical to note, however, that almost all of the safeguarding and protection incidents shared during the course of the interviews involved women as the survivors. A vast body of research on the topic of gender-based violence (GBV) in conflict spaces suggests that women are disproportionately impacted by issues around protection and safeguarding.<sup>9</sup>

## **1.2 Shame**

### ***I do not wish to bring shame upon myself or others.***

*'For future safety reasons, society or community will stigmatize, not socialize with you... might look down on you or say you were unlucky, you deserve it. Instead of supporting, that is futureship.'* Project coordinator

Individuals who experience misconduct in Kachin are often made to feel responsible, ashamed, unlucky and socially stigmatized. One staff supervisor used the word *'futureship'* when explaining why he believes survivors often do not speak up. In this context, *futureship* refers to the response from the social environment, and how people are treated in relation to what others believe has happened to them. Previous in-depth research with women in Kachin has found that 'cases of rape and other forms of sexual violence often remain unreported' and that 'most survivors stay silent about what happened to them, either out of shame or for fear of being shunned by their communities'.<sup>10</sup>

*'The community member might think that if they report or say something to the field staff, they will feel shy and won't be able to come next time, and they will be embarrassed.'* Staff member

In addition to personal feelings of shame and the impact of being socially ostracized, shame as an influencing factor also relates to causing others to feel discomfort. Causing *embarrassment* or causing others to feel *shy* was described as something that individuals actively avoid. This behaviour is likely to be related to cultural practice as well as the desire to avoid negative outcomes that may arise from social shame. The most frequently cited consequences that could result from causing shame for others was the loss of staff attention to programming and the loss of programme services.

*'It is impossible that if anything happens, it will not be known by everyone.'* Staff supervisor

*'Reporting is mostly happening from the environment, and it is hard to hear from the victim.'* Staff supervisor

Confidentiality is very hard to achieve in the camp setting. Participants frequently spoke about cramped living spaces with very limited privacy, and how quickly word travels. It is widely expressed by both community members and field staff that it is very rare to hear directly from the people who have experienced misconduct, and it is typically family members, relatives or neighbours who share information on their behalf. The tendency for family members, relatives and neighbours to speak up on someone's behalf was expressed consistently across the interviews with both community members and staff. Community narratives that increase fear and demonstrate the danger of individual expression contribute to individuals' tendency to remain silent following incidents of misconduct.

## **1.3 Resignation**

### ***I can't change my situation, this is the way things are here and now.***

*'Because we are in this condition, maybe it is our fault, maybe they are tired, they have been supporting us a lot, we should be patient, otherwise there will be more consequences.'* Community member referring to treatment from field staff

'Resignation' in this context largely stems from the lack of choice and powerlessness that community members feel within their immediate environment. Being financially and resource dependent on humanitarian and development programming means that community members are often vulnerable to situations in which they have very little choice, and are forced to accept inappropriate and unfair treatment. This acceptance is likely to be due to a multitude of factors, including imbalances in power and the inability to make active changes in immediate circumstances.

#### **1.4 Trust**

*I prefer to speak to someone I am more comfortable with.*

*'...when they don't feel safe to report to camp committee, they go to the camp resident representative.'* Staff supervisor

The clearly defined management structure and widely understood hierarchy within the camp setting leads to clear expectations around who should be informed when incidents occur. Procedurally, the chain of communication is very clear, and it is the responsibility of the community to inform camp management about all that happens at the community level. One community member shared that the camp leader 'is the first one we have to contact whether it is for all things, big and small... I have a responsibility to inform him, and he has the right to deal with any things should they come up.' Reporting upward is viewed as an expectation and a way of participating in maintaining order within the community.

Despite the existence of the formal management hierarchy within the camp setting, conversations revealed that community members are most comfortable sharing with individuals to whom they feel closest, can relate to, and with whom they share similar experiences. In the eyes of the community, the ideal trusted person is not someone from camp management but someone in closer proximity, and someone who shares power with them more equally.

The two most frequently mentioned figures of trust among community members are local house representatives and faith-based representatives. They are most often the resources that families have the greatest degree of access to, whether it be near their home setting or at their place of worship.

*'Representatives are the persons for the people, the individual and family. They are special persons who can easily relate to the families.'*  
Staff supervisor

Community-based representatives (*house leaders, house representatives*) are often individuals who had functioned in leadership capacities in their communities prior to displacement. They are viewed as sources of support that are more accessible, less authoritative, and that hold significantly less power when it comes to decision making. Throughout the conversations it became clear that these representatives are used as the first points of contact for a variety of issues, including local conflicts with neighbours, requests to hold social events such as weddings and funerals, and emergency medical needs during the night. Research conversations revealed that these representatives are democratically elected, and can therefore represent the collective community voice.

*'For some communities, the church committees outside the camp are the most trusted. [They are] sub-committees that are not from the camp... if the community has issues, they can talk about them with*

*these people. They will then engage with the camp committee to help broker situations.'* Staff supervisor

Religious leaders have a great deal of influence within the camp setting. The majority of camps are run by faith-based organizations, which means that there is a large amount of overlap between religious committees and management committees.

## 2. Interactional factors

**These are the factors which are more visibly the result of an interaction between a person and their social network or environment.**

### 2.1 Rejection

I don't want to be blamed by others for everyone losing services if I speak up.

### 2.2 Attitude

I cannot approach the staff as they are impatient, harsh and disrespectful.

### 2.3 Loss

I am afraid of losing access to services and privileges that I rely on.

### 2.4 Uncertainty

I can never feel sure of what will happen or what could go wrong.

### 2.1 Rejection

I don't want to be blamed by others for everyone losing services if I speak up.

*'Maybe they don't have the courage to speak up. Maybe they are afraid of the programme staff or are scared to speak out. If you speak up about a case, and the investigation when it happens, someone could find out it was you who spoke.'* Community member

Fear of having a negative impact on others, as well as social pressure to conform and minimize disruption, contribute to community members being apprehensive about reporting instances of misconduct. Close-knit community bonds and unity among the various religious groups within villages mean that information is widely shared at the community level. Preserving status and comfort in such a highly chaotic environment is prioritized over the potential benefits of reporting.

Both community members and staff spoke about social rejection that could result from speaking up. Community narratives that increase fear and demonstrate the danger of individual expression are likely to discourage individuals from reporting misconduct.

### 2.2 Attitude

***I cannot approach the staff as they are impatient, harsh and disrespectful.***

*'We feel very bad when staff come and treat us like this because we have [experienced] the trauma already. We ran away from home and we are in such a setting, so that words or short temper from staff or bad*

*things from them we cannot accept and cannot stand.’* Community member

Interviews with community members and supervisory staff revealed that it is uncommon for community members to express themselves to field staff directly. Field staff were described as harsh, impatient and quick to make community members feel ‘low’ about themselves. Participants noted that verbal disrespect from field staff toward community elders was particularly hurtful, as they may be yelled at for taking too long to line up for food distribution or for not hearing announcements made by staff.

*‘People also already look down on displaced persons, and blame us, saying that you were not a well-behaved person, that is why you are here.’* Community member

When talking about instances of staff abusing their power over female community members, one participant explained that ‘it is the same way of bullying using men’s physical strength. It is sort of a practice or system from the past which still exists today, that the stronger bully the weaker. This means violence against women using the power over them.’ This way of describing the relationship between field staff and women is very concerning, particularly in light of the fact that the vast majority of camp-based community members are women. Not confronting field staff directly perpetuates community members’ lack of trust towards field staff, and also contributes to high degrees of resignation.

### **2.3 Loss**

*I am afraid of losing access to services and privileges that I rely on.*

*‘Community members fear that “field staff may not come back and continue the programme” and “they might not provide the stipend.”’* Staff supervisor

The fear of negative repercussions for speaking up was discussed in nearly all interviews. Most community members are highly reliant on the services provided to them for survival, which means that actions that may decrease their chances of accessing such necessities are consciously avoided.

*‘The main concern is the fear of speaking up about disagreements or dislikes about the camp committee because they have a certain level of authority in the camp... so if the community members or individuals or families report their dislikes about the committee, then there can be consequences.’* Staff supervisor

Camp management committees hold a great deal of power in the camp setting. It was explained by both community members and staff that camp committees have the power to bend or enforce rules, depending on the relationship that they have with individuals and families. This may be relevant, for example, when an individual loses access to their food allowance after spending too many nights outside the camp. In the case of an individual who has ‘good standing’ with the camp committee, this rule may be waived and they may be given their ration.

When a coordinator working for a large camp was asked directly about consequences and if the perception of rations being kept actually happens at the community level, he replied that ‘the point is that the committee doesn’t take the community’s quota, but they can play with the list, the receiver list’. For fear of losing privileges, community members often avoid speaking freely with the camp committee and drawing any negative attention to themselves.

## **2.4 Uncertainty**

*I can never feel sure of what will happen or what could go wrong.*

*'Topics like being raped in a conflict, home was on fire in conflict, or persecution, or burned house, intentional killing of a family member. It is these kinds of topics we can't talk about, we don't want to talk about. When we talk about them, we cannot continue, we cry a lot, we reflect, can see again, relive, feel trauma.'* Community member

The majority of individuals living in Kachin have histories which include conflict, trauma and high levels of long-term instability.<sup>11</sup> If asked directly about things that are hard to speak about or challenges that impact their day-to-day lives, community members would often refer to the trauma of living as a person who has been displaced from their home. Fleeing for their lives in the midst of conflict meant that families have had to leave behind not only their homes, but also their jobs and financial independence. Financial hardship and stress related to lack of employment were shared as significant stressors that impact familial livelihoods on a daily basis.

The politically ambiguous and fluctuating nature of the environment that surrounds camps contributes to persistent instability. With rules and sources of power constantly shifting, so too do sources of information, or the type of information that community members feel they can trust. This is particularly significant in the context of misconduct reporting, as consistency and perceptions of safety are fundamental to fostering an environment where individuals feel able to *utilize* misconduct reporting information if they have access to it.

During a focus group discussion, women shared a photograph that was accessible on Facebook of two monks who had purportedly raped and killed a 12-year-old schoolgirl living in a village outside of their camp. It was explained that the girl had 'already dressed with the school uniform, green *longyi* and white blouse, as she was about to go to school', 'while her parents were in the farm'. Incidents such as this reinforce ideas around a lack of safety and security in the Kachin context, and influence how people experience their lived environment.

## **3. Structural factors**

**These are the tangible elements or the formal systems and structures in an individual's immediate environment that shape the choices that are and are not available to them.**

### **3.1 Visibility**

We don't know who Oxfam is.

We don't work directly with Oxfam.

### **3.2 Awareness**

I don't know what should be done.

I am not aware of what the policy is.

### **3.3 Incentive**

We don't need to involve anyone from Oxfam.

### 3.4 Community resolution

My challenges will be resolved by appointed community members, through a collective decision-making process.

#### 3.1 Visibility

*We don't know who Oxfam is.*

*We don't work directly with Oxfam.*

*'I have never spoken to someone who works for a programme.'*

Community member

Visibility as an influencing factor pertains to a significant gap that exists between activities that take place in communities and external actors who are situated outside of the camp setting, including outside of Myanmar.

In Kachin, community members, volunteers and field staff do not typically have direct exposure to or points of contact with representatives from Oxfam. The reason for this is structural, and due to the fact that Oxfam currently does not engage in direct programme implementation in Kachin and implementation is done through local partners. Due to Oxfam's limited *physical* presence within the camp setting, the organization has poor visibility among community members and field staff. In reverse, this gap in physical proximity between Oxfam and communities also means that much of what occurs at the community level is invisible to Oxfam.

During the course of the research, the team was only able to access programme staff who hold supervisory roles for interviews. This meant that the individuals we spoke with were well-positioned to speak with us about decision-making processes that take place at management levels, and the degree of communication that typically occurs between national programme partners who work within camps and external organizations who provide funding and reside externally. For external funders and project implementers to learn about misconduct at the community level, word needs to travel through several layers of management. Communication is reliant on the motivation of various actors with different job responsibilities, as well as the different organizations that these actors feel accountable to.

#### 3.2 Awareness

*I don't know what should be done.*

*I am not aware of what the policy is.*

*'Most of us have less awareness of our rights.'* Staff coordinator

Awareness has two layers in the context of misconduct reporting, and both contribute to less effective accountability cultures and reporting processes in general.

The first layer relates to the day-to-day access to information that community members have to respond to safeguarding concerns, if they arise.

When asked what they would do in a situation where they witnessed sexual harassment of a community member by a field staff member, for example, most participants instinctively responded by saying that they had not seen such a scenario occur in their camp. After pressing further, participants generally said

that they would inform camp leaders if they witnessed sexual harassment taking place. When asked what they would do if camp leaders were the source of the issues, or the perpetrators, most participants found this very challenging to answer. For example, when asked directly how community members would handle problems if they concerned camp management, one participant explained that 'we don't expect that that would happen, but if it did, we would have no idea how to handle that.'

The second layer of awareness in the context of misconduct reporting relates to the fact that field staff often have not been exposed to protocols and policies dedicated specifically to safeguarding and anti-corruption. There are typically several programmes affiliated with separate organizations working within one camp, each with its own way of communicating about safeguarding and responding to misconduct. This is a significant contributing factor to the lack of awareness of community members and field staff around who they would speak with in the event of misconduct or a safeguarding issue.

According to a recent gender analysis conducted by Oxfam in Myanmar, for example, some partner organizations do not have existing Protection Against Sexual Exploitation and Abuse (PSEA) policies, and others are currently in the process of adopting them. Without clear guidance on how to respond to misconduct, programme staff are not equipped to be fully accountable to the community members they work with.

### **3.3 Incentive**

#### ***We don't need to involve anyone from Oxfam.***

*'If field staff are involved in some kind of misconduct we will also report and solve it with [the National Partner]. The reason is we don't want Oxfam to, you know, get busy with these things is because they have provided us project money and so, if they have to take responsibility for these things it would be too big a job for Oxfam. That is why we don't need to report to them.'* Staff supervisor

In Kachin, Oxfam is viewed by national programme partners as being tangential or external to programming that is implemented by and for local communities. The main reason for this is Oxfam's limited involvement with project implementation; in Kachin, Oxfam is involved primarily in providing funding support as well as needs-based technical/programmatic support to national partners. According to the national programme staff that we spoke with – actors who are engaged with Oxfam-funded programming on a day-to-day basis – Oxfam is integral in government relations, training and professional resource provision, and monitoring and evaluation. The organization is not viewed as integral to decision making related to misconduct concerns and/or resolution of misconduct incidents.

For misconduct that is dealt with internally (i.e. by the camp management, or camp committees), through established pathways of communication and collective-based resolution, there is seen to be little point in including or informing remote actors about the processes. Interviews with both community members and staff indicated that donors or actors whose presence is seen as 'outside' of the camp context are typically only involved in incidents when they require immediate, safety-related support. Such incidents were most often cited as protection cases that involved children, trafficking or medical emergencies.



*'If community members report about an organization's weaknesses to the committee, there can be arguments or misunderstanding between the committee and the community member. If you give this negative feedback to organizations, then they can reduce the rations or supply of food, so the committee may not want to hear this kind of thing.'* Staff supervisor

During conversations with programme staff specifically, it was evident that individuals feel responsible for feeding information back to their direct supervisors only. This means that programme staff feel responsible for acting in accordance with the guidelines of local implementers and not necessarily of the organizations that fund them. When considering accountability and who is accountable to whom, it is common that field staff feel exclusively accountable to firstly, their project-specific leadership, and secondly, to the camp or village administration in which they deliver the service. In many cases, these two groups are one and the same.

Incentive as an influencing factor is important to consider from a global accountability perspective, as hearing directly from national implementers regarding misconduct incidents is less likely when the actors involved do not view the process as useful or necessary. Further, reliance on the funding and programme support that come from international organizations contributes to the tendency to avoid seeking 'external' involvement in matters that can be solved without them.

### **3.4 Community resolution**

*My challenges will be resolved by appointed community members, through a collective decision-making process.*

*'If the camp administration comes up with punishment or compensation in their decision, it will have to be done accordingly. If the camp governing body decides according to Kachin traditional/customary law, everyone will have to abide by that decision.'* Community member

Clearly defined hierarchical structures within the Kachin context contribute to a predictability when it comes to channels of communication and methods for resolution. Governing structures across camps and villages operate in similar ways, particularly when it comes to an in-built hierarchy and way of managing challenges that arise internally.

According to both community members and staff, problem-solving following incidents is most often handled by appointed committees, most frequently referred to as Camp Management Committees (CMCs), who work in coordination with the camp administration. The size, composition and name of each CMC varies across camps and camp-like settings, but the underlying function of these decision-making bodies are similar.

There are two main avenues for feedback to reach CMCs. They were described by one field staff supervisor as the 'living and fixed mechanisms'.

**Living mechanisms** refer to open forums or meetings where community representatives can share the voice of the community. These meetings may include, for example, members of the CMC, sub-committees of the CMC, house representatives and religious leaders representing the needs of their communities, camp steering committees and Professional Working Group (PWG) meetings. The style and frequency of such open forums vary across camps, but were described by both community members and staff as

opportunities for concerns to be escalated. If a latrine has been out of working order for a few weeks, for example, requests to have it fixed may be voiced during an open forum.

**Fixed mechanisms** include the use of both hotline numbers and suggestion boxes, which were frequently cited as being available in a central location in the majority of camps. According to interviews with staff members, issues disclosed in the suggestion boxes are typically read and responded to by members of the camp management. If there are several programmes operating in one camp, camp management can forward complaints to the appropriate organization if follow-up is needed. These fixed mechanisms are widely known about; however, community trust in and utilization of such channels for support appear to be low.

During a group session with six female participants, it was explained that in one particular camp, trust in and use of suggestion boxes have decreased over time, due to the fact that community members do not believe that comments are read or responded to. Suggestion boxes may be useful for non-immediate issues, but cannot serve as a timely and survivor-centred method for responding to safeguarding concerns.

*'In the community we have some traditional norms or something like that. So... if you have a rape case, leaders from both sides come together and use arbitrary justice.'* Staff supervisor

It was explained that the misconduct resolution process is guided by both cultural tradition and religious customs, and typically does not include or rely on actors who are external to the camp setting. This means that misconduct incidents that occur within the camp and involve programme partners will typically be resolved via the existing administrative bodies of the camp.

During a focus group discussion, women shared details of a purported assault that occurred within their camp, which included a management-level staff member who worked for a large community-based programme, and a female volunteer. When referring to how the case was ultimately resolved, it was explained that 'camp management heard about that case and the staff [member] was asked to arrange a prayer service at her home to apologize or compensate for what he had done.'

Due to the research scope, the exploration of specifics relating to community resolution was limited, particularly when it comes to understanding how often national programme partners and CMCs are resolving misconduct incidents *together*. Further exploration is needed to assess the presence of internal processes for disseminating information about misconduct between CMCs and national and international programme partners.

## 4 MOVING FORWARD

Based on this research, below are a list of considerations and potential areas for further exploration.

### 4.1 PERSONAL FACTORS

#### **Shift accountability mechanisms from being reactive to proactive**

Research findings highlight the need for further exploration at the community level, specifically when it comes to how intrinsic, personal factors influence community members' tendency to *actively* seek support. Conversations with the Oxfam in Myanmar team following data synthesis provided a deeper cultural understanding of the influencing factors *gratitude* and *shame*, and how they can be best described as manifesting simultaneously by the phrase '*ah nah deh*'. This has been described as a 'famously untranslatable Burmese concept involving hesitance to impose on others (especially those of higher status), or mortification that one has done so'.<sup>12</sup> One linguist has translated *ah nah deh* as '(my) strength hurts (me)' and explained the concept as a 'a reluctance to put themselves forward'.<sup>13</sup> In light of these dynamics, exploring channels that are *proactive* in connecting with community members may be more appropriate than channels that are *reactive* and place additional burden on community members to speak up. Proactive channels could include, for example, dedicated representatives who develop trust at the community level and establish relationships with individuals and families before incidents of misconduct occur. These representatives would enable direct, confidential and private one-on-one contact and would be available to support community members in utilizing processes that exist outside of camp management.

#### **Demonstrate accountability in practice to build trust**

For community members to build trust and decrease feelings of resignation, they will need to *experience* demonstrated commitments to accountability and safeguarding. This includes receiving follow-up information after misconduct incidents are reported, as well as visible actions taken by programme partners to hold their staff accountable. This would also include feedback and referrals between implementing partners, camp administration and external funders. Ultimately, it will be critical that Oxfam closes the loop back with community members once incidents have been investigated.

#### **Deepen understanding of embedded sources of support**

Community members prefer to speak with local representatives and religious leaders about personal challenges, because they are distinctly separate and removed from camp management. More research is required, however, to understand the current capacity that these figures have for supporting community members when it comes to safeguarding and misconduct.

Consideration should be given to the need for confidentiality, and whether or not these community leaders are able and willing to support survivors outside of the purview of camp management and existing decision-making bodies.

## **Integrate with existing sub-committees and GBV focal points**

During research interviews, when community members were prompted to consider how they would respond to safeguarding concerns, they would often name a specific sub-committee or organization that is affiliated with GBV-related programming within the camp. General awareness around the availability of protection-related volunteers appears common, and both staff and community members referenced them as reporting options. Structured procedures for misconduct escalation are more common for protection issues. Moving forward, exploration should be done in order to understand the potential use of or integration with GBV/protection-related focal points when it comes to safeguarding concerns, which are fundamentally distinct from issues of protection.

## **Build the number and capacity of community safeguarding volunteers**

Volunteers who have been trained to respond to protection or GBV-related incidents were commonly cited by community members and field staff as options for support with protection issues. There was no mention of specific safeguarding volunteers during the research interviews. One staff supervisor, however, did mention a safeguarding focal point that works for a large camp and is singularly responsible for supporting the needs of hundreds of community members and staff. Safeguarding teams need to be prioritized and grown to effectively support the large number of community members and staff within Kachin.

## **Create female-centred, community-based spaces**

When asked specifically about the availability of a women's space in her camp, one community member explained that, 'in our camp there is no proper designed centre for women. But when we need to talk privately, we gather in an office or in a kitchen somewhere. We come together to discuss'. Previous research within Kachin has similarly indicated that there is an overall lack of functioning women's groups in camps across Kachin.<sup>14</sup> Given the importance of safety and trust when it comes to misconduct disclosure, the limited availability of safe and confidential spaces within the camp setting has a prohibitive impact on overall reporting. Options for increasing such spaces should be prioritized to create a more conducive environment for speaking freely.

## 4.2 INTERACTIONAL FACTORS

### **Strengthen accountability mechanisms that ensure confidentiality**

Both community members and field staff need to believe that accountability mechanisms will keep their information private and secure. Trust in the respect for privacy could help decrease fear of social stigma and rejection, and make individuals feel safer to share their experiences.

### **Identify allies for support who do not have the authority to impose negative consequences**

Fears around the loss of privileges and access to services prevent community members from confiding in leaders with particular decision-making power and influence. Facilitating access to allies who do *not* have the potential for punitive influence will decrease levels of fear and avoidance among community members.

### **Consider what it means to be survivor-centred within a highly collective environment**

It is rare for survivors of safeguarding issues to report incidents themselves, and it is typically the role of people close to them to do so on their behalf. Traditional community resolution practices often do not prioritize the preferences of the survivor directly, and instead are focused on structured problem-solving that is more collective and community-driven. Given what is known about community resolution practices in Kachin, there is a significant need to consider what it means to be survivor-centred in this context.

## 4.3 STRUCTURAL FACTORS

### **Prioritize safeguarding and accountability at the start of programme design**

Many of the stories and experiences shared by community members and staff demonstrate the need to embed safeguarding and accountability processes from the very beginning, *before* programmes are structured. Many of the narratives shared demonstrate that safeguarding has historically been an afterthought in programme design, which has contributed to lack of awareness and capacity to respond to issues of misconduct.

### **Consider Facebook as a platform to circulate information about safeguarding and mechanisms for misconduct reporting**

Facebook was mentioned in the majority of research interviews, and it is common for community members and field staff to have access to the platform. Facebook was mentioned as a source of information about protection issues,

including trafficking and rape that occur in Kachin, as well as updates from family members and people in other villages. It was also cited as a way to consume information from the local media. One staff supervisor mentioned the use of Facebook in her job, as a way of gathering population data about the camp. Moving forward, it would be worth exploring the potential use of Facebook as a high-reach and low-investment means of circulating information about safeguarding awareness and misconduct reporting options within the camp setting. Facebook has been used as a platform to spread 'fake news', advance political agendas and incite political unrest within Myanmar, as well as many other countries across the world. For this reason, it will be critical to think through these dangers before considering Facebook as a platform to disseminate information on safeguarding and misconduct reporting.

## **Redesign the relationship between national and community-based programme partners**

This research has raised questions and highlighted the need to determine whether or not programme partners *want to or need to* include donors and external actors in camp-based resolution processes. This points to the need for more direct collaboration with camp management teams, and a reassessment of the working relationship between implementing and non-implementing actors.

## **Determine the scope and line of accountability**

Donors and programme partners who do not reside within Kachin need to consider what it is realistic to expect to hear when it comes to misconduct reporting that takes place at the community level. There is a need to constructively think through what information it is necessary to pass 'back' to Oxfam GB, for example, and what information is beyond the accountability scope of global teams. It is very rare that information about misconduct that occurs at the community level will reach programme partners who are situated at the national and international level. This means, for example, that members of the Oxfam in Myanmar staff who are located in Myitkyina and Yangon are not receiving information about misconduct incidents that occur within the camp setting.

## **Formalize reporting pathways that do not include camp management**

The camp management structure specific to each camp has the most significant influence on community members' day-to-day lives, including the resources available to them, their safety, and their ability to respond to incidents of misconduct. Based on what is known about fear of breaking rules, it is currently unrealistic to expect community members to seek support outside of camp management unless they are formally told to do so.

## **Increase coordination of protocol across programme partners**

With nearly 20 programmes operating across Kachin, there is a great deal of overlap and intersection between and within organizations working at the community level. There is a significant need for improved coordination and

communication between these various actors, particularly when it comes to aligning on expectations and procedures for misconduct reporting.

## **Increase female participation in resolution processes**

Previous in-depth research with women in the Kachin context has indicated that female participation and representation within camp management committees is generally very low.<sup>15</sup> Continuing efforts to increase female participation in decision-making processes will contribute to more human-centred support mechanisms over time.

## **Prioritize conversation around localization in the Kachin context**

Local actors have been instrumental in protecting and reproducing Kachin tradition and customs within camp settings long before humanitarian and development agencies were able to access the camps.<sup>16</sup> These local CSOs and national agents were highly successful in providing support and facilitating management of individuals living in camps throughout the region. It is important to note that isolating and speaking to the strengths of *'localization'* was far beyond the scope of this research. Initial research findings did, however, surface the need to prioritize additional research that analyses the strengths and weakness of a fully localized approach in the Kachin context.

# **CONCLUSION**

Utilizing principles of HCD, the research team leveraged the power of human connection and conversation to understand people's experiences and how they view and interact with the environment around them. This immersive and exploratory research process was successful in uncovering a number of critical factors that influence misconduct reporting among community members and programme staff within camp settings in Kachin, Myanmar.

Findings from the research in Kachin suggest that there is a significant gap when it comes to information reaching actors at the HQ/international level. During the research process, the team did not hear about any misconduct incidents that reached these actors. This finding is particularly relevant when considering Oxfam's global accountability and responsibility to respond to the misconduct experiences of community members and programme staff. If Oxfam is not receiving information about what transpires at the community level, the organization cannot effectively respond to it. Further, without more information about what takes place at the community level, teams are less equipped to design mechanisms for prevention and survivor support.

Moving forward, it will be critical to identify the specific gaps in service delivery and collateral consequences of delivering programming exclusively through partners. Decisions around programme structuring and locally driven programming are complicated by the fact that Kachin remains an active conflict region. Safeguarding and accountability are highly challenging to maintain in an environment where service delivery takes place in self-governing camp settings. Designing and building long-term programming in a constantly changing and

politically charged environment makes engagement and consistent collaboration with local actors highly complex.

This research has been successful in highlighting the need to prioritize conversations around what it means for Oxfam to be accountable in a set-up where programmes are run exclusively by local and national partners, in a humanitarian context that has human rights consequences.



# NOTES

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