

Additional Information on SWIA Methodology

A. SWIA Phases

The SWIA process follows well-established impact assessment steps. For each step of the process the specific tools or approaches developed are shown below.⁴⁷⁶



I. Screening	
<p>Objective: Economic sectors selected based on several criteria:</p> <ul style="list-style-type: none"> ■ Importance of the sector to the Myanmar economy; ■ Complexity and scale of human rights risks involved in the sector; ■ Diversity of potential impacts looking across the sectors; ■ Human development potential; and ■ Geographical area. <p>Tasks:</p> <ul style="list-style-type: none"> ■ Informal consultations held inside/outside Myanmar to develop and verify the selection of sectors. 	<p>Key Outputs / Tools</p> <ul style="list-style-type: none"> ■ Selection of 4 sectors for SWIA: Oil & Gas, Tourism, ICT and Agriculture – replaced by Mining in 2015
II. Scoping the Mining sector in Myanmar	
<p>Objective: Develop foundational knowledge base to target field research for validation and deepening of data collection.</p> <p>Tasks:</p> <ul style="list-style-type: none"> ■ Scoping the mining sector; ■ Stakeholder mapping; ■ Informal consultations were held inside and outside of Myanmar to understand the key issues and areas relevant for the Mining SWIA; and ■ Selection of commodities. 	<p>Key Outputs / Tools</p> <ul style="list-style-type: none"> ■ Scoping paper ■ SWIA workplan
III. Identification and Assessment of Impacts	
<p>Objective: Validate foundational knowledge base with primary data collected through field research from targeted locations across Myanmar.</p> <p>Tasks:</p> <ul style="list-style-type: none"> ■ Four rounds of field team visits to eight different locations each time collecting qualitative data on: Livelihoods; Environment; Housing & Land; Community Consultation; Grievance Mechanisms; Public & Community Services; In-Migration; Cultural Rights; Vulnerable Groups; Labour; Security and Conflict 	<p>Key Outputs / Tools</p> <ul style="list-style-type: none"> ■ Interview guidance ■ Internal fact sheets on impacts of mining ■ Ethical research policy ■ Field safety guidelines ■ Field trip reports, including stakeholders consulted

⁴⁷⁶ This table is gratefully adapted from the presentation used in [Kuoni's HRIA of the tourism sector](#) in Kenya.

- Compile and synthesise field data, including DIHR trips to debrief with research teams in Yangon
- Further desk research.

IV. Mitigation and Impact Management

Objective: Identify measures that will help avoid, minimise, and mitigate potential impacts of the sector.

Tasks:

- Synthesise information on potential impacts at three levels, sector-level, cumulative, and project-level, in order to identify recommendations for the Government, business actors, civil society and other stakeholders to prevent and mitigate potential impacts.

Key Outputs / Tools

- Initial synthesis reports of field findings

V. Consultation & Finalisation of the SWIA Report

Objective: Present SWIA findings and conclusions, as well as recommendations to be validated through consultations with representatives of the Myanmar Government, businesses already operating/planning to operate in Myanmar, and representatives of civil society organisations, trade unions, international organisations, and donor governments.

Tasks:

- Drafting of main SWIA chapters;
- Translations for consultations;
- Consultations in Yangon;
- Revisions to draft SWIA; and
- Finalisation, publication and dissemination of the Mining SWIA.

Key Outputs / Tools

- Draft SWIA report in English
- Slide pack summarising the SWIA findings and areas of recommendations for consultation in English and Burmese
- Report for consultation
- Final Mining SWIA report and dissemination

B. Limitations of the Mining SWIA

- **Non-attribution:** In order to protect individuals and groups who participated in the SWIA as well as to facilitate engagement with companies and government actors in the research and its follow-up, it was decided to anonymise the information. Field findings are not attributed to any particular company or township. Neither maps of mining locations including GPS coordinates used by field teams to understand the scope of impacts on the ground, nor photos of recognisable sites or individuals are included.
- **Limited scope: 8 mining regions visited; 3 commodities researched; focus on exploration, extraction and processing:** Due to limited resources, as well as accessibility and security considerations, and taking into consideration pre-existing research, only three commodities were the focus of the current SWIA. This excludes some important commodities for the mining sector in Myanmar. MCRB field visits for the SWIA were undertaken to extraction and processing sites and included sites in the exploration, operations and post-mine closure phases of the mine lifecycle. The role of segments such as financial services, import and export, transportation, sales and specialised subcontractors to mining companies were not considered in detail in the research. Further research should be undertaken in Myanmar to cover these gaps.
- **Lack of official data, maps and monitoring reports:** Sector-level impacts were difficult to assess as there is limited reliable public information on permits, production volumes, financial revenues, exports and so forth. No survey data about labour in either the formal or informal mining sector in Myanmar is available. EIAs which were obtained in the course of the research included no or only very limited social baseline information on communities. Analysis of impacts focused primarily on environmental rather than social or human rights impacts. MCRB

did not access any labour inspection reports, production monitoring reports and environmental reports by government agencies.

- **Lack of environmental and health expertise:** MCRB teams are specialised in human rights and do not have technical expertise on environmental or health issues. No testing of air, soil or water was undertaken as part of the SWIA. The team did interview medical personnel and collected some personal medical information, but no independent medical data or studies were accessible for review to assert the effects of mining on human health in the visited locations. Furthermore, only very limited secondary environmental and health data is publicly available to integrate into the SWIA.
- **Workers' interviews:** MCRB obtained authorisation from both Union-level and state/region governments (as well as from EAOs) to conduct field visits and informed companies about upcoming visits in order to be able to access mine sites. Field teams were thus authorised to visit sites including pits, shafts and processing facilities. In most cases focus group discussions as well as individual interviews with workers were held without direct interference from management at the mine sites, at workers' accommodation sites or outside the mining area. However, in some cases (at three large companies), MCRB field researchers were not allowed to interview workers without company presence, nor were they allowed to visit workers' accommodation.
- **Diversity and discrimination:** The field researchers are experienced social science workers, who received additional human rights training as part of the SWIA, but did not hold specific expertise on diversity issues or pre-existing in-depth knowledge about all locations visited, to allow them to analyse power dynamics. Three of the six field researchers were women, to facilitate engagement with female interviewees. Field teams were supported in each region by a local facilitator identified through civil society, acting as a trusted focal point for contacts with communities and community based organisations. The local facilitator also acted as a translator where no member of the MCRB team had working knowledge of the local language. Discrimination on the basis of gender, ethnic or religious identity or other grounds is not always well understood by communities and workers in Myanmar and topics of interracial tension and sexual violence are relatively sensitive. Moreover, whereas MCRB field teams found workers and members of local communities willing to engage and share their experiences of mining with MCRB, in some situations community members felt apprehensive about the military, government authorities or EAOs.

C. Field Research Methodology & Interviews

Field Research Methodology

The Mining SWIA comprises both primary and secondary research. For the primary research, two teams of three researchers (plus a local facilitator, translator and driver as needed) visited eight different locations (see location map below). The field teams used qualitative research methods that were adapted to the local contexts to take account of the sensitivities of localised issues (such as potential conflict or tensions), while being sufficiently standardised to allow for coverage of all major human rights issues and comparison of findings. The field researchers used interview guidance to structure their conversations. The guidance was derived from questionnaires developed for the first SWIAs based on DIHR's Human Rights Compliance Assessment Tool (HRCA),⁴⁷⁷ a tool to enable companies to identify and assess human rights compliance in their operations. The researchers, being more experienced than in the first SWIAs and in order to allow for more qualitative discussions, decided to use guidance⁴⁷⁸ rather than more structured questionnaires.

⁴⁷⁷ DIHR, [Human Rights Compliance Assessment](#).

⁴⁷⁸ For example of guidance for stakeholder engagement in Human Rights Impact Assessment, see: DIHR, [Human Rights Impact Assessment Guidance and Toolbox](#), 2016.

The interview guidance covered five overarching stakeholder groups and interviews were held one-to-one, in small groups and through focus group discussions:

- Community members;
- Mining workers;
- Companies;
- Government; and
- Actors involved in artisanal/subsistence mining.

Box 31: Topics Covered in SWIA Questionnaires

- Community impacts, including consultation and participation
- Land acquisition and resettlement practices
- Livelihoods of communities
- Impacts of in-migration and out-migration on communities
- Labour issues, including health and safety of employees, working conditions and opportunities, worker accommodation
- Grievance mechanisms for communities
- Public services and community services
- Women and children
- Indigenous Peoples
- Security arrangements
- Conflict
- Environment and ecosystem services
- Ethical business practices

Open questions were used as much as possible, in order to allow respondents to answer using their own thoughts and words, and raise the issues they considered to be important. All interviews were documented with written notes and in most cases voice recorded with permission of the interviewees. Most interviews were conducted in Burmese, while local intermediaries translated in meetings with local community representatives where other ethnic languages were used. The issues in Box 31 were covered.

Mining SWIA Field Visit Locations

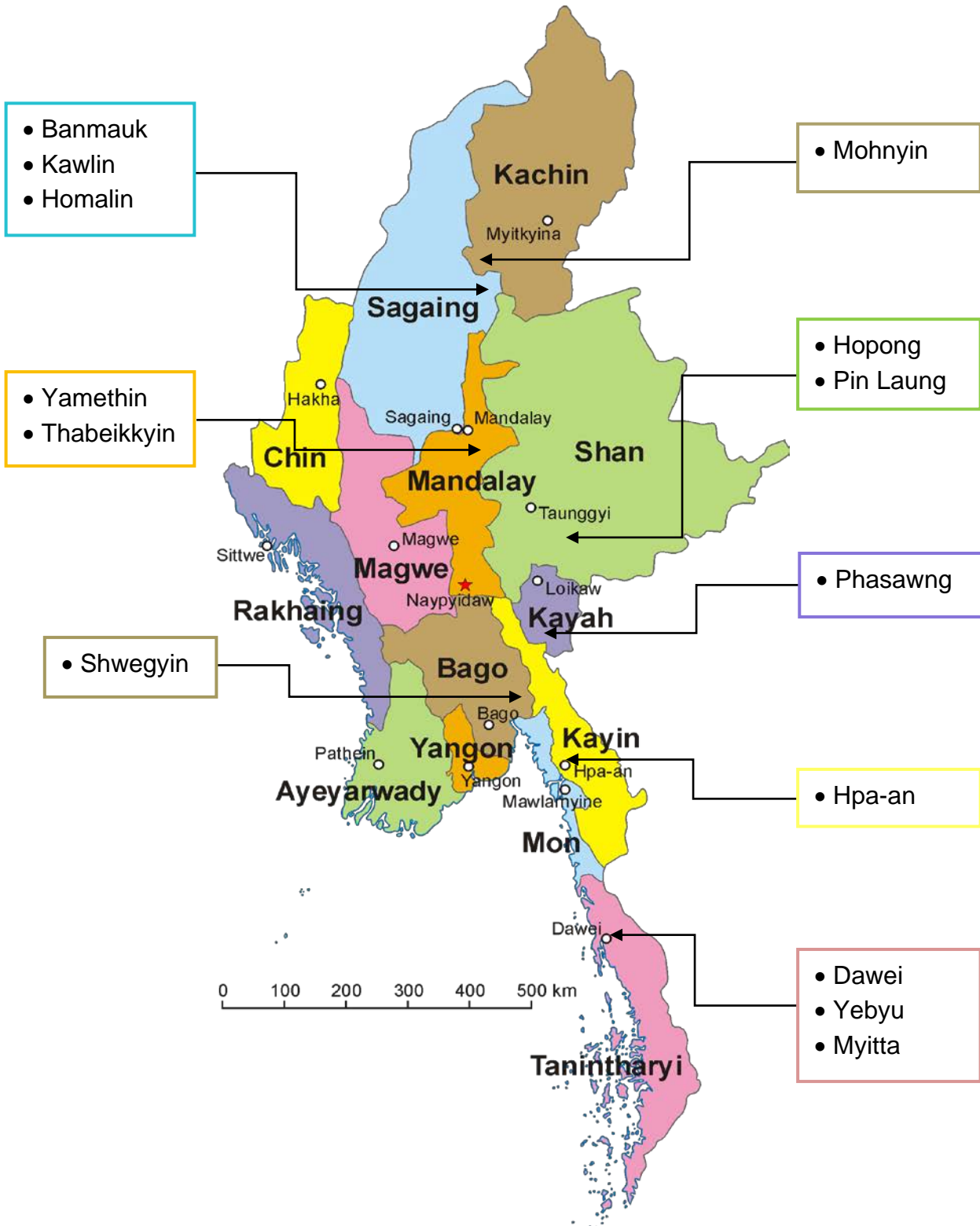
The SWIA field research was carried out in the following states and regions: Shan State, Kayin State, Kayah State, Sagaing Region, Mandalay Region, Tanintharyi Region, Bago Region and Kachin State: see **Error! Reference source not found.** For limestone, the field research focused on three large-scale projects and also visited several artisanal quarrying sites, and limestone processing sites. For gold, three large-scale projects and eleven small-scale projects were looked at, whereas the team visited 15 subsistence mining sites. For tin, four large-scale projects and four small-scale projects were researched. As highlighted in the report, some of the large-scale and small-scale projects had subcontracted operations and/or subsistence mining occurring within the concession area.

Overview of Stakeholders Consulted

Researchers often began visits to different towns by speaking with the local township or village authorities. This helped provide an initial understanding of some of the main issues affecting or concerning the community as a whole. Researchers then conducted individual interviews and focus group discussions (FGD) to discuss in more detail but without the authorities present in order to gain insights from other perspectives. A total of 1378 individuals were interviewed, either independently or as part of a semi-structured group discussion during the field research. A diverse range of different stakeholder groups were consulted in each location, comprising 487 individual

interviews and 140 focus group discussions (for further details see Mining SWIA page on www.mcrb.org.mm).

Figure 5: Mining SWIA Field Research Locations



Meetings were also held in Yangon with relevant stakeholders including representatives of Myanmar and international mining companies and mining service providers, international intergovernmental organisations such as the United Nations Environment Programme (UNEP)

and the World Bank, non-profit organisations such as the Natural Resource Governance Institute (NRGI), Spectrum, the Myanmar Alliance for Transparency and Accountability (MATA), the Myanmar Green Network. Meetings were also held with the Myanmar Mining Federation Association and local and international experts on mining law and governance, mineral economics, mineral processing, subsistence mining and environmental and health impacts relating especially to the report's chosen commodities. An Advisory Group to the Mining SWIA was established to comment on research priorities, planning, findings and analysis, to help with multi-stakeholder collaboration during and after the research process and publication, and to input on recommendations. Advisory Group members are listed in the Acknowledgments. : Mining SWIA Field Research Locations

Consultations on the Draft Report

Consultations on the draft SWIA report were undertaken in Yangon in English on 11 October 2016 (36 participants) and in Burmese on 12 October (39 participants). The draft report was shared in English three weeks prior to these consultations and an executive summary in Burmese as well as slides were also made available in advance. Myanmar civil society organisations and international non-governmental organisations, researchers, government, business and development partners participated in the consultations. Written comments on the draft were also sought via the MCRB website and circulated through partner organisations' mailing lists and websites. Comments raised in written submissions and at the consultation meetings in Yangon were incorporated into the final report prior to publication. The Recommendations in particular were shaped by the inputs received.

The Mining SWIA Field Research Team

One objective of the SWIA programme is to build the capacity of Myanmar researchers to understand human rights issues and their connection to business to build a cadre of Myanmar researchers with this skill set for future assignments including with EIA Consultancies and others doing impact assessments.



The research team of six consisted of MCRB's Extractives Programme Manager, who led one of the field teams, one additional field team leader, and four field researchers. They were supported by a Danish research consultant based in Yangon for ten months and two senior advisers from DIHR. Field researchers had a background in conducting qualitative and quantitative social science research. Before visiting the field, all field staff received thorough training by DIHR, complemented with training sessions by local experts. Training covered basic human rights and business, an introduction to the practice of human rights impact assessment, sessions on the mining sector and its human rights impacts in particular for groups at risk, role plays on interviewing, ethical standards for conducting field research, and discussion on environmental issues and EIA, labour etc. After each round of field research, the Myanmar research teams were debriefed by the consultant and/or DIHR experts.



The Myanmar Centre for Responsible Business (MCRB) was set up in 2013 by the Institute for Human Rights and Business (IHRB) and the Danish Institute for Human Rights (DIHR) with funding from several donor governments. Based in Yangon, it aims to provide a trusted and impartial platform for the creation of knowledge, building of capacity, undertaking of advocacy and promotion of dialogue amongst businesses, civil society, governments experts and other stakeholders, with the objective of encouraging responsible business conduct throughout Myanmar. Responsible business means business conduct that works for the long-term interests of Myanmar and its people, based on responsible social and environmental performance within the context of international standards.

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