

Slaves of Sex: Human Trafficking in Myanmar and the Greater Mekong Region

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Abstract

This paper provides an overview of the human rights abuse of sex trafficking in Myanmar as it relates to the larger problem of sex trafficking in the Greater Mekong Region. It also provides insight on why women in Myanmar, compared to other countries in the region, are especially susceptible to sex trafficking, and details cultural factors that fuel the problem. The paper concludes with proposals for international and Burmese solutions to the vast issue of sex trafficking in Myanmar.

The commodification of women is not a new phenomenon. For centuries, women have served as war booty, been arranged in marriages, and even, in the Christian marriage tradition, been “given away” by their fathers (Parrot & Cummings, 2006). It is therefore no surprise that the modern form of slavery, the trafficking of women, is estimated to rake in an annual \$7 billion, making it the third largest form of organized crime—only behind the trafficking of drugs and arms (Bell, 2001). The Greater Mekong Region (Myanmar, Laos, Cambodia, Thailand, and the Yunnan Province of China) in South East Asia is one of the world’s largest hubs for human trafficking and the trade of women, yet the countries in South East Asia and the Pacific have no overarching body to enforce and promote human rights. The lack of a regional human rights monitor facilitates the movement of human beings throughout the region for purposes of forced labor, domestic servitude, and the especially the exploitation of women in the sex industry. Myanmar, formerly Burma, rests at the heart of a region with fluid borders and a

booming economy of sex trafficking, and is conveniently nestled against China and Thailand, which are two of the world's worst perpetrators of human trafficking. Sex trafficking is pervasive worldwide, facilitated by industrialization and globalization, but the Mekong region is particularly nefarious. This paper will give an overview of sex trafficking in Myanmar in relation to the greater Mekong region and will use cultural and regional factors to explain why Burmese women are particularly susceptible to trafficking. It will then conclude with recommendations for addressing the issue of sex trafficking in Myanmar at domestic and international levels.

A Brief Overview of Sex Trafficking and Recent Burmese History

Myanmar's modern history is laced with disaster, both political and natural. A British colony until 1948, Myanmar has been under military rule since 1962, when the democratically elected government was overthrown in a coup (Freedom House, 2010). From 1948 to the present, Myanmar's political history has been a steady stream of coups and oppressive military regimes. In addition to the disastrous effects of the coups, the country was hit with one of the worst natural disasters the country has seen in over a century. In 2008 Cyclone Nargis hit the Irrawaddy Delta, resulting in 150,000 deaths and the displacement of 2.4 million people (Freedom House, 2010). The Burmese junta blocked much desperately needed international aid. Many victims did not receive aid until a month after the cyclone, when the Association of Southeast Asian Nations (ASEAN) negotiated with the regime to allow international relief efforts to enter the country (Freedom House, 2010).

While trafficking previously existed in Myanmar, it did not explode in the region until the most recent coup in 1988 brought the oppressive State Peace and Development Council (SPDC) regime to power. The regime curbed Myanmar's economy so that standards of living plummeted. Many Burmese fled to neighboring countries; large groups of stateless, illegal immigrants in the region are easy targets

for trafficking. In addition, the unleashing of the previously closed off region to global markets post-Cold War, including the demand for sex services, led to a sudden explosion of trafficking along the Mekong riverbed. The oppressive policies of the military regime in Myanmar have caused much of the poverty and hence the mass migrations of Burmese ethnic minorities into neighboring regions. In 1989, for example, Burmese leadership attempted to consolidate all ethnic minorities under its rule, resulting in mass arrests, forced relocation and torture camps.

The combination of an oppressive, military-dominated regime and the lasting devastation from Cyclone Nargis has left Burmese women highly susceptible to sex trafficking. Ethnic minorities along Burma's border regions are the most vulnerable. Specifically, the Chin, Karen, and Rohingya minorities – tens of thousands of whom live in squalid, refugee-like camps set up by the military – are frequent victims of military beatings, rapes and arbitrary detentions (Freedom House, 2010). Such terrible conditions make these minority populations ideal victims for human traffickers who prey on women and young girls. Traffickers lure girls and young women across the border with promises of domestic or waitressing jobs, only to enslave them in the sex industry. Making matters worse are the effects of recent political sanctions. In particular, the international Foreign Direct Investment Sanction on Burma has resulted in factory closures in Hlaing Tharyar, Htaukkyant, and Shwepyithar Industrial Zones, leaving many women unemployed and increasingly susceptible to sex trafficking (UNIAP, 2009).

Troubled Waters: Myanmar's Relationship to Neighboring Countries

The vast number of Burmese women trafficked into Thailand annually must be understood in both the economic and political contexts of the two countries. The rural communities of Myanmar have experienced a severe degradation of their economies under the SPDC's rule, leading to increased trade on the black market for basic commodities, including sex (Human Rights Watch, 1993). Furthermore,

given the poor standard of living and the oppressive military regime, many rural, ethnic minorities have been migrating to Thailand. By the early 1990s, the Thai government estimated that approximately 200,000 to 500,000 illegal Burmese were residing in Thailand, with 20,000 to 30,000 Burmese women and girls working in its sex industry (Human Rights Watch, 1993). Illegal Burmese are subject to violence if they do not comply with demands set forth by Thai officials, who are often looking for personal gain themselves (Human Rights Watch, 1993). With the power to threaten arrest or deportation under Thai immigration legislation, Thai officials often have significant leverage over the vulnerable Burmese immigrants. Thai labor laws provide little protection for migrants who have been abused by police and criminal elements, leaving women vulnerable to sexual exploitation (Human Rights Watch, 2012). Therefore, if a Thai official demands sexual favors from a Burmese woman seeking repatriation to Myanmar, she is compelled to comply; victims of trafficking from Myanmar often face even more threats of rape and other sexual assault as they attempt to return home.

Women and girls trafficked from Myanmar are the predominant source of fuel for the thriving “sex tourism” industry in Thailand. Once a woman or girl crosses the border of Burma to Thailand she is often beaten or raped into submission, then forced to sell her body in a dance club, massage parlor, karaoke bar, or sauna. Examples of prices from Khao San Road, a major hub for black market trade in Thailand, include full sex for one hour for as low as 5-10 USD; for just 15 USD more one could keep the girl for the entire night (Kara, 2009). This low price, in terms of both the girls’ availability and their lack of compensation, is a huge indicator of just how devalued the women are.

Thailand is not the only destination for Burmese women. Many Burmese women from the Shan State in Eastern Myanmar are trafficked to China and forced to marry Chinese bachelors in areas such as Yunnan province, and even as far as Eastern China (UNIAP, 2009). China’s draconian approach to population control through their one-child policy, which has led to female infanticide and gender-

selective abortions and adoptions, has led to a disproportionate ratio of males to females in China. At the turn of the twenty-first century, figures showed a gender ratio in China of 114 men to every 100 women, significantly more than the natural ratio of 106 men to 100 women (Ren, 1999). Most recent estimates show 120 men in China to every 100 women (Gaung, 2010). One study by a Chinese think tank estimated that the gender discrepancy in China is such that there are 111 million men in China—almost double Myanmar’s population of 57.5 million—who will not be able to find a wife (Manthorpe, 1999). According to the Myanmar Police Force’s anti-trafficking units, two-thirds of trafficking cases in 2009 consisted of women trafficked to China for forced marriage; of the 155 cases that the Myanmar Police Force uncovered in 2009, 103 were women destined to become the brides or sex slaves of Chinese bachelors (Guang, 2010).

The cases uncovered in 2009 are only a slight percentage of the vast number of Burmese women and girls trafficked into China. Most Chinese men purchasing brides do not consider it trafficking, but rather a dowry for an obedient Burmese wife—often paying sums of 2,900-5,800 USD to a broker to find them a bride (Guang, 2010). Many Chinese men are motivated to seek trafficked brides in Myanmar based on the similar anatomical look of Burmese women to Chinese women and the ease with which the men can conceal the origins of their wives.

Myanmar as the Crux of Trafficking in East Asia: Cultural and Linguistic Ties

Cultural and linguistic similarities throughout the Greater Mekong Sub-Region exacerbate the problem of trafficking, as women and girls are able to pass as Thai prostitutes or Chinese brides. The ethnic minority populations, many of which share features with populations in Thailand or China, fuel the trafficking in the region. The Shan states, comprised of approximately 4.5 million ethnic Shan, have linguistic and cultural similarities to the Thais, Laotians, and the Dai in Yunnan, China (Beyrer, 2001).

Northern Thai speakers can easily communicate with the Shan, finding them “ethnically indistinguishable” from themselves (Beyrer, 2001).

In addition to Burmese anatomical and linguistic similarities to neighboring countries, a common religious tradition in the region, Theravada Buddhism, also complicates regulation of the trafficking of women. A more orthodox school of Buddhism, Theravada Buddhism offers a religious justification for the subordination of women (Kara, 2009). Based on Karmic weight of actions, a person escalates or descends the established hierarchy of rebirth. According to the hierarchy, women are considered less than men. Furthermore, “[manifestations of poverty, disease, female gender, or slavery are evidence of past negative deeds” (Kara, 2009, p.174). In other words, women are fundamentally subordinate; there is no recourse save rebirth as a man. Such traditions have created an atmosphere where human trafficking of women and young girls for sex slavery is able to thrive. It is important to note that Theravada Buddhism is an orthodox sub sect of the broader Buddhist religion. It does not necessarily reflect Buddhism’s broader belief system. Many Buddhists monks combat trafficking in invaluable ways. Despite such efforts, the linguistic and cultural similarities in the region have facilitated the sex trafficking of women and young girls, and until Myanmar decides to address the institutionalized atmosphere of female oppression, it will not be able to adequately overcome the issue of sex trafficking.

The Commodification of Sex as a Global Phenomenon

“Sex Tourism,” a means of the objectification and control of women, has proved a colossal economic boon for South East Asia as Western and Japanese men flock to cheaply and discretely satisfy their carnal desires. In addition to “sex tourism,” Western men in search of unchallenged authority subsidize the Internet-bride business, encouraged by Western stereotypes of East Asian women as submissive and complicit (Parrot & Cummings, 2006). These stereotypes are becoming more prevalent

due to the explosion of Internet pornography in the US, often cheaply through the black market. The same motivator that has made slavery so appealing throughout human existence seems to remain prevalent today; it is cheap and profitable.

Sex trafficking is a global issue that is not confined to the South Eastern Asia region. Because of the taboo nature of sex, discourse around sex trafficking has led to large ideological debates on whether the international community should be involved at all; whether sex workers who embrace their work should be allowed that choice; and whether the practice as a whole is purely exploitative of women. Laura Maria Agustin, a researcher on distinctions and relationships between sexual labor and migration, writes: "Although much discourse treats those who sell sex as damaged, drugged, or incapable of handling emotional relationships, the flexible schedules and independence of the work are attractive to and empower many" (Agustin, 2007, p. 63). While debates about the morality of the sex industry are quite compelling, an abstract discussion of women's sexual empowerment ignores those women who do not have control over their bodies. As debates persist on the morality of the booming sex industry, one cannot deny that in this industry many women and girls are commodified.

International Response to Myanmar and Condemnation of Sex Trafficking

The international community has been quick to condemn Myanmar for its complacency in human trafficking, but only as an aside a general condemnation of the military regime. In September 2007, President Bush announced new sanctions against the Myanmar regime, including travel restrictions for regime leaders under the U.S. State Department and the freezing of assets of 14 members of the junta by the U.S. Treasury Department (CNN, 2007). These actions condemned the regime as a whole, but did not directly address human trafficking. Rather, the trafficking of human

beings in Myanmar offers just another reason of many for the international community to condemn the regime.

The U.S. State Department releases an annual human rights report for each country in the world, as well as an annual Trafficking in Persons (TIP) Report. The 2009 Human Rights Report on Burma was highly critical of the persistent issue of trafficking in persons despite Myanmar's 2005 law prohibiting human trafficking (U.S. Department of State, March 2010). The report detailed the systemic trafficking of Shan ethnic minority women and others across the border to China and Karen, and Mon ethnic minority women to nearby villages and provinces in Thailand (U.S. Department of State, March 2010). Myanmar has been repeatedly deemed a Tier 3 country according to the U.S. State Department's TIP Reports. The 2010 Report lists Burma as a Tier 3 country because "the [Burmese] government has yet to address the systemic political and economic problems that cause many Burmese to seek employment through both legal and illegal means in neighboring countries, where some become victims of trafficking" (U.S. Department of State, June 2010).

While Burmese government officials adamantly assert their efforts to combat human trafficking by passing laws and making public statements, there appears to be a level of complicity at the local and regional level (U.S. Department of State, June 2010); what they claim to be an unwavering commitment to human rights is unexercised in reality. The Burmese army itself is one of the worst perpetrators of child soldiering in the region. Local level officials are suspected of engaging in human trafficking for personal economic benefits. More problematic, however, at the government and regional level, is a tendency to "turn a blind eye" (U.S. Department of State, June 2010). By signing onto the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) process and creating laws (that they then ignore) prohibiting human trafficking, junta leaders legitimize their regime in the international community without actually having to make significant change.

Regional Collaboration to Combat Trafficking

Human rights are not prioritized in Myanmar and parts of South East Asia; cross currents of cultural tensions and astounding economic discrepancies across the region have allowed state sovereignty to trump human rights on the regional agenda. The Association of South East Asian Nations (ASEAN) prioritizes economic prowess and regional stability as its dominant purpose (ASEAN). The Asian Pacific forum, a regional organization with the sole purpose of advancing human rights, has had an unimpressive impact despite its lip service to human rights. With no regional institution or government commitment to combat human rights abuses, it has been up to the sovereign governments of South East Asia to come together in an effort to combat the regional issue of human trafficking.

The Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT), launched in October 2004 and lasting through 2007, was a regional anomaly of a conference dedicated to addressing human trafficking across the borders of Cambodia, China, Laos, Myanmar, Thailand, and Vietnam (UNAIP, 2007). The COMMIT process provided a platform for regional cooperation and action against trafficking, and facilitated a space for International NGOs and UN agencies (Myint, 2008). Out of the COMMIT process came the “Memorandum of Understanding (MoU) on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region.” The MoU outlined the importance of regional cooperation in combating trafficking and acknowledged a commitment to international standards on human rights, including but not limited to: The United Nations Convention Against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (UNAIP, Memorandum of Understanding). According to 2007 data collected on Myanmar, the COMMIT process yielded small numbers of Burmese women officially repatriated from Thailand and China to Burma, but the number never broached more than 100 (UNAIP,

2007). With limited information on the standards of living for repatriated trafficking victims, it is difficult to say whether the COMMIT process made things better or worse for the women. If repatriated women were subject to prosecution for prostitution, the COMMIT process furthered women's rights abuses. One thing is certain; statistically speaking, the COMMIT process hardly scratched the surface of repatriating the vast number of Burmese and other South East Asian victims of trafficking.

Myanmar's Response to International Criticism

With pressure from the international community on South East Asia to comply with international standards on trafficking, Myanmar has implemented several laws and actions to seemingly combat the rampant trafficking of its citizens. One is the "Anti-Trafficking in Persons Law" that was signed into law in September of 2005 (Union of Myanmar, 2005). The law aims to help prevent and minimize the trafficking of Myanmar people, specifically women and children, and to coordinate with international, regional and intergovernmental organizations according to international conventions on the trafficking of human beings (Union of Myanmar, 2005). In order to accomplish this feat, the law calls for the establishment of a Central Body for the Suppression of Trafficking in Persons, an organization largely made up of existing ministers within the junta's cabinet (Union of Myanmar, 2005). The Central Body has been largely ineffective at combating human trafficking in Myanmar, largely because the regime continues to be a perpetrator of human rights abuses, including child soldiering and the oppression of ethnic minorities. The Burmese junta institutionalizes and legitimizes a patriarchal system that squelches women's ability to stand up against trafficking and makes them vulnerable to exploitation (Smith, 2007). Even if they had the political space to fight for their rights against trafficking, the victims are too poor and oppressed to push for change. Change must come from the top tier of the Myanmar leadership, but they do not seem to be working towards effective change in the near future.

Myanmar has demonstrated a written commitment to combating sex trafficking, but there is little evidence that any of the attempted changes are going to be carried out. One example of this problem is the national monitoring of bustling highway terminals along borderlines for suspected illegal transportation of women and other victims of trafficking in order to improve the regime's image in international media. The country has also set up patrolling offices along the borders of China and Thailand to promote and ease cooperation in combating trafficking (China Economic Net 2009). Myanmar's Department of Social Welfare (DSW) has also been key in the repatriation and reintegration of trafficked persons, providing a two-week "rehabilitation" programs upon return for victims and aid in the prosecution of perpetrators (UNAIP, Counter-Trafficking Action). Why Myanmar has nominally set these things up, there is no indication that they have actually put manpower behind the efforts.

In cases where Burmese women have been able to escape their trafficker or pimp, they are often at the mercy of Thai men in power at the Immigration Detention Center, where rumors of rape and abuse are rampant (Martinez, 1996). One Burmese woman working as a volunteer in a refugee camp along the Burmese-Thai border said, "Rumors are that the women who test positive for HIV are killed by the military as prevention against the spread of AIDS. I cannot confirm whether this is true or not, but this is one of the rumors we have heard from new refugees in the camps" (Martinez, 1996, p.79).

The Burmese government does not assist in the repatriation of trafficked victims except for a two-week reintegration program, and often those programs are venues for the government to prosecute women as prostitutes and ostracize or (as rumor has it) kill HIV positive women. The International Rescue Committee, on the other hand, has helped to provide structures within the plethora of refugee camps along the Thai-Burmese border such as legal aid centers to help victims of trafficking prosecute their traffickers, rapists, or domestic abusers (Biro, 2010). However, with an

estimated 140,000 refugees in the Ban Mai Nai Soi refugee camp alone, and nine other similar camps strung along the Thai-Burmese border, a minimal number of legal aid clinics will not be able to prevent the trafficking of ethnic minority women out of the camps or the protection of repatriated trafficked victims from the Burmese government (Biro, 2010).

Another way in which Myanmar has actively expressed interest in women's rights against trafficking is through establishing a Five Year Plan of Action to Combating Human Trafficking from 2007-2011. The plan is complete with policy and cooperation, prevention, prosecution, protection, capacity building and management among other sections. One aspect of the "prevention" part of the plan is through legal migration facilitation, creating jobs for migrants, and providing information handouts on employment opportunities post-migration (Union of Myanmar, 2005). Unfortunately, there is no evidence that any of these proposals or the other aspects of the five-year plan have been carried out by the junta. The military government seems to be preoccupied with staying in power and suppressing the NPD than focusing on human rights abuses, especially when they themselves are such large perpetrators of the abuses.

Conclusion

Sex trafficking and the broader practice of human trafficking will not be contained until there is a true prioritization of human rights in the region and a commitment to cooperation. Agreements such as COMMIT cannot simply be image boosters on paper; they must truly establish interregional relationships, collaborating on border control to combat sex trafficking. With the poor economy and the history of impunity for traffickers, it seems that sex trafficking will be a presence in the region for some time. The international community has struggled to judge where the problem of trafficking is improving or deteriorating in Myanmar. Prostitution is illegal in Myanmar; women and girls rescued from

trafficking in Thailand or China can often face additional legal constraints when they return home, often serving charges and sentences for prostitution (Human Rights Watch, 1993). COMMIT and the deceptive façade of laws such as Myanmar's 2005 law against human trafficking cannot be taken as legitimate. Until the regime in Myanmar embraces human rights, and the region as a whole commits itself to combating trafficking, nothing will change. The isolationist policy of the Burmese authorities has historically limited international assistance and cooperation on the issue. All these factors combine to distort the international community's ability to monitor any progress made in combating sex trafficking in Myanmar.

Sex Trafficking in Myanmar is a complex issue, troubled with political, cultural, economic, and regional issues. Presently in South East Asia, trafficking is a profitable enterprise with low risk, compared to illegal drug or arms retail, motivating swarms of traffickers to take advantage of Burmese migrants (Bell, 2001). The international community has failed to provide a means for eradicating the trafficking of women and young girls into the sex industries of Thailand or forced marriages in China, largely because human trafficking is so pervasive throughout the region. Men are trafficked into forced labor, children are recruited as cheap labor and child soldiers, and women and girls find themselves in brothels or "massage parlors." Without the cooperation of Thailand and China, sex trafficking of Burmese women will continue to grow in the region. As long as there is an available commodity, an unlimited supply of vulnerable Burmese ethnic minority women and girls, and a market demand, the booming sex industry of Thailand and the bride market in China, sex trafficking will persist (Bell, 2001,). Thailand must crackdown on its astoundingly lucrative sex industry and embrace better policies to assist, rather than condemn, illegal Burmese immigrants. Thailand is hesitant to take true actions against trafficking because the cheap labor of enslaved women has boosted its economy through the sex industry. It must find other routes of economic improvement other than the modern form of slavery. China must also reassess its draconian one-child policy, as it has destabilized the country's gender ratio, which until

naturalized will continue to be a motivating factor in sex trafficking. There are multiple internal and external factors combining to make Burmese women a group of the most vulnerable women in the world to sex trafficking. Burmese women merit special attention as a vulnerable category within the global issue of human trafficking.

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