

THE GENDERED DYNAMICS OF TRAFFICKING IN PERSONS ACROSS CAMBODIA, MYANMAR AND THAILAND



THE GENDERED DYNAMICS OF TRAFFICKING IN PERSONS ACROSS CAMBODIA, MYANMAR AND THAILAND



JANUARY 2020



TABLE OF CONTENTS

ACKNOWLEDGMENTS	6
ABBREVIATIONS AND ACRONYMS	7
EXECUTIVE SUMMARY	9
1. INTRODUCTION	11
2. SETTING THE SCENE	12
2.1 Global and regional snapshot of human trafficking	12
2.2 Legal and policy frameworks in the Greater Mekong Subregion	12
2.3 Human trafficking in Thailand, Cambodia and Myanmar	15
2.4 National adoption of international conventions	17
2.5 National legislation and policy	18
3. KEY CONCEPTS	22
3.1 Definition of human trafficking	22
3.2 Human trafficking and labour migration	23
3.3 Human trafficking, migrant smuggling and other forms of modern slavery	23
3.4 From the 3Ps paradigm to a process-focussed approach to human trafficking	25
3.5 The importance of gender in the analysis of human trafficking	26
4. REVIEW AIM, QUESTIONS AND METHODOLOGY	29
4.1 Aim of the review	29
4.2 Review questions	29
4.3 Methodology	29
4.4 Review ethics	31
4.5 Limitations and caveats	32
5. PUSH AND PULL FACTORS FOR TRAFFICKING: GENDERED VULNERABILITIES AND FORMS OF MARGINALIZATION	36
6. PREVENTION OF TRAFFICKING	54
6.1 Legal and policy measures	55
6.2 Programmes and services	59
6.3 Unaddressed needs for gender-responsive prevention	62

7. TRAFFICKING EXPERIENCES IN THAILAND	65
8. RESPONSE AND RETURN	68
8.1 Identification of trafficked persons	68
8.2 Services for survivors of trafficking	70
8.3 Unaddressed needs	73
9. REINTEGRATION	75
9.1 Returnees' future plans	75
9.2 Reintegration experiences and social stigma	77
9.3 Unaddressed needs for gender-responsive reintegration	78
10. CONCLUSIONS	80
11. RECOMMENDATIONS	84
REFERENCES	89
ANNEXES	96

ACKNOWLEDGMENTS

This report was authored by Abigail Hunt, Maria Quattri, Briana Mawby, Georgia Plank and Shannon Phillip, with Sokchar Mom, Khin Zar Naing, and Sanda Thant. It is based on a review and mapping exercise carried out by the Overseas Development Institute (ODI), in partnership with Legal Support for Children and Women (LSCW) in Cambodia, and Socio-Economic & Gender Resource Institute (SEGRI) in Myanmar.

We are very grateful to those who have provided support and feedback throughout the preparation of this report, including Nicola Jones of ODI, Gaëlle Demolis, Alison Davidian, Hanny Cueva Beteta and Sally Barber with UN Women Regional Office Asia and the Pacific, Haruka Ishii with the UN Women Cambodia country office, Marie Sophie Petterson with the UN Women Myanmar country office, and Borislav Gerasimov of the Global Alliance Against Traffic in Women. We also extend sincere thanks to those who supported fieldwork, notably Tep Mealea, Ieng Sovichet and other LSCW colleagues who facilitated in Cambodia's Koh Kong province, the Arakan Worker Organization in Thailand's Mae Sot province, the Cambodian Women's Crisis Center, the Department of Social Welfare of Myanmar's Ministry of Social Welfare, Relief and Resettlement, FXB Myanmar, the Myanmar Red Cross Society, MAP Foundation in Thailand, UNICEF Myanmar, Cambodia's Ministry of Social Welfare, Veteran and Youth Rehabilitation, and Thailand's SAW Foundation.

We would particularly like to thank the participants from Cambodia, Myanmar and Thailand, not least the trafficking survivors and their families who so generously gave their time to be part of this project.

This report was initiated by the United Nations Entity dedicated to gender equality and the empowerment of women (UN Women) as part of a joint project with the United Nations Office on Drugs and Crime (UNODC), titled Preventing and Mitigating the Impacts of Trafficking and Transnational Crime through Women's Empowerment. The project has the following objectives:

- Strengthening community awareness and the rapid provision of gender-responsive services for the reintegration and empowerment of victims.
- Promoting women in law enforcement and border management.
- Improving the understanding of the true scope and impact of cross-border crime on women and their communities.
- Improving the capacity of front-line officers in border locations to meet the needs of women in the context of cross-border crime.

The findings and conclusions are those of the authors and do not necessarily reflect the positions or policies of UN Women, the United Nations or any of its affiliated organizations.

ABBREVIATIONS AND ACRONYMS

ASEAN	Association of Southeast Asian Nations
ACTIP ASEAN	Convention Against Trafficking in Persons, Especially Women and Children
COMMIT	Process Coordinated Mekong Ministerial Initiative Against Trafficking
CSO	civil society organizations
GAATW	Global Alliance Against Traffic in Women
IDI	in-depth interview
ILO	International Labour Organization
IOM	International Organization for Migration
KII	key informant interview
LSCW	Legal Support for Children and Women
LGBTQ+	lesbian, gay, bisexual, transgender, queer or questioning, and intersex, where the plus sign represents all other diverse sexual orientations and gender identities
MoU	memorandum of understanding
MOSAVY	Ministry of Social Affairs, Veterans and Youth Rehabilitation (Cambodia)
NAP	National Action Plan
NCCT	National Committee to Counter Trafficking in Persons
NGO	non-governmental organization
NVC	National Verification Card
ODI	Overseas Development Institute
OHCHR	Office of the United Nations High Commissioner for Human Rights
UN-ACT	United Nations Action for Cooperation Against Trafficking in Persons
UNHCR	United Nations High Commissioner for Refugees
UNIAP	United Nations Inter-Agency Project against Trafficking in the Greater Mekong Subregion
UNICEF	United Nations Children’s Fund
UNODC	United Nations Office on Drugs and Crime
SDG	Sustainable Development Goal of the UN Agenda 2030
SEGRI	Socio-Economic & Gender Resource Institute
SPA	Subregional Plan of Action

EXECUTIVE SUMMARY

The project

Trafficking is prevalent across the Greater Mekong subregion, yet the specific gendered experiences of those affected remain underexplored. Relatively little is known about the extent to which initiatives aimed at prevention, return and response and reintegration are gender-responsive.

This report aims to fill these gaps. It brings together a wide-ranging literature and policy review and primary qualitative data to provide insights into how gender and trafficking intersect across Cambodia, Myanmar and Thailand. It identifies a range of gaps and challenges and identifies priorities for future policy and programming.

Key findings

Gender is a significant factor in influencing the marginalization, inequalities and experiences of women, men, girls and boys. Trafficking experiences are often characterized by hardship, abuse, coercion and lack of recourse or possibility of escape. Understanding gendered experiences of trafficking is critical to identify and meet survivors' subsequent support needs as well as to prevent trafficking from happening in the first place.

While some positive advances can be identified, notably in policy development and coordination between key partners, a number of critical gaps persist in trafficking responses and assistance to survivors. This includes a mismatch between the gender-specific experiences of marginalization and the push/pull factors that lead to trafficking on the one hand, and on the other the focus of many of the approaches to prevention, response and return and reintegration across Cambodia, Myanmar and Thailand. Even where policies take gender into account, implementation often remains weak.

Gender awareness is often lacking within agencies working to prevent trafficking. Where gender-responsiveness is more evident in their programmatic approaches, efforts are often ad-hoc or superficial. In some cases, the services provided can actually reinforce gender norms and inequalities, for example in the case of livelihood training that risks reinforcing gendered occupational segregation. Furthermore, an unknown number of trafficked persons remain hidden: Many survivors of human trafficking, especially women and adolescent girls, do not seek support for a variety of reasons, including social stigma and discrimination. Negative perceptions about services can further limit uptake; for example the notion that a lengthy stay in a shelter can limit survivors' freedom and ability to earn money for their family.

The way forward

A comprehensive, transformative and gender-responsive approach to combatting trafficking is required, one that tackles its structural causes at the root, and addresses the different experiences of women, men, girls and boys. This means tackling the inequalities between different groups, recognizing differences in their trafficking experiences, and ensuring the needs and priorities of each are met.

An effective transformative approach requires addressing entrenched gender inequalities in economic structures and decision-making, labour market opportunities and outcomes, and access to social protection. It is also critical to recognize the close links between labour migration and trafficking. At the heart of any agenda to eradicate trafficking must be a reduction of exploitation and abuse to ensure safe migration and all migrants' access to decent work. In practice, this will require a holistic approach, spanning sectors and administrative levels, and recognizing there is no one-size-fits-all solution.



Photo: UN Women/Stefanie Simcox

1. INTRODUCTION

The widespread challenge of trafficking in persons has gained increasing policy attention in recent years. The Sustainable Development Goals of the Agenda 2030 include Goal 5 on gender equality, and Goal 8 on decent work for all. Under those goals, targets 5.2. and 8.7 aim to eliminate trafficking, sexual and other types of exploitation and all forms of violence against women. Together with commitments under the Palermo Protocol and the Decent Work Framework of the International Labour Organization, these provide impetus and a clear directive to policymakers and other development partners to make an increasingly focused effort to tackle the rights violations perpetrated against trafficked persons.

Yet despite a detailed global framework, trafficking remains widespread throughout the Greater Mekong Subregion, including across Cambodia, Myanmar and Thailand. At the same time, the experiences of marginalization among those at risk of being trafficked, as well as the experiences of those already trafficked, are far from uniform. Gender, intersecting with other types of discrimination and disadvantage, is a chief factor. It is therefore critical that efforts to tackle trafficking are based on a substantive analysis of the different lived realities of different groups, and that responses address entrenched inequality and the specific needs and preferences of each.

This report aims to shed light on different gendered contexts for marginalization, and the ways in which these create different needs for women, men, girls and boys exposed to trafficking. It is focused on Cambodia and Myanmar, both major countries of origin for trafficked persons in the Greater Mekong Subregion, and their trafficking-related journeys to and from Thailand. Thailand is a major destination for persons trafficked from Myanmar and Cambodia. The shared borders facilitate migration,

and Thailand's relatively higher economic development draws those seeking improved economic opportunities.

Recognizing the need for gender-responsive approaches to combatting trafficking, the extent to which the policy framework, assistance and response mechanisms across the focus countries account for gender is also assessed. To do this, this research brings together a wide-ranging literature and policy review and primary qualitative data collected across the three focus countries, which taken together provide insights into the ways in which gender and trafficking intersect.

In the following chapter the scene is set. The outlines of the focus countries cover the national contexts for trafficking as well as the key global, national and regional legal and policy frameworks. Chapter 3 presents key concepts in current global trafficking academic and policy discourse, then the project aims and methodology are outlined in Chapter 4. In Chapter 5 gendered marginalization and the push and pull factors influencing trafficking are discussed. That discussion focusses on how gender intersects with age and other aspects of disadvantage and discrimination including ethnicity, geographic location and migrant status, to create and compound risk. In Chapters 6, 7, 8 and 9 the lived experiences of trafficked persons are explored, alongside the extent to which prevention, response and return, and reintegration efforts are gender-responsive, identifying a range of gaps and challenges. Chapter 10 concludes by suggesting how these challenges can be overcome, drawing attention to the need to ensure that responses remain fit for purpose in the face of trends that look set to shape the world of work – and therefore trafficking – in the years to come. To finish, Chapter 11 provides recommendations for priority action going forward.

2. SETTING THE SCENE

This section draws from secondary literature and data to provide a global, regional and national overview of human trafficking in Cambodia, Myanmar and Thailand, and what is known about its prevalence and trends. Key policies and legislation in place in focus countries are also highlighted, to pave the way for further discussion later in the report about their gender responsiveness, implementation gaps and opportunities for improvement.

2.1 Global and regional snapshot of human trafficking

The latest data from the 2018 *Global Report on Trafficking in Persons* of the United Nations Office on Drugs and Crime (UNODC) suggests that 901 actual registered victims of trafficking were detected outside their region of origin in East Asia in 2016. Out of 901, 36.4 percent of all victims of trafficking outside their region of origin that year. Figures for other regions were systematically lower, with 34.5 percent of all victims of trafficking coming from Sub-Saharan Africa, 18.1 percent from South Asia, 4.4 percent from Europe and Central Asia, 3.8 percent from North Africa and the Middle East and 2.7 percent from the Americas (United Nations Office on Drug and Crime, 2018). UNODC'S 2018 data also indicate that the trafficking for sexual exploitation of women and girls is prevalent in East Asia and the Pacific, the Americas and Europe. In Central America and the Caribbean, trafficking of girls for sexual exploitation is the most frequently detected form of trafficking, while forced labour is the most commonly detected form in Sub-Saharan Africa and in the Middle East is for forced labour. In Central Asia and South Asia, trafficking for forced labour and sexual exploitation are near-equally detected (United Nations Office on Drug and Crime, 2018).

However, as discussed in more detail later, a common theme in the literature is that there is not enough reliable and comprehensive information about the number of people who are trafficked, whether globally or throughout the Greater Mekong Subregion (Davy, 2014: 797; Jayagupta, 2009: 228; Keo et al., 2014: 207; United Nations Office on Drugs and Crime, 2017: viii, Devine, 2009: 3), meaning that these estimates can be seen, at best, as indicative.

2.2 Legal and policy frameworks in the Greater Mekong Subregion

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also known as the Palermo Protocol) is one of the three implementing protocols¹ of the United Nations Convention on Transnational Organized Crime adopted in 2000, providing the widest accepted definition of human trafficking internationally. Cambodia signed in 2001 and ratified it in 2007;² Myanmar ratified it with one reservation in 2004,³ while Thailand signed in 2001 and ratified in 2013.

The governments of the Greater Mekong Subregion have individually adopted laws regulating human trafficking and have jointly adopted Memoranda of Understanding and a regional agreement to combat human trafficking, and nearly all of the literature cites these national and regional policies.

Bilateral agreements have been a common tool for addressing human trafficking in both source and destination countries (Jayagupta, 2009: 232; United Nations Office on Drugs and Crime, 2017; Baker, 2015). The 2003 Memorandum of Understanding between Thailand and Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Survivors of Trafficking, renewed in 2014,

- 1 The other two protocols are the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing and Trafficking in Firearms.
- 2 For further details, see Chapter 3 on Key concepts.
- 3 The Government of Myanmar posed a reservation on Article 15 of the Palermo Protocol, reading: “The Government of the Union of Myanmar wishes to express reservation on Article 15 and does not consider itself bound by obligations to refer disputes relating to the interpretation or application of this Protocol to the International Court of Justice” (see [UN Treaties](#)).

calls for the establishment of a joint task force to focus on the protection of trafficking survivors, particularly their right to repatriation with delay, restitution and compensation, and access to healthcare, shelter, and legal aid (*Memorandum of Understanding*, 2003). It also lays out a plan for cooperation of the police and other relevant authorities in both countries to share relevant information (Mattar, 2013; International Labour Office Mekong Sub-regional Project, 2008). Implementation guidelines were issued under the 2007 Agreement on Guidelines for Practices and Cooperation between the Relevant Government Institutions and Victim Support Agencies in Cases of Human Trafficking (*Agreement on Guidelines*, 2007).

The Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Subregion was signed in Yangon on October 2004, as a regional agreement among Cambodia, China, Lao PDR, Myanmar, Thailand, and Viet Nam. The MoU aims to use available resources among these countries and reduce the demand for undocumented migration. The MoU also called for the creation of a national task force to cooperate with the United Nations Inter-Agency Project against Trafficking in the Greater Mekong Subregion (UNIAP) (*Memorandum of Understanding, Greater Mekong Subregion*, 2004; Mattar, 2013: 145; Jayagupta, 2009: 235-236). A Subregional Plan of Action (SPA) accompanies the MoU to operationalize the agreement.

The MoU marked the launch of the Coordinated Mekong Ministerial Initiative Against Trafficking, better known as the COMMIT Process (COMMIT, 2014). COMMIT provides a “subregional institutional framework for counter-trafficking initiatives that has high-level political backing.” (Cunnington and Hung, 2009: 1) UNIAP acts as COMMIT Secretariat, offering technical assistance and facilitating implementation of the SPA. The COMMIT Third Sub-regional Plan of Action (COMMIT SPA III, 2011-2013) focuses on five key areas: policy and cooperation; legal frameworks, law enforcement and justice; protection, recovery, and reintegration; preventive measures and vulnerability reduction; and monitoring, evaluation, and anti-human trafficking data systems. Implementation

involves cooperation among government departments and non-government entities (UN agencies and non-governmental organizations), under the responsibility of a multi-disciplinary COMMIT Task Force (a government body) in each of the six countries involved. Ministries from the six COMMIT countries signed the second Joint Declaration of COMMIT MoU in Hanoi in 2012 (COMMIT, n.d.).

The COMMIT Process has increased governments’ acceptance of the issue of human trafficking, and of the need for a multi-lateral approach to it involving governments, UN agencies and civil society. The process has put in place reintegration mechanisms and recognized the importance of issuing citizenship documents and acknowledging the needs of specific ethnic groups. While inter-agency issues can be addressed smoothly at the institutional level through MoUs, challenges often remain with implementation. It remains somewhat unclear who is responsible for implementing recommendations, with what funding mechanisms and how, and who is in charge for accountability. Outcomes agreed at a high level sometimes fail to fully adjust and account for local conditions, or fully address the needs of survivors (‘Coordinated Mekong Ministerial Initiative against Human Trafficking’, 2010).

In recognition of the growing prevalence of human trafficking in the region, the member states of the Association of Southeast Asian Nations (ASEAN)⁴ signed the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) in Malaysia in November 2015. This regional legal instrument further aimed at:

- Preventing and combating trafficking in persons, particularly against women and children, and to ensure just and effective punishment of traffickers.
- Protecting and assisting victims of trafficking in persons, with full respect for their human rights.
- Promoting cooperation among the Parties, i.e. the ASEAN Member States. (ASEAN, 2015)

4 Namely, Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People’s Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, The Republic of Singapore, The Kingdom of Thailand, and the Socialist Republic of Viet Nam.

The Convention was accompanied by a Plan of Action, which acknowledged common challenges among the ASEAN Member States including the need to:

- Alleviate factors that would make all persons, and especially women and children, vulnerable to trafficking.
- Have appropriate legislation to combat human trafficking.
- Strengthen the capacity of frontline officers for early detection and prevention.
- Identify victims and protect them.
- Improve prosecution of traffickers.
- Enhance communication and coordination between and among the Parties.
- Establish effective regional mechanisms (legal and non-legal) to foster international cooperation.

Based on these challenges, the Plan of Action called for the Member States to intensify border control and efforts to prosecute traffickers and boost collaboration across the region to address demand and supply factors explaining human trafficking. In contrast to the 2004 ASEAN Declaration against Trafficking in Persons, Particularly Women and Children, ACTIP is a legally binding document – yet its enforceability remains limited by the absence of any formal monitoring mechanism or enforcement body. By 2017, Singapore, Cambodia, Thailand, Viet

Nam, Myanmar and the Philippines had ratified the ACTIP, but none of these countries had made amendments to their domestic laws to ensure the implementation of ACTIP at a local level (LibertyAsia, 2017a).

Anti-trafficking organization Liberty Asia has highlighted the need for all Member States to ratify and implement the ACTIP, and amend and update existing domestic law to better protect victims of trafficking. Liberty Asia also suggested that ASEAN members and ACTIP generally should facilitate harmonization of victims' identification in the region, use national funds for victim compensation, define a detailed repatriation process, introduce a strong legislation for the seizure of proceeds and property used in trafficking offences, and establish an ASEAN monitoring and enforcement body or tribunal, adequately trained to handle cases of trafficking. The group's suggestions also included strengthening corporate criminal liability (ibid.).

In early 2019, Thailand committed to localizing the 2016 ASEAN Gender-Sensitive Guidelines for Handling Women Victims of Trafficking in Persons (See Box 1), which aim at strengthening the capacity of practitioners and frontline officers (including law enforcement) working to provide gender-responsive services to women victims of trafficking. Priority activities will include capacity-building workshops, awareness raising, and advocacy activities will involve officers (including the Anti-Human Trafficking Division of the Royal Thai Police), local women's groups and key community members (UN Women, Asia and The Pacific, 2019).

BOX 1

Key content of the ASEAN Gender Sensitive Guideline for Handling Women Victims of Trafficking in Persons

- Definition of terms including: trafficking in persons, child, victim, witness, re-traumatization, stakeholders and service providers
- General principles including:
 - Do no harm
 - Respect and dignity
 - Confidentiality
 - Informed consent
 - Right to justice
 - Rights-based and needs-based approach:
The victim should be meaningfully involved, have access to information and should not be discriminated against in relevant aspects of the planning and implementation related to the assistance received. The victim should be empowered.
- Gender sensitivity
 - Stakeholders should be aware and respectful of the rights and the special concerns and needs of women and girls.
 - Stakeholders should determine the gender of the victim to provide appropriate support and services.
- Specific guidelines, which should be used in accordance with the prevailing national legislation on trafficking-in-persons
 - Outreach: Hotlines should be established where possible. Information, educational and communication materials should be developed and disseminated.
 - Identification
 - Immediate support
 - Referral and cooperation
 - Interview process
 - Court proceedings
 - Aftercare and reintegration
 - Special concerns in situation of natural disaster and/or conflict
- Prevention and awareness should be raised among general public and practitioners.
- Institutional capacity and multi-sectoral prevention response: National agencies will need to establish individual plans of action with regards to institutional capacity and multi-sectoral prevention responses.

2.3 Human trafficking in Thailand, Cambodia and Myanmar

Thailand is a source, transit, and destination country for human trafficking, and Cambodia, Myanmar, Lao PDR, Viet Nam, and the Yunnan province in southern China are origin countries (Jayagupta, 2009: 234; Kiss et al., 2015: 2; Marks and Olsen, 2015: 18; Wickramasekara, 2015: 18). The relative wealth of Thailand in the region makes it an attractive destination for labour migrants, particularly from Cambodia, Myanmar, Lao PDR, and Viet Nam.

In absolute numbers, the majority of persons trafficked through or into Thailand come from neighbouring countries in the Greater Mekong Subregion, especially Myanmar, Cambodia and Lao PDR. An estimated 451,000 migrants from Myanmar are smuggled into Thailand annually, an additional 55,000 from Cambodia, and 44,000 from Lao PDR (United Nations Office on Drugs and Crime, 2017). The UNODC (2013) estimates that between 4 and 23 percent of those undocumented migrants could be victims of trafficking.

A total of 455 individuals were officially identified as trafficked persons in Thailand in 2017 (United Nations Thematic Working Group on Migration in Thailand, 2019). It is challenging to ascertain the real scale of the trafficking problem due to a lack of reliable estimates and difficulties in identifying survivors. Descriptive statistics are usually generated from small samples of reported cases, which limits their representativeness (ibid.).

Cambodia is a country of origin, destination, and transit for trafficked persons. Cambodians are trafficked throughout the region and further abroad. UN data suggest that the primary form of exploitation of Cambodia trafficking survivors in 2014 (both domestically and internationally) was sexual exploitation, and that a market for the sale of virgin women for sexual exploitation was emerging (UN-ACT, 2014a). A lack of reliable secondary data sources precludes drawing conclusions on whether this is still the case. Nonetheless, it is important to recall that anti-trafficking efforts have historically focused on trafficking for sexual exploitation. As a result, identified survivors of trafficking were mainly those who had been trafficked for sexual exploitation. As anti-trafficking efforts have expanded, identification of survivors trafficked for labour exploitation has also increased.

The Cambodian Ministry of Social Affairs, Veterans and Youth Rehabilitation (MOSAVY) reported assisting in the repatriation of 243 Cambodians in 2017, including 45 (18.5 percent) from Thailand. Independently from MOSAVY protection, local police referred 179 survivors from labour trafficking and sexual exploitation to social service providers at provincial level and national and local non-governmental organizations (NGOs) for further protection. These data are likely underestimating the total number of Cambodian returnees escaping human trafficking because of an increasing tendency among these survivors to rely on informal migration channels (United States Department of State, 2018: 126).

Myanmar is primarily a source and transit country for human trafficking; trafficking to China is largely of girls and young women for forced marriage (UN-ACT, 2014b) and childbearing (Robinson and Branchini, 2018). Trafficking of men and women (and boys and girls) to Thailand and Malaysia often starts as labour migration, with survivors being trafficked

at the destination (UN-ACT, 2014b; Kurima, 2017: 109). In February 2019, the flow monitoring points of the International Organization for Migration (IOM) in the Mae Sot and Phop Phra districts of Tak province, north-western Thailand tracked 154,058 movements of Myanmar nationals between Thailand and Myanmar (of which 74,058 inflows to Thailand and 80,000 returns to Myanmar). A total of 44,286 individuals (or 29 percent) were estimated to be crossing to Thailand for employment (International Organization for Migration, 2019). In 2017, the government of Myanmar investigated 185 trafficking cases (more than double the number from 2016), of which 22 were forced labour and 21 were fishing, manufacturing, palm oil farming, and jade and precious stone mining. That same year, police reported receiving referrals from foreign governments for 289 cases of sex and labour trafficking (of which 81.3 percent for women and girls) (United States Department of State, 2018: 117).

Ongoing protracted conflict since 2011 in the Myanmar states of Rakhine, Kachin and northern Shan, as well as post-conflict dynamics in the south-east (notably in relation to more than 10,000 persons estimated to have been internally displaced to Kayin State) have contributed to the vulnerability and marginalization of poor people, making them more likely to be exploited (UN-ACT, 2014b; Kurima, 2017: 109; United Nations and Partners, 2018). Moreover, the crises have disproportionately affected women and girls by exacerbating and perpetuating longstanding gender inequalities, gender-based discrimination and violence, and making it even more challenging for them to escape poverty traps (UN Women, 2019).

Although efforts have been made in adding to knowledge of human trafficking demographics and characteristics, and improving methodologies for data collection and accessibility, data constraints persist. Datasets on identified or detected survivors of human trafficking suffer from narrow geographic scopes, and their quality ranges widely from country to country. When data are disaggregated by age, gender and kind of exploitation, they often cannot be disseminated because of the need to protect survivors from the risk of re-identification. Challenges also relate to the legal definition of human trafficking, which is at the same time broad (i.e., including different forms of trafficking) and narrow

(i.e., referring to human trafficking only, and not to other human rights abuses and crimes that may interact with human trafficking). Finally, sampling households to ascertain the existence of trafficking requires accounting for strong ethical issues (even more so if children are surveyed). Such an exercise can be made impossible by resource constraints, security reasons and humanitarian emergencies (Migration Data Portal, 2019). Qualitative research is especially suited to providing evidence about human trafficking as experienced by survivors in the countries of origin, and of destination. Qualitative research can also offer insights on discrimination and social exclusion, and on the physical and psychological violence faced by victims and survivors of human trafficking. Such information is hardly captured by quantitative research, and is necessary

to tailor policies on prevention, protection and reintegration.

2.4 National adoption of international conventions

Governments and international organizations also cite other international conventions to support their anti-trafficking work, particularly the UN Convention on the Rights of the Child and its Optional Protocols, International Labour Organization (ILO) Forced Labour Conventions 29 and 105, and the ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Table 1 shows international conventions and treaties signed (subject to ratification) and ratified by Thailand, Cambodia and Myanmar.

TABLE 1
International legislation and treaties

	Adopted	Thailand	Cambodia	Myanmar
International Labour Organization's Forced Labour Convention	1930	Feb - 1969 (R)	Feb -1969 (R)	Mar - 1955 (R)
International Labour Organization's Abolition of Forced Labour Convention	1957	Dec -1969 (R)	Aug - 1999 (R)	Mar -1955 (R)
Convention of the Elimination of All Forms of Discrimination Against Women	1979	Aug - 1985 (A)	Oct - 1980 (S) Oct - 1992 *	July - 1997 (A)
UN Convention of the Rights of the Child	1990	Mar - 1992 (A)	Oct - 1992 (A)	July - 1991 (A)
International Labour Organization's Worst Forms of Child Labour Convention	1997	Feb - 2001 (R)	Mar - 2006 (R)	Dec - 2013 (R)
The United Nations Protocol Against the Smuggling of Migrants by Land, Sea and Air	2000	Dec - 2001 (S) Unratified	Nov - 2001 (S) Dec - 2005 *	Mar - 2004 (A)
The United Nations Protocol Against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition	2001	Unsigned Unratified	Dec - 2005 (A)	Unsigned Unratified
The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)	2000	Dec - 2001 (S) Oct - 2013 (R)	Nov - 2001 (S) July - 2007 (R)	Mar - 2004 (R)
The United Nations Convention against Transnational Organized Crime	2000	Dec - 2001 (S) Oct - 2013 *	Nov - 2001 (S) Dec - 2005 *	Mar - 2004 (R)

(S) = Signed subject to ratification or accession - Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound. However, it is a means of authentication and expresses the willingness of the signatory state to continue the treaty-making process. The signature qualifies the signatory state to proceed to ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty [Arts.10 and 18, Vienna Convention on the Law of Treaties 1969].

(R) = Ratified by country - Ratification defines the international act whereby a state indicates its consent to be bound to a treaty if the parties intended to show their consent by such an act. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depositary to collect the ratifications of all states, keeping all parties informed of the situation. The institution of ratification grants states the necessary time-frame to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty [Arts.2 (1) (b), 14 (1) and 16, Vienna Convention on the Law of Treaties 1969 3 Arts.2 (1) (b) and 15, Vienna Convention on the Law of Treaties 1969].

(A) = Accession - Accession is the act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force. The Secretary-General of the United Nations, in his function as depositary, has also accepted accessions to some conventions before their entry into force. The conditions under which accession may occur and the procedure involved depend on the provisions of the treaty. A treaty might provide for the accession of all other states or for a limited and defined number of states. In the absence of such a provision, accession can only occur where the negotiating states were agreed or subsequently agree on it in the case of the state in question [Arts.2 (1) (b) and 15, Vienna Convention on the Law of Treaties 1969].

Source: Safe Child Thailand, 2017 'Child Trafficking in the Mekong Subregion A report by Safe Child Thailand'

2.5 National legislation and policy

Thailand

National legislation in Thailand relating to human trafficking includes the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008), as amended by the Prevention and Suppression of Human Trafficking (No.2) Act, B.E. 2558 (2015) and the Prevention and Suppression of Human Trafficking (No.3) Act, B.E. 2560 (2017) (together, the Anti-Trafficking Act). The Anti-Trafficking Act criminalizes the act of human trafficking and sets a penalty of imprisonment for 4 to 12 years and a fine of 400,000 to 1,200,000 Thai baht (US\$13,000 to 40,000). If the survivor(s) of trafficking is between 15 and 18 years old, imprisonment is for 6 to 15 years, and the fine ranges from 600,000 to 1,500,000 baht. If the trafficked person is under 15 or a person with a disability and/or mental impairment, the penalty of imprisonment moves to 8-20 years and the fine to 800,000-2,000,000 baht. If the victim of human trafficking dies, life imprisonment or death penalty apply. Penalties apply to all those that are involved in human trafficking, including all those who provide support for it to take place. Those found guilty of preparing or conspiring to engage in human trafficking are subject to reduced penalties (Liberty Asia, 2017b).

Cambodia

The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation criminalized sex and labour trafficking, and it prescribed penalties of 7 to 15 years imprisonment. These penalties, applied to sex trafficking, are commensurate with those prescribed for other serious crimes such as rape (United States Department of State, 2018). The law prohibits “acts of human trafficking and sexual exploitation in order to protect the rights and dignity of human beings, to improve the health and welfare of citizens, to preserve and enhance good national customs, and to implement the UN protocols.” (Royal Government of Cambodia, 2010).

The implementation of this law led to police crackdowns and the forcible shutdown of many brothels. Trafficking of women and children for

sexual exploitation has then continued in the entertainment industry and as street-based sex work. Besides, trafficking of children for sexual exploitation (particularly those younger than 15) has increasingly become clandestine (Maher et al., 2015; IOM and USAID, 2018). Yet legal application has been described as punitive, rather than supportive, of women forced into these sectors, especially in consideration of how vulnerable they were before the law entered into force, and even more so afterwards (NSWP, 2018).

The guiding framework for efforts to combat trafficking in Cambodia has recently been the National Action Plan (NAP) 2014-2018, a roadmap to direct the initiatives taken at national and sub-national levels by stakeholders including government, international institutions, NGOs and other development partners. At the time of writing (May 2019) a new NAP was under development.

Myanmar

Myanmar authorities have taken some initial steps to establish an institutional mechanism to eliminate violence against women. They have developed a National Strategic Plan for the Advancement of Women (2013-2022) that calls for practical initiatives, supported by designated focal ministries, on taking legal action against the perpetrators of violence against women and girls and human-trafficking, among others. The plan also promotes strengthening research on girl child trafficking (Myanmar National Committee for Women’s Affairs, 2013). Along the same lines, a Law on Prevention and Protection against Violence Against Women has been drafted; yet, it has yet to be passed. Despite the establishment of an institutional structure aimed at providing services to survivors of violence against women and human trafficking, a mechanism for coordinated response is still under development.

An anti-trafficking unit was established in Myanmar in 2004, with anti-trafficking task forces (UN-ACT, 2014b). The 2005 Anti-Trafficking in Persons Law criminalized all forms of labour trafficking and some forms of sex trafficking. Inconsistent with

international law, the 2005 Anti-Trafficking in Persons Law required a demonstration of force, fraud, or coercion for the child sex trafficking offence to materialize. Therefore, the Law did not criminalize all forms of child sex trafficking. The

law prescribed penalties of 5 to 10 years imprisonment and a fine if trafficking offences involved male survivors, and penalties of 10 years to life imprisonment if trafficking offences involved female or child survivors (The Union of Myanmar, 2005).





3. KEY CONCEPTS

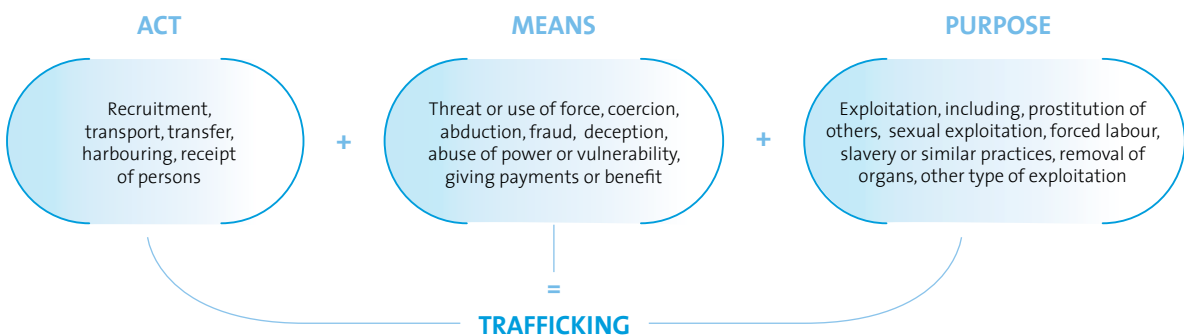
The following section presents key concepts relevant to trafficking, with particular reference to gender. It starts with the definition of human trafficking under the Palermo Protocol (2000), and then compares human trafficking with labour migration and migrant smuggling, highlighting overlaps between them. The evolution of the framing of human trafficking by policymakers and researchers is then briefly discussed, with attention given to the emergence of the broader umbrella of modern slavery as well as links with forced labour and debt bondage. The discussion then moves on to the triple-P approach to combatting human trafficking, and introduces the process-focussed approach to trafficking adopted in this review, then turns to the concept of gender and its relevance and application in relation to trafficking.

3.1 Definition of human trafficking

Human trafficking is defined in the Palermo Protocol, with its definition widely accepted and used to guide work by governments, international organizations,

NGOs, and academics (e.g., Baker, 2015; Davy, 2014; Jayagupta, 2009; Kiss et al., 2015; Marks and Olsen, 2015; United Nations Office on Drugs and Crime, 2017; Environmental Justice Foundation, 2013; Devine, 2009; Kurima, 2017). In literature that does not use this definition explicitly, the definitions share most of the key points delineated in the Palermo Protocol, including that human trafficking is distinct by its exploitative nature (World Vision, 2014; Zimmerman et al., 2014) and the use of force, fraud, or coercion (Devine, 2009). Trafficking refers not only to the movement or transportation of people, but centres on the use of force, deception, or coercion to exploit individuals, whether migration or transportation is involved or not. The Palermo Protocol enumerates coercion as means, one of three distinct elements of trafficking – act (*what is done*), means (*how it is done*) and purpose (*why it is done*). Coercion is one of the means used to lead survivors into an exploitative situation, and it is not necessary for actual exploitation to happen for a trafficking crime to have taken place (International Labour Organization and Walk Free Foundation, 2017).

THE ELEMENTS OF HUMAN TRAFFICKING



Source: UNODC Human Trafficking webpage

The Palermo Protocol (Article 3) defines trafficking as follows:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a

position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a survivor of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.

3.2 Human trafficking and labour migration

Evidence suggest that predictable, inclusive and orderly migration can be highly positive for migrants and their families, host communities and origin countries (Foresti et al, 2018). In the best-case scenario, migrants and their families can gain increased income and knowledge. Increased economic resources also support improvements in women’s autonomy and socioeconomic status. Origin countries can benefit from increased wages and economic growth, including through migrant household investments, and in host countries migrants can fill labour gaps and increase government budgets through taxes and social security contributions, thereby contributing to improved services (Hagen-Zanker, Postel and Mosler Vidal, 2018).

Given these motivation factors, most migrants who end up trafficked at first choose willingly to migrate, seeking employment opportunities, and then are exploited once they reach the destination country (United Nations Office on Drugs and Crime, 2017: 77, UN-ACT, 2014). Trafficking has three stages: recruitment or abduction, transportation, and exploitation. These stages may overlap with voluntary migration; individuals make a choice to migrate because they have been recruited or they believe the recruiters represent real and fair employers. While economic migration is a choice, trafficking involves force or deception. It is possible for individuals to choose to migrate, and then find themselves a victim of trafficking. Kurima (2017: 13) writes, “The question also begets, if one voluntarily migrates and after the fact

the conditions change [...] have they migrated or the [...] change in circumstances speak to being trafficked? Such is the grey area between migration and trafficking [...] one can embark on the other but end up with the other. What is however clear is economic migration and trafficking overlap.”

In the Greater Mekong Subregion, labour migration and human trafficking are closely related. According to the United Nations Office on Drugs and Crime, 90 percent of the migrant population in Thailand comes from Cambodia, Lao PDR, and Myanmar, many of whom are in an undocumented situation in Thailand working on agriculture, fishing construction, manufacturing, domestic work, hospitality, and sex work. UNODC argues that undocumented migrants are particularly at risk of trafficking (United Nations Office on Drugs and Crime and the Thailand Institute of Justice, 2017: i). While comprehensive and reliable data is lacking, UNODC estimated that between 4 and 23 percent of undocumented migrants from Cambodia, Lao PDR, and Myanmar in Thailand could be classified as victims of trafficking (United Nations Office on Drugs and Crime, 2013: vii).

3.3 Human trafficking, migrant smuggling and other forms of modern slavery

Migrant smuggling

The Protocol against the Smuggling of Migrants by Land, Sea and Air of 2000 (Article 3) defines the crime as “procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.” (*Protocol Against the Smuggling of Migrants*, 2000).

The trafficking process can involve smuggling (being taken across a border by a person or persons who profit). The facilitator who smuggles a person across a border could then force the person into an exploitative situation (trafficking). However, not all trafficked people are smuggled and not all smuggled people are trafficked. The potential overlaps nonetheless challenge the seemingly clear-cut distinctions that the United Nations Convention against Transnational Organized Crime Protocols

make between trafficking and smuggling (Global Alliance Against Traffic in Women, 2011).

Other forms of modern slavery

Trafficking in persons is sometimes characterized as one element of modern-day slavery (Keo et al., 2014: 203; Devine, 2009; International Labour Organization and Walk Free Foundation, 2017; Kurima, 2017). Preferred terminology and conceptualization of modern slavery differs among its proponents, although many definitions share a common approach by viewing modern slavery in relation to exploitative situations that a person cannot leave because of abuse of power, deception, coercion, violence or threats.

The 2017 report *Global Estimates of Modern Slavery*, by the ILO and Walk Free Foundation in partnership with the IOM, defines modern slavery as a “set of specific legal concepts including forced labour, debt bondage, forced marriage, other slavery and slavery-like practices, and human trafficking. Although modern slavery is not defined in law, it is used as an umbrella term that focuses attention on commonalities across these legal concepts.” (International Labour Organization and Walk Free Foundation, 2017: 9) The Commonwealth Parliamentary Association UK provides its own definition of modern slavery, to include virtual trafficking, orphanage trafficking, sexual exploitation, domestic servitude, and supply chain exploitation. Human trafficking, forced labour and debt bondage are still considered forms of modern slavery, but forced marriage is disregarded as are other slavery and slavery-like practices (CPA UK, N.D).

However, the notion of modern slavery has also been critiqued by some analysts and practitioners working in the area of trafficking, who variously highlight inherent weaknesses in the concept and its application. One criticism is that the term remains undefined in international law. Another is that, while some forms of trafficking involve entrapment and/or holding people against their will, applying the term modern slavery is an erroneous use of the term slavery, which in traditional jurisprudence and practice relates to a system of full ownership over the victim. Critics also argue that the term conflates the extreme and tangible forms of enslavement undoubtedly occurring in some parts of the world today with far more routine forms of labour exploitation and trafficking occurring globally. Such conflation, the arguments goes,

detracts from strategies to combat the latter type of abuses including regulation, workplace inspection and the formation of unions and other forms of worker association (Muraszkiewicz, 2016; Dottridge, 2017; Dottridge, N.D.). This divergence of views means the use of modern slavery as a conceptual and operational approach is likely to remain divisive and somewhat piecemeal among the ensemble of actors working to combat trafficking and support survivors for some time to come.

Forced labour

Trafficked individuals are often subjected to forced labour, and this may happen across a range of industries. Estimates for 2016 suggest that 24.9 million people worldwide were subjected to forced labour, which was most prevalent in Asia and the Pacific, where four in every 1,000 people were affected (International Labour Organization and Walk Free Foundation, 2017). Of the 24.9 million, 64.3 percent were engaged in the private economy, 19.3 percent in forced sexual exploitation and 16.5 percent in forced labour imposed by state authorities. 2016 estimates indicate that, where the types of labour were known, the largest percentages of adults under forced labour were in domestic work (24 percent), construction (18 percent), manufacturing (15 percent), and agriculture and fishing (11 percent) (International Labour Organization and Walk Free Foundation, 2017). This review also identified the same sectors or industries in which individuals are commonly exploited.

Victims of forced labour are subjected to different types of coercion, including withheld wages or the threat of non-payment (24 percent), threats of violence (17 percent), acts of physical violence (16 percent), and threats against family (12 percent). Around 7 percent of women in forced labour in 2016 reported acts of sexual violence (International Labour Organization and Walk Free Foundation, 2017). In some cases, employers confiscate workers’ passports, identification, work permits, or other personal documents, making it very difficult for workers to leave (Bergbom, 2015: 18-26).

As reported above, the Palermo Protocol (Article 3) cites “forced labour or services” as one form of exploitation under human trafficking, together with the exploitation of the prostitution of others or other forms of sexual exploitation, slavery or practices

similar to slavery, servitude or the removal of organs. The Forced Labour Convention, 1930 (No. 29) defines “forced or compulsory labour” as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself [herself] voluntarily.” As reported in the ILO *Written Statement for the CEDAW half-day of General Discussion on trafficking of women and girls in the context of global migration* (International Labour Organization, 2019) this definition involves three interrelated aspects:

- a.** Work or service, including formal or informal work in any private or public sector or industry.
- b.** Threat of any penalty including penal sanctions, direct and indirect coercion (physical violence, psychological intimidations or the lack of wages), and the loss of rights or privileges (such as promotion).
- c.** Involuntariness, which implies lack of free and informed consent on whether to engage in or leave employment at any time.

The Abolition of Forced Labour Convention, 1957 (No. 105) is a call for action for each ratifying member to “suppress and not to make use of any form of forced or compulsory labour” for any of the following:

- As a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system.
- As a method of mobilizing and using labour for purposes of economic development.
- As a means of labour discipline.
- As a punishment for having participated in strikes.
- As a means of racial, social, national or religious discrimination.

(Convention Concerning the Abolition of Forced Labour, 1957).

Therefore, the defining characteristics of forced labour are work that is performed involuntarily and under the threat of punishment or penalty should the work not be performed. According to the definition of trafficking outlined above some – but not all – trafficking victims will experience forced labour as defined in this way.

Debt bondage

The 1956 *UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery* defines debt bondage as “the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.” The Supplementary Convention describes debt bondage as “servile status” and asks member States to adopt national measures to abolish such practice (*Supplementary Convention on the Abolition of Slavery, 1956*).

Debt bondage covers both traditional forms of bonded labour and newer forms of debt bondage where agency charges and recruitment fees imposed by employers and recruiters, for example for making links to job opportunities, processing paperwork or changing employer, creating debt that binds workers to the employer or recruiter (International Labour Organization and Walk Free Foundation, 2017; Bergbom, 2015: 18-26). Of those affected by privately imposed forced labour in 2016, 51 percent were in debt bondage (International Labour Organization and Walk Free Foundation, 2017). It remains one of the most prevalent manifestations of forced labour worldwide, with victims forced to work to pay off their debt, often following coercion and with little control of the amount or timing of debt repayments (United Nations General Assembly Human Rights Council, 2016).

3.4 From the 3Ps paradigm to a process-focussed approach to human trafficking

Efforts to combat human trafficking by governments and international or local NGOs and civil society organizations (CSOs) around the world gravitate around the paradigm known as 3Ps (United States Department of State, 2017). The central principles consist of:

- *Prevention*: from public awareness campaigns to labour law enforcement (in sectors where trafficking is prevalent), to birth registration and the delivery of labour recruitment programmes. (especially to those

most vulnerable to trafficking), to setting up monitoring and evaluation systems.

- *Protection*: to ensure trafficking survivors are identified and provided with adequate support and resources. Identification is critical, as is effective partnership between law enforcement and service providers. Victim-centred protection includes the 3Rs of *rescue, rehabilitation and reintegration*.

- *Prosecution*: Under the Palermo Protocol, governments' anti-trafficking laws should lead to law enforcement efforts with sentences commensurate to the severity of an individual's involvement in the crime of human trafficking.

In this review, the 3Ps paradigm is expanded to a conceptualization of trafficking in processual terms, which includes prevention, response, and reintegration and is informed by return experiences. This processual approach recognizes that trafficking trajectories are rarely uniform, linear or straightforward. There may not be fixed start and end points to individual trafficking experiences; the path can be cyclical, in that those that were trafficked may be re-trafficked. Hence, prevention remains critical even for those that have returned and undergone some level of reintegration. This review looks at how to break this potentially vicious cycle, placing a core focus on how interventions and responses can be gender-responsive.

3.5 The importance of gender in the analysis of human trafficking

The concept of gender refers to socially constructed roles assigned to women and men, and defines the contextually relevant duties, responsibilities, constraints, opportunities and privileges of women and men. Gender equality relates to the equal enjoyment of rights, responsibilities and opportunities of women, men, girls and boys, while gender discrimination relates to any distinction, exclusion or restriction made on the basis of a person's sex and/or gender identity, rather than on a person's skill or merit. Given that gender roles are learned, changeable over time, and variable within and between cultures, inequalities between women and men can also be redressed (UNHCR, 2018; Bill & Melinda Gates Foundation 2019).

Gender analysis refers to the process of understanding the social relations of gender and how they influence the resources, opportunities and rights afforded to individuals, as well as their power in relation to others. Much gender analysis of society, economy and political structures to date has identified higher social value, privilege and power assigned to men than women, although men who do not conform to gender norms that are deemed masculine may also be disadvantaged (Bill & Melinda Gates Foundation 2019).

Going further, an intersectional approach takes into account inequalities and unequal power relations linked to gender and further compounded by age, geographic location, socio-economic status, race, ethnicity, religion, migrant status, marital status, disability and/or LGBTQI+ status⁵, among others. For example, age refers to different life course stages, with people having different capacities, needs and ability to exercise rights at different ages.

A gendered approach to analysing human trafficking acknowledges that trafficking takes place among both men and women, recognizes gendered stereotypes in trafficking narratives and experiences, identifies differences among men and women in relation to trafficking causes, experiences and impacts, and addresses the different needs and impacts of trafficking-related policy on men and women (UNIFEM, 2005).

The gendered nature of human trafficking is core to the Palermo Protocol, whose central aim is to prevent and combat trafficking in persons, paying particular attention to women and children (Article 2). The justification for this focus is clear: Gender is closely related to the risk of being trafficked and the sectors into which people are trafficked, with women and girls overall more likely to experience trafficking. Of all globally detected victims of trafficking in persons in 2016 (or years after 2016 depending on data availability), 49 percent were women, 21 percent men, 23 percent girls and 7 percent boys (United Nations Office on Drugs and Crime, 2018). A total of 83 percent of women and 72 percent of girls detected as victims of trafficking (in 54 countries) had been trafficked for sexual exploitation; 82 percent of men and 50 percent of boys had been trafficked for forced labour (ibid.).

5 LGBTQI+ stands for Lesbian, gay, bisexual, transgender, queer or questioning, and intersex, where the plus sign represents all other diverse sexual orientations and gender identities.

Applying a localized gender analysis is critical to understand power dynamics and differential experiences and to equip policymakers and other advocates with the context-specific evidence needed to tackle trafficking through the implementation of the Palermo Protocol, as well as Sustainable Development Goal commitments to eliminate all forms of violence against women and girls, including trafficking (Target 5.2), and to eradicate forced labour, end modern slavery and human trafficking (Target 8.7).

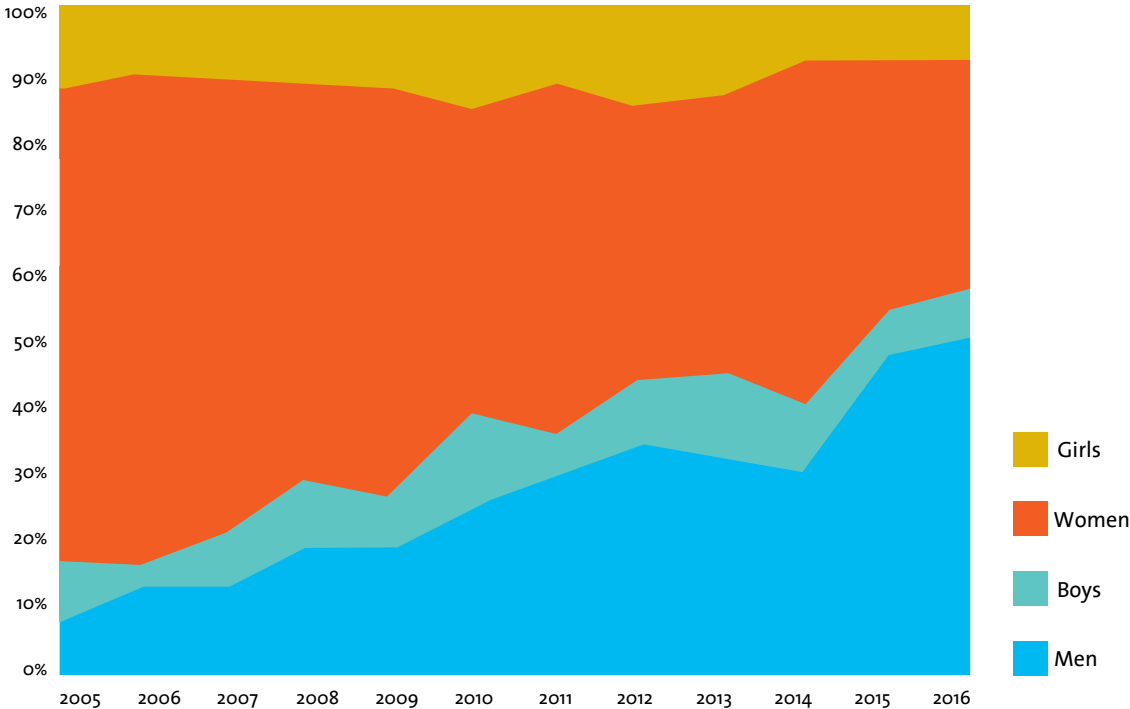
At the same time, much remains unknown; the 2009 UNODC global report on trafficking argues that the sexual exploitation of women around the world is the most documented and frequently reported form of trafficking on the global level, while other forms, including those that may disproportionately affect men and boys, may be underreported (United

Nations Office on Drugs and Crime, 2009: 6). UNODC 2018 data paint a similar picture, suggesting that this statement may still be a valid one. The overall number of male victims of trafficking has also increased over time (see Figure 1), yet, as discussed above, data to date has been patchy, as does detailed knowledge of the gendered dynamics of trafficking in many specific contexts. This review contributes to filling knowledge gaps in relation to the Greater Mekong Subregion, employing multi-dimensional gender analysis to explore trafficking in the specific contexts of Cambodia, Myanmar and Thailand.

In this report gender is taken as a primary criterion of analysis, and where possible light is shed on dynamics of trafficking as relevant to women, men, girls and boys.⁶ Light is also shed on other intersecting factors affecting each group as far as possible.

FIGURE 1
Detection rates of trafficked persons by sex, 2006-2016. Source: International Organization for Migration (2017c)

DETECTION RATES OF TRAFFICKED PERSONS BY SEX, 2005 – 2016



Source: IOM's Human Trafficking Global Database, 2017.
 © IOM 2017 www.migrationdataportal.org

6 Our chief focus is on the most commonly socially defined gender categories: men, women, girls and boys. However, the complex nature of gender categorization and wide range of other possible genders (e.g. transgender, genderqueer, genderfluid) is fully acknowledged. A wider gender analysis was out of scope of this project but would be a useful and important area of future review in relation to trafficking vulnerability, experiences and response.



Photo: UN Women/Play Phutpheng

4. REVIEW AIM, QUESTIONS AND METHODOLOGY

4.1 Aim of the review

UN Women commissioned a review in Cambodia, Myanmar, and Thailand on the gender dynamics of human trafficking in the Greater Mekong Subregion, under the joint project with UNODC on Preventing and Mitigating the impacts of Trafficking and Transnational Crime through Women's Empowerment, funded by the Government of Japan. The review aimed at better understanding the existing gaps and challenges for the provision of assistance to women and girls at risk of trafficking.

The review was intended to cover the Greater Mekong Subregion with a focus on Myanmar and Cambodia and on human trafficking between these two countries and Thailand. It explored a wide range of forms of trafficking in the subregion and involved a wide-ranging literature and policy review as well as qualitative interviews with survivors of trafficking in both recipient and origin countries, as well as their family members and key informants, among others.

Two methodology validation workshops were held with relevant stakeholders from representatives from the respective central governments, NGOs and CSOs, local partner organizations, UN Women, UNODC and development partners, in Yangon on 16 October 2018 and in Phnom Penh on 6 November 2018. Following these it was agreed that the review should focus on prevention and reintegration given the limited available evidence on these aspects of human trafficking, and to best add value to the existing knowledge base in these areas. The review would also aim to shed light on response and return,⁷ and explore the intersecting forms of discrimination faced by trafficking victims.

4.2 Review questions

After the validation workshops in Cambodia and Myanmar, the original list of review questions was narrowed down to the following:

- Do different gendered contexts for vulnerability and marginalization generate different needs, risks, realities and capacities for women and girls (including the most vulnerable and marginalized), as well as boys and men, exposed to trafficking at the prevention, response and reintegration stages?
- What are the different needs and risks experienced by girls and women, as well as boys and men, who are especially vulnerable and marginalized?
- To what extent is a more operational definition of trafficking necessary? This is particularly relevant to ensuring that operations manuals and policy guidance for border management and frontline officials (police, immigration, border control etc) are gender-responsive, effective and accountable.
- Who are the partners playing a key role now, and who could potentially play a key role going forward in gender-responsive prevention and reintegration?
- What are the different types of prevention and reintegration assistance provided:
 - a. What are the gaps and challenges in general and what are the gender-specific gaps in prevention and reintegration assistance?
 - b. What are the priority policy and programme responses required to address these gaps and challenges?

4.3 Methodology

First a wide-ranging literature and policy review took place, followed by primary qualitative data collection, namely, in-depth, qualitative interviews with 37 survivors of trafficking older than 15 (29

⁷ See the conceptual framework explained in the previous section.

women and girls and eight men and boys), seven interviews with family members of trafficked persons, 27 key informant interviews with policymakers, practitioners and trafficking experts, one interview with border management or frontline officers, and three interviews with facilitators in the border area or community, supported by secondary data analysis where applicable.

In-depth interviews (IDIs) were carried out with both girls and women, and boys and men, to increase depth of understanding on gender and age dynamics. Moreover, to fully capture gender dimensions of trafficking in the family of origin, IDIs were also carried out with family members of survivors of trafficking.⁸

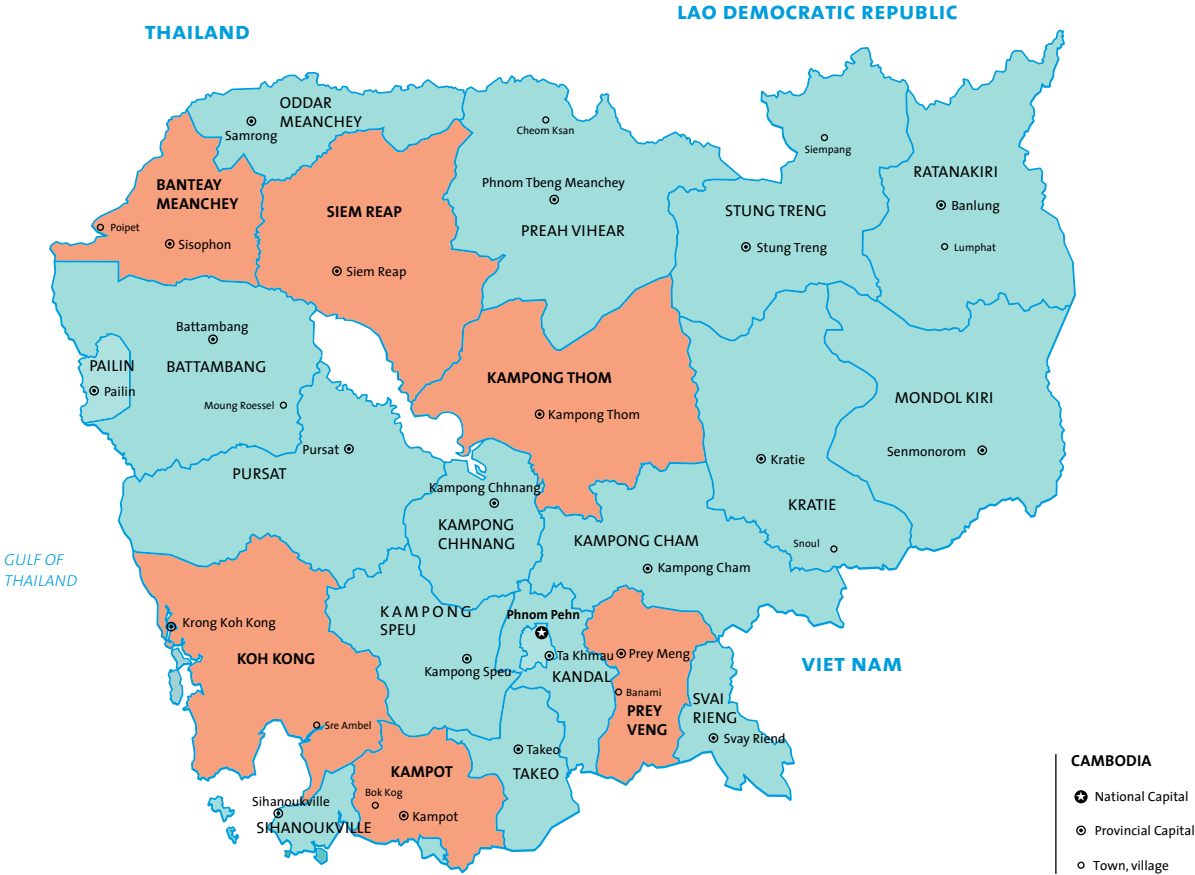
In relation to the Cambodia case study, 14 IDIs were conducted with survivors (10 women and girls, four

men and boys) along with five IDIs with family members of trafficked persons (four women, one man), nine key informant interviews (KIIs), one IDI with border management/frontline officers and one IDI with a facilitator in the border areas.

In relation to the Myanmar case study, 23 IDIs were carried out with survivors (19 women and girls, four men and boys), along with two IDIs with family members of trafficked persons (one woman, one man) 18 KIIs and two IDIs with facilitators in the community. Further information on IDIs and KIIs is provided in annexed tables and lists, along with information on site selection.

The following figures show the geographic spread of the places of origin of the trafficking survivors who were interviewed.

FIGURE 2
Geographic spread of the places of origin of trafficking survivors interviewed in Cambodia



8 This was initially planned for both Cambodia and Myanmar, but was in the end only feasible in Cambodia.

FIGURE 3

Geographic spread of the places of origin of trafficking survivors interviewed in Myanmar



Emerging findings dissemination workshops in Cambodia and Myanmar

In-country emerging findings workshops were held on 15 March 2019 in Phnom Penh and on 18 March 2019 in Yangon. Participants included government representatives (from national and provincial levels), CSOs, UN Women and UNODC, and partner organizations. The UK-based think-tank Overseas Development Institute (ODI) and its local partners presented preliminary results of the review. Feedback gathered during the workshops informed

the drafting of this report, especially on how to operationalize recommendations and make sure they are gender-responsive.

4.4 Review ethics

All information provided by participants was anonymous and confidential. Investigators used codes to record the kind of interview (whether a KII or an IDI) and general characteristics of respondents (whether a girl, boy, woman or man, and place of origin); no names were written on transcripts or otherwise

recorded. For key informants, a list of participants was held in a separate file, and these respondents were informed that their views would be on the record and that they may be traceable based on their statements, even though their names would not be recorded and every effort would be made to ensure their anonymity.

The data collected were consolidated and held by principle investigators in Cambodia and Myanmar and the ODI review team.

During the review training phase, facilitators were reminded to triangulate understanding of both the purpose of the review, terms of conduct, and use of data. Another key component of the training agenda was focused on the safeguarding of children under the temporary supervision of facilitators, definitions of safe spaces, participatory methods, and codes of conduct if rights violations were disclosed. If a rights violation was disclosed, facilitators would be briefed on their responsibilities regarding referral mechanisms and the transfer of participants' disclosure information. Referral would be conducted on a case-by-case basis, and facilitators would inform field supervisors and the ODI fieldwork supervisor or investigator of such an event.

To address cultural and linguistic dimensions, facilitators were appointed on the basis of their familiarity and experience working in the target regions. An orientation phase included pre-testing and testing of questionnaires to verify length, content and translations. Facilitators also discussed emerging challenges during daily debriefings while in the field, with adjustments made accordingly to ensure appropriateness of interview approach and content. Consent to being interviewed was received from adults, and parents or guardians provided assent for children (anyone under 18). Interviewees were asked to provide verbal assent or consent or a signature, thumbprint or other personal mark. They were also asked to authorize the local partners to capture and use audio recordings for review writing, with the understanding that no personal information would be disseminated. In Cambodia, a male interviewer interviewed men and boys, and a female interviewer interviewed women and girls. In Myanmar all interviewers were women due to personnel availability.

During the consent or assent process, it was also important to ensure that expectations of remuneration and follow-up support were addressed. Respondents were informed that the purpose of the review was to gather evidence and develop programme and policy solutions, rather than to return directly with tangible programming responses, and that there would not necessarily be direct benefits to them personally from taking part, including remuneration. This discussion was provided in both the opening and closing of IDIs and KIIs.

Finally, the role of informed consent was to ensure that respondents were aware of, and understood, the purpose and content of the data collection exercise, the procedures that would be followed during the review, and also their rights. The following ethical guideline components (guided by the WHO) were adopted for minimizing harm to individuals and community members participating in the study:

- Interview only one woman/girl or man/boy per household.
- Do not inform the wider community that the study includes questions on trafficking.
- Conduct interviews in complete privacy.
- Use skilful and competent researchers and train them to recognize and deal with a respondent's distress during the interview.
- End the interview on a positive note that emphasizes a woman's strengths.

(Source: WHO Ethical and safety recommendations for researching, documenting and monitoring sexual violence in emergencies, 2007).

4.5 Limitations and caveats

This review is qualitative in nature. Hence, its findings cannot be generalized, and conclusions cannot be drawn regarding the marginalization and experiences related to prevention, response, return and reintegration for all survivors of human trafficking between Cambodia and Thailand, and between Myanmar and Thailand. Nonetheless, such a qualitative review can shed light on aspects of those forms of marginalization and experiences that quantitative data may fail to capture. Moreover, a qualitative review is especially suitable to understand gender differences and gender dynamics in trafficking.

A limitation of this review is that it was not possible to collect the voices of survivors that are arguably the most marginalized and invisible victims of trafficking, because identification of interviewees relied on the help from facilitators providing support to survivors, namely local NGOs, drop-in centres and CSOs assisting survivors. Thus, survivors who were not being supported by or known to these agencies – and who are arguably among the most marginalized and invisible – were not reached by the review.

Types of human trafficking not covered extensively by this review

Participants were mostly labour migrants who ended up being trafficked. Some groups of trafficking victims were underrepresented according to existing quantitative data, e.g. those that experienced trafficking for sexual exploitation. The sampling methodology led to a bias towards survivors of forced labour, which is perhaps unsurprising given that forced labour remains one of the most widespread manifestations of trafficking globally, as discussed above. Forced labour survivors are therefore among those most frequently identified by the services who also acted as facilitators to access interview participants. Within this, some sectors were overrepresented, which again may be indicative of the groups of survivors identified by the services, with some groups remaining relatively hidden. For example, only one domestic worker was interviewed, while domestic work is widely acknowledged to be a significant employment sector for women, including migrant women in focus countries, with a high risk of workers being trafficked into the sector (Napier-Moore, 2017). Similarly, none of the participating survivors had been trafficked for marriage or been involved in trafficking linked with surrogacy, despite literature and key informants

highlighting the existence of these forms of trafficking in the region. One reason for this may be that, as key informants explained, links with these two forms of trafficking have been established between survivors' countries of origin and China, which was not a main focus country of empirical investigations.

Further challenges were encountered during fieldwork. Talking to survivors in government shelters in Thailand requires approval from the government, which was not possible to obtain given the short project timeline. None of the several contacted Thai NGOs working on human trafficking in Thailand was offering support to survivors from Cambodia at the time of the review.

The conflict situation in Myanmar between the military and ethnic armed groups in border areas threatened the security of investigators and participants and mobilization of fieldwork participants. With this in mind, review sites were chosen to maximize the feasibility of carrying out the review in the short time available. Similarly, the fieldwork did not take place in Kachin State and Northern Shan State due to security and logistical constraints. Both states have been identified as being areas in which trafficking is prevalent, including some that is linked to the ongoing armed conflict.

Not all the Myanmar target population could be directly reached in Myawaddy in Myanmar and Mae Sot in Thailand. The Myanmar and Thai governments use Myawaddy and Mae Sot for deportation, but they do not keep the survivors in either site for long, and access to those in transit is highly restricted. Some survivors were therefore reached in their places of residence.





5. PUSH AND PULL FACTORS FOR TRAFFICKING: GENDERED VULNERABILITIES AND FORMS OF MARGINALIZATION

Key messages

- Gender is a significant factor in influencing the risk faced by women, men, girls and boys, and the sector into which they are trafficked.
- Responsibilities placed on women to meet the care needs of their families are being compounded by increased expectation they will provide income. This, combined with limited opportunities due to local gendered divides in labour markets, leads many poor women and girls to seek to migrate, heightening their risk of being trafficked.
- Push factors leading individuals to seek to migrate are influenced by gender and age, economic status, debt, family composition, decision-making power, location of origin, experiences of abuse and violence, conflict, migrant worker status, and factors emerged specific to a given country, notably racial, ethnic and religious tensions in Myanmar. The intersection of gender with climate change and transnational organized crime merit further attention.
- Demand for labour in Thailand is a key pull factor with clearly identified gender dynamics. Aspirations and expectations, success stories and having family members already in the destination country also influence migrant trajectories.

This chapter aims to understand the root causes of people becoming trafficked, drawing on findings from empirical investigation as well as existing literature concerning the focus countries where available.⁹ It focuses on the push and pull factors

that are connected to trafficking, and the ways in which gender intersects with other factors to heighten the risk of trafficking at the individual and group levels. It is argued that gender intersects with other political and socio-economic dimensions

⁹ A note on the literature and its limitations, based on our review. Much of the literature on human trafficking in the Greater Mekong Subregion does not focus solely on human trafficking or on gendered impacts of human trafficking. The vast majority of the literature focuses on migration issues more broadly, whether or not the migrant is coerced or exploited. This type of literature is published by governments, international organizations, and NGOs; government and international organization documents are particularly likely to focus on migration law and policy, and academics and NGOs are most likely to focus more narrowly on human trafficking. As Thailand is a key destination country for migrants from across the Greater Mekong Subregion, much of the literature focuses on Thailand, and there is much more literature by international organizations and academics about Thai interventions or Thai industries that involve trafficked persons. Cambodia is represented to some extent in the literature, but Myanmar (and Lao PDR) tend to be discussed only within the context of larger reports that focus on the entire region.

to shape the ways in which women, girls, men, and boys are exposed to different forms of marginalization, and face different risks in relation to trafficking.

Before examining the dimensions at hand, it is worth taking a brief look at conceptualizations of vulnerability and marginalization. This review found that some literature and relevant regional frameworks in the Greater Mekong Subregion focused on the vulnerability of certain individuals and groups, notably women, to trafficking. In some cases, this was expressed in terms of women and girls being personally vulnerable, and/or more vulnerable than men to trafficking as a result of their gender. This view was confirmed by some KIIs: “Women are more vulnerable. As per our experiences, the sex trafficking [happens with] girls aged 14-15 years. They don’t want to do that, but they cannot resist due to many reasons.” (NGO staff member from Mae Sot, Thailand) However, seeing women and girls as vulnerable in this way often assumes women are weak and/or cannot act on their own behalf. This has led to protectionist anti-trafficking measures focusing on women’s inherent vulnerability rather than rights or empowerment. Some of these have been identified as harmful, for example by placing further limitations on women’s mobility through limits on migration or being kept in shelters rather than supporting their autonomy (Global Alliance Against Traffic in Women, 2010).

It is therefore critical that women and girls are not seen as passive victims as this conceptualization of vulnerable suggests. An alternative approach taken in the literature and in some policy frameworks is to focus on the structural dimensions of gender discrimination in trafficking. One example would be to highlight that women and girls in this project’s focus countries are often highly marginalized, notably through exclusion from formal employment or educational opportunities, which makes them vulnerable to trafficking, particularly for sexual exploitation (Davy, 2014: 804).¹⁰ The present review of gendered push and pull factors in relation to trafficking aligns with this latter approach.

First, push factors are discussed through a gender lens, as follows.

Gender and age

Age is an important factor that intersects with gender in relation to trafficking, with younger people most at risk. This dynamic was reiterated by key informants from across all the focus countries of this review. It is proposed that age-based marginalization compounded by the gender-specific needs of girls and young women make them the category overall most at risk. This is in spite of an absence of robust and comprehensive data, and a divergence in opinion among key informants regarding sex-disaggregated prevalence rates, which are discussed below. There remains a lack of reliable data on the number of children trafficked globally and in South-East Asia. However, there is evidence of demand in East and South-East Asia for trafficking of children specifically; the lower cost of employing child workers, the child sex trade, and demand for young brides lead to a high risk of trafficking for children. (UNICEF East Asia and Pacific Regional Office, 2009: 27-28).

Trafficking is often connected to labour migration, which is dominated by younger and more able-bodied community members. As one male trafficking survivor from Cambodia explained, the “majority of adults in my village have migrated for work in the construction industry and factories either to other countries or to Phnom Penh. Those who live in the village are only old people and [the youngest] children.” (25 year-old man from Cambodia) Several NGOs working in Myanmar confirmed this, explaining that younger people are most likely to be trafficked for their labour, evidenced by the profile of the survivors accessing services: “Survivors receiving [support services] are around 30-40 years old but there have been some 10-17-year-old girls as well. I don’t see any above 55 years as Thai employers don’t hire above 55.” (NGO representative, Myanmar) This was also reflected in the profile of the survivors participating in this review which, although not necessarily a representative sample, broadly confirms this age

¹⁰ In an example of policy, the regional MoU acknowledges the root causes that lead to trafficking, by “[r]ecognizing that poverty, lack of access to education, and inequalities, including lack of equal opportunity, make persons vulnerable to trafficking” and “[a]cknowledging that trafficking is intensified by discriminatory attitudes, practices and policies based on gender, age, nationality, ethnicity, and social grouping.” (Memorandum of Understanding, Greater Mekong Subregion 2004: 1).

and gender spread. In Myanmar, most informants were below the age of 24; the next largest demographic group was below the age of 40, and just five participants were aged over 40. In Cambodia, all participants were under 40.

Gender also intersects with age in relation to labour migration, and influences the sectors into which people are trafficked. As a Thai government official explained: “Men trafficked into the fishing industry are in their twenties, women trafficked into prostitution are younger than 20, at times even 15.” NGOs in Thailand reiterated this view: “In the fishing industry, especially fishing boat[s], 100 percent are male migrant workers and their age [is] around 20 years old to 35 or 40 years old, as this industry is really difficult and need[s] more young workers.” (NGO representative, Bangkok, Thailand)

Gender and education

A low level of education is an important factor that heightens the risk of trafficking. As Devine (2002: 2) notes, “trafficked persons often come from economically disadvantaged circumstances and have little to no formal education or skills training; therefore, they have limited opportunities for economic independence”. Most participants in this review had low education levels and often had not completed their education in full, notably because of the poverty in their households and the need to work.

A link with gender is also identified. Women in Cambodia and Myanmar of an age to be at risk of trafficking have often enjoyed few educational opportunities and therefore fewer opportunities to access quality work later in life. While the latest national-level data averages for both Cambodia and Myanmar suggests near parity between males and females up to lower-secondary level (UNESCO 2019a; UNESCO 2019b), strong evidence was found of the effects of gendered dynamics in relation to education among participants. This may partly be explained by historical trajectories of gendered educational disparity in place when older participants were of school age.

For some, factors of poverty were reported as reasons for dropping out of education, notably because families considered girls’ education to be

a low budget priority, and because their time was perceived to be better used to support the family through unpaid and/or paid work than in school. However, further gendered dynamics also contributed to education being cut short, including girls’ risk of experiencing violence in public spaces, a lack of mobility exacerbated by a lack of safe transport options, and strongly gendered expectations of girls’ role in unpaid care and domestic work within the home alongside expectations around boys’ role as future breadwinners. As one survivor from Cambodia explained:

“Neither me nor any of my five sisters went to school. Our home was far away from school and we did not have bicycle to get there and my mother worried about our safety and security. Frankly speaking, my mother did not have money to support all the kids. My mother told me and my sisters that we do not need to go to school as we would only take care the house work. My mother preferred my two brothers to go to school as both would be the master of the family when they married.” (33-year-old woman from Cambodia)

Hence, economic inequality is compounded by gendered inequality to reduce girls’ educational attainment, along with the male privilege within the household that can lead to the prioritization of their education. In addition, in Cambodia it was found that being an orphan can lead to a girl receiving a lower level of investment in her future, including through education. This is again due to predetermined ideas about girls’ and women’s roles as wives and caregivers within the family, including among other women. One girl survivor of trafficking who was living with her aunt because she was orphaned explained that her aunt did not send her to school because it was deemed unnecessary for her: “[My aunt] told me that girls don’t need to go to school as girls can’t do anything after marriage beside taking care of babies and house work. She also told me that she did not have money to support my education and asked me to do housework.” (13-year-old girl from Cambodia)

In both countries, low levels of education are linked to the inability of participants to access jobs in which they can earn sufficient incomes in their own country, prompting them to migrate. Many households

assume that they will be able to earn better wages through migration to Thailand, and numerous accounts emerged of both men and women heading there directly to seek work. As one Cambodian survivor currently in Thailand explained:

“I decided to migrate to Thailand as I saw many villagers in my village migrated there and could earn more money to support their family. In my family, beside farming I have nothing to do and the whole family relies on farming that sometimes is enough but sometimes not. In addition, I could not go to work in Phnom Penh too as I did not have any connections to get work there or higher education. So I chose to migrate to Thailand as I had some connections such as my relatives were already working and staying in Thailand.” (33-year-old woman from Cambodia)

However, it was also found in the interviews that girls and women who end their education often migrate first within Cambodia itself to support their families, notably to seek work in the garment sector, which is a major employer of women in the country. One survivor explained: “I went to school until grade 8 and then I stopped as my mother asked me to work as garment worker in Phnom Penh. So, I stopped studying and went to work with my aunt and other relatives.” (20-year-old woman from Cambodia) Following migration within Cambodia, they may then look for other options in neighbouring countries: Various key informants in Cambodia explained that women and girls with lower education levels have limited access to quality paid work in Cambodia, and, as a result, they are one of the groups at risk of trafficking.

This review also uncovered three related dynamics which merit further attention. First, very little literature was found which focuses on the capacities or skills of people who have been trafficked, whether these capacities are useful for avoiding being trafficked, preventing others from being trafficked, escaping a trafficking situation, or influencing anti-trafficking policy. The little literature that discusses women’s and girls’ skills focuses not on trafficking

but on migration. Therefore, further investigation into the longer-term education and skills building trajectories of those at risk of trafficking is recommended. Second is the question of children left behind in their home communities and living with grandparents or other family members in “skip-generation families” (Samman et al., 2016) and the extent to which they are able to access education, particularly if remittances are low (see below). Third is the question of children who accompany trafficked parents who are working in destination countries and who receive little or no education while there. While the children of undocumented migrants have a right to receive an education in Thailand and various options for schooling exist, including public schooling and migrant learning centres (Tuangratananon et al 2019), the hidden nature of trafficking means the share of these children actually attending is unknown. It could be argued that these children are among the most exposed to the negative effects of trafficking, both in the short term while they are party to a trafficking situation via their parent, and in the long term as a result of their lack of education and associated economic precarity.¹¹

Gender and economic status: paid work and unpaid care

Chief among the range of push factors for trafficking identified is a lack of access to quality economic opportunities within countries of origin. It has been extensively documented that Cambodian and Myanmar nationals migrate to Thailand to improve their lives and their families’ lives, looking for better employment and better pay (United Nations Office on Drugs and Crime, 2017: viii). However, poverty, lack of opportunities, and political and social instability often force migrants to turn to undocumented migration, which heightens their risk of being trafficked (UN-ACT, 2014b; Jayagupta, 2009: 228).

It emerged during literature review and empirical data analysis that a widespread lack of decent and well-paying jobs in the locality of those at risk of being trafficked means that migration becomes

11 The authors are grateful to participants in the workshop that took place in Cambodia on 15 March 2019 for drawing attention to this point.

the only option for many. In Myanmar, an ILO survey found that 26 percent of internal migrants were in situations of forced labour, and 14 percent were in situations of trafficking (International Labour Organization, 2015). As one NGO staff member from Cambodia explained: “I think that the main push factor that causes trafficking in Cambodia is the imbalance of labour markets, with a lack of job opportunities compared to Thailand. Another main factor is also the wage, the minimum wage in Thailand is higher than in Cambodia and inflation in Thailand is also low compared to Cambodia.” (NGO representative, Phnom Penh, Cambodia)

Representatives of NGOs in Thailand elaborated further on economic push factors driving migration out of Myanmar: “First, the economy is the key factor; second, limited employment opportunities, [including because] there is limited foreign investment due to inflation and taxation; third, some economic development exists but it is not creating good job opportunities for young people; fourth, wages are low; and finally the high living cost in Myanmar, where minimum wages cannot meet minimum basic needs.” (NGO representative, Mae Sot, Thailand)

However, the gendered labour market dynamics in both countries, which see women particularly marginalized and limit the number and quality of economic opportunities available to them compared to men, were very little discussed by key informants. The most recent available data for Cambodia is that the 2016 male labour force participation is 13 percentage points higher than women’s (88 percent to 75 percent, respectively) (World Bank, 2019). Cambodia is one of the few countries across the Asia-Pacific region to have a higher share of women than men in non-agricultural informal employment, signalling women’s overrepresentation in poor-quality work (International Labour Organization, 2018a). Prevalent occupational segregation means women have less access to higher-level positions in both public and private sectors, contributing to gender wage gaps in favour of men. Women also have less access to public sector employment, which includes public administration, education, and health and social services, with more than six times as many men as women estimated to be employed as public civil servants (Asian Development Bank and International Labour Organization, 2013). Social

security is generally only available to those with formal employment, with only civil servants covered by a pension plan, compounding the economic gender gap (International Labour Organization, 2017). While the garment sector is a major source of formal jobs for women, discrimination in recruitment, employer preferences and gender stereotypes mean women are concentrated in sewing occupations while men are disproportionately found in higher-paying management and control occupations. Moreover, there is widespread lack of compliance with maternity leave, and women frequently experience sexual harassment from male colleagues (Global Alliance Against Traffic in Women, 2019a; Asian Development Bank and International Labour Organization, 2013). The rural economy is similarly marked by gender inequality: women’s economic opportunities in agriculture are limited by owning less land than men, while inheritance norms, laws, land titling systems, and limitations in ability to purchase land, including gender norms that restrict female ownership, are all sources and outcomes of gender inequality favouring men. These are further exacerbated by land grabs that force women into extremely low-quality casual and seasonal wage work (Mi Young Park, 2018; Food and Agriculture Organization, 2019).

Significant data gaps exist for Myanmar, including because data has not been collected recently, or disaggregated by sex. Yet while available data indicates incremental improvements (including a lowered maternal mortality ratio, improved female literacy rate and educational completion and overall increased female labour participation rate), significant gender disparities persist (DFAT, 2016). In 2017 there was an estimated 31 percentage point difference in labour force participation in favour of men (male 78 percent, female 47 percent) (World Bank 2019). Women’s formal employment is increasing, driven by sectors in which women are concentrated – notably garment and fish production, with more than 90 percent of 400,000 people employed in the garment sector that are women (International Labour Organization, 2019; DFAT, 2016). Nonetheless, much of this employment is short-term, with little prospect for skills development or promotion, and with younger women overrepresented due to perceptions held by recruiters about their suitability due to their purportedly docile nature and lack of childcare responsibility (International Labour Organization,

2019). More widely, job quality remains low with women concentrated in own-account and contributing (unpaid) family worker sectors in the informal economy (58.3 percent of women compared with 52.4 percent of men were estimated to be in these types of jobs in 2010), with this type of employment characterized by inadequate earnings, lack of social protection, low productivity, and difficult work conditions (Asian Development Bank et al., 2016). While recent efforts have been made to extend social protection in Myanmar, including paternity protection and maternity protection to women in the informal sector, recent estimates indicate extremely low coverage at below 10 percent (International Labour Organization, 2017). Agriculture remains a mainstay of the economy, but access to and ownership of land and other productive assets tends to be limited for women (Asian Development Bank et al., 2016).

A key characteristic across participants is that they were from households living in poverty due to low incomes. Across both Cambodia and Myanmar, participants' household sizes in their place of origin and before being trafficked varied greatly. Some were married or cohabiting, others were orphans and lived with relatives, whilst others lived with many siblings (one reported having seven siblings) and parents and/or extended family. However, one clear finding emerged: the size of the family correlates with the higher demand for food and income within the household. In a context of low household incomes this keeps families in poverty and increases the need to migrate to seek economic opportunities. This finding held true across all participants, regardless of gender.

However, in line with other recent findings in this project's focus geography (see Global Alliance Against Traffic in Women, 2019a) a particularly acute sense of responsibility was identified among women to provide an income for their family – including as the main breadwinner. Evidence also emerged of the significant challenges faced by these same women in accessing sufficient income via local labour markets. In addition to more clearly articulating the need to migrate to provide for daily expenses such as food and bills than participant men, the women also highlighted their motivations to provide income to support the care and long-term development of family members, notably health

and children's education. This further highlights the acute lack of access to social protection, in particular child support allowances and affordable health and other social care services, as well as income support for older family members. For example, one older survivor of trafficking from Myanmar explained that her large family and the needs of the household were a main driver of her decision to migrate to supplement household income: "I have seven biological children and three adopted children whose mothers passed away and out of pity I adopted them. [...] I wanted to give my children the education they deserve; whenever I see other young children going to school, I want to give my children the same experience." (65-year-old woman from Myanmar)

Similarly, a woman trafficking survivor from Myanmar explained: "I decided to move to Myawaddy [then Mae Sot] as I felt no hope staying in my town. ... I was thinking about the future of my children. ... My expectation was to save money for my children's future." (38-year-old woman from Myanmar)

Patriarchal social expectations have long held that women and girls are primarily responsible for unpaid care and well-being of families in the domestic sphere, globally as well as in the three focus countries. However, there is evidence that this responsibility is extending to the paid sphere where women are increasingly expected to financially support younger siblings and older parents. For example in Myanmar women have reported becoming responsible for families' wellbeing when the main male breadwinner leaves the household (including to migrate), can no longer work or gets married, with a particularly strong obligation on eldest daughters (Global Alliance Against Traffic in Women, 2019a). But as women's disproportionate burden has extended beyond the unpaid sphere and into paid work, there has been no corresponding shift in the other direction, or a consequent change of mindsets in the workplace: men have not taken on more unpaid care or domestic work (ibid.), and deep gendered divides in labour markets have persisted. Participants clearly articulated these challenges. As one survivor from Myanmar explained: "As the eldest daughter of the family, all the responsibility suddenly fell onto my shoulders after my parents left. I left school as I had to do something for daily survival. [...] As I have no

proper education, I first worked as an assistant in a sewing shop for a low income, where I learnt to sew.” (38-year-old woman from Myanmar)

The intergenerational impact of the deeply entrenched nature of gendered responsibility that sees women take on unpaid care roles was also identified. This also affected the family members of trafficked women, whose migration was often facilitated by older women relatives (notably grandmothers) supporting the care of their children in their absence. For example, one married participant explained:

“Before I migrated to Thailand, I worked as garment worker for almost 10 years while my husband worked as a construction worker. We lived together in Phnom Penh in a rented room and left all the kids with my mother at my hometown. [...] I sent some money to my mother to buy food for the kids, but it was not much.” (34-year-old woman from Cambodia)¹²

Gender, poverty and debt

Individual and household’s debt linked to poverty was identified as a crucial factor leading to decisions to migrate, with several relevant gender dynamics identified. A recent study in Cambodia highlighted that female migrants from Cambodia to Thailand were more prone to being in debt (38 percent of men and 43 percent of women), with this debt being a key factor for migrating (Dickson and Koenig, 2016).

Gender dynamics within the household also saw girls leave education early to support family income generation, which was supplemented by intermittent household debt and followed by migration to seek a better income:

“After I stopped my school, I started to help my mother and my older sister with farming and working in the plantation while my mother was busy with her logging activity in the forest, cutting wood to sell. The whole family only relied on the income from farm, plantation and logging but it was not enough for the family and when the family faced a food shortage my mother borrowed money from

other villagers to buy more food for the family and would return it back to them with high interest when we managed to sell crops. It was the usual strategy that my mother used for the survival of the whole family.” (23-year-old woman from Cambodia)

Family debt can have increasingly negative effects when a female family member becomes unable to work due to childbearing. This can leave the family in a highly precarious situation, including the lack of social protection and maternity benefits. As a girl survivor from Cambodia explained: “My family has debt and my mother did not have money to support the family after she delivered a new baby and could not work. So, I had to stop studying and find a job to help my family.” (17-year-old girl from Cambodia)

Interestingly, the need to meet family debt payments can also challenge and change gender norms around the engagement of girls and young women in paid work outside the household and locality. One survivor from Myanmar explained her situation: “I started thinking of working outside when my family had a heavy debt. I consulted my mom. She did not want me to work outside as I’m a girl. Finally, my mom had to agree as she also knows the situation.” (30-year-old woman from Myanmar)

Furthermore, trafficking can itself create debt, further exacerbating the economic precarity of trafficked persons and their families. Extreme poverty can lead families in Cambodia and Myanmar to be manipulated by traffickers, including being convinced to give their children to recruiters. These children, often girls, work for creditors through a system of debt bondage until they pay off their family’s debt (Davy, 2014: 794-802). Some trafficked persons also incur further debt to return home, as discussed further below.

Gender and household decision-making structures

There was a strong convergence in the gendered nature of household-level decision-making structures and autonomy over decisions to migrate across

12 See also this graphic visualization of the experiences of undocumented Cambodian Migrants and their families: <http://migratingoutofpoverty.dfid.gov.uk/files/file.php?name=precarious-migration-comic-rgb-web.pdf&site=35>

Cambodia and Myanmar. In sum, young men often take decisions to migrate on their own and do not seek permission from their families but nonetheless keep them informed, while young women more often made decisions with their family or had decisions made on their behalf by family members, although the exact decision-making structures vary depending on the household.

The differences and complexities in this gendered dynamic were demonstrated by participants from Cambodia. One trafficking survivor from Prey Veng reiterated the independence of his decisions and the subsequent agency he enjoyed, including to seek a better income in order to save and build his own future:

“I made a decision by myself and no one made a decision for me. When I heard about a job in Thailand, I contacted the broker by myself then I made the decision on my own. However, I spoke to my mother too. She asked me not to go but I did not listen to her. I have nothing to do at my homeland beside helping my mother for farming. I wanted to earn more money and save.” (25-year-old man from Cambodia)

On the other hand, several young women interviewed did not enjoy the same level of autonomy, as illustrated by a young survivor: “[My parents] did not consult with me. They just told me that we needed to go to Thailand to work.” In other families, parents did not initially want to send their daughters to Thailand and had to be reassured by the young women themselves: “My mother and father always consulted with me and my sister. Neither of them wanted me to go as they worried about my safety in Thailand. However, finally they agreed after I begged them several times.” (13-year-old girl from Cambodia) In this case, while the girl was able to influence her parents, she still had to await their consent to travel.

In Myanmar, while evidence suggested that young men can often make decisions to travel on their own and do not feel the need to seek permission from parents more broadly, patriarchal and age-specific decision-making within the household placed young women at higher risk of trafficking. As one 17-year old female survivor explained: “I was only nine years old when I went to Thailand for the first time for baby-sitting. My father is the one who decided I would go

[...] If a father wants his daughter to go there, she has to go. Right?” (17-year-old girl from Myanmar)

Evidence was also uncovered that some young women make plans for independent travel to Thailand in secret. This suggests a risk of isolation and lack of family contact and support if needed during their time away, as well as, in some women, a willingness to act against established gender norms and a heightened sense of personal autonomy. As one survivor explained: “We are poor. That is the main reason for me to migrate to Thailand. I want to give my mother huge amount of money [...] I think I was around 15 or 16 and I secretly organized my trip to Thailand together with two of my friends. We did not say anything about our trip to anyone from our household.” (21-year-old woman from Myanmar) Importantly, this quotation confirms that their decision is a result of extreme poverty in their families and that going to Thailand is seen as the only way to address this poverty, in the absence of closer options.

Gender and family composition

Family composition also had a bearing on trafficking risk. As discussed above, women increasingly have responsibility for family income which heightens their risk of being trafficked. While this relates to married women, particular risks were identified for female-headed households, orphans, and families following divorce. First, paid work and unpaid care work is particularly challenging in households headed by women, for example in which the father, husband or partner has either left or died (Samuels et al., 2018; Samman et al., 2016). Several accounts emerged of the daughters of women heading up a household ending up in a trafficking situation following an attempt to generate more income for the family. For example, in one case a widowed mother of a Cambodian trafficking survivor explained that she encouraged her children to migrate to seek work following the death of her husband to provide much-needed economic support to their large family. Another Cambodian survivor highlighted how migration to seek improved income creates a significant intergenerational unpaid care load – including childcare – for women at different stages of life. This is further exacerbated by poverty and a lack of income support through social protection and services including quality, accessible and affordable childcare services and old-age

pensions: “I have two siblings, two brothers and me. I am the youngest in the family. My father passed away and I only had my mother to take care of me when I was young but now, I need to take care of her as she is old. Recently she took care of all my kids while I migrated to work in Thailand or when I went to work in Phnom Penh with my husband.” (34-year-old woman from Cambodia)

Second, orphans in both Myanmar and Cambodia were found to be at particular risk of trafficking, as their family history and lack of familial support, as well as lower early investments in their development, notably education, are important drivers for migration that compounds the risk faced by young migrants. Furthermore, a Cambodian government official explained that children left by migrating parents may experience similar challenges to actual orphans: “This is also a problem for children who are left behind [when their parents migrate]; they might become like orphans if they don’t have any relatives to look after their care and education.”

Third, divorce can exacerbate women’s economic precarity and increase their risk of becoming trafficked. A survivor from Myanmar explained how, following an abusive marriage which ended in divorce, she was forced to migrate because she had no other means of generating an income for herself or her son – a challenge compounded by having to also support her elderly parents whom she moved back in with after her divorce. This quote highlights the role of non-married women in providing child and elderly care, and the limitations this in turn places on their mobility and ability to leave the home to seek economic opportunities – a challenge not felt so acutely by men:

“I’m 30 and am from Oo Son Taung. [...] I married when I was 19 [to a man from] San Pay Hla village. Our marriage only lasted 2-3 years. He was not able to earn enough money, and was abusive to me, beating me. I couldn’t stand it any longer and asked for a divorce. [...] I have one son, he is 9 years old and now attending grade 2. I’m taking care of him. We are poor. My parents are old and they cannot work. All my brothers and sisters also cannot support my parents. I live back with my parents now, the others live separately with their own families. [...] I help my

parents’ betel nut leaf growing.” (30-year-old woman from Myanmar)

Gender and geographic location of origin

Across both countries, the location of origin can increase the risk of being trafficked, with a lack of local jobs and limited access to services and information being key drivers. Those living in rural or remote areas, city slums or other low-income zones were identified as being most at risk, while evidence was mixed on the risk of those from border areas. Some studies highlight that the poorer economic opportunities increase risk in those areas, and others note that the concentration of efforts to raise awareness of trafficking in some border communities reduces risk.

Migration is an important coping mechanism driven by trafficked participants’ location of origin. For example, most participants from Myanmar come from rural areas, where there are few economic opportunities; farm work within the household is often not enough to meet their household needs. Geographic location of origin was found to intersect with gender, household structure and economic status to drive experiences of migration, and subsequently trafficking. For example, one girl survivor from Rakhine State, now 18, explained that as the eldest daughter the responsibility fell upon her to support the family, a female-headed household led by her mother, by migrating to seek paid employment for the first time due to a lack of employment opportunities in her rural region:

“I’m 18 years old and I have two siblings. [...] I passed grade 8. I was so happy attending school but did not continue as my mom could not afford it. My father left for Thailand when I was eight but the family never received any support from him. My mom works as casual labourer to support us. I was keen to help my mom by sharing her burden of the family since she has been struggling for us as single mother. I need to take care of her and take family responsibility as eldest daughter [but] there was nothing in the village except helping with household tasks. I want to earn money and support my mom and my brothers to be well-educated.”

Across the literature and this project's empirical findings the location of origin was often associated with perceptions relating to both gender and the sector into which trafficking took place. For example, as this NGO representative in Cambodia explained: "trafficked persons from Prey Veng, Kampong Thom and Seam Reap provinces are generally male trafficked persons and most are trafficked to into the fishing or construction industry." Another key informant from a UN agency explained: "Kampong Cham, Tbong Kmum and Kratie are the source provinces of female trafficking, especially for bride trafficking and domestic work." (UN agency representative, Cambodia) However, the different focus of these professionals' quotes is indicative of differing focuses of their organizations, with the overall bigger picture, backed up by robust data, remaining somewhat opaque.

According to literature, the Dry Zone of Myanmar, which includes the central regions of Magway, Mandalay, and southern Sagaing, is a major trafficking area that connects cross-border trafficking routes to minority populations in Myanmar (Kurima, 2017: 113). One NGO staff member also pointed out regional differences within the country, highlighting that both experiences of trafficking and that perceptions of what constitutes an acceptable means for women to earn an income, and hence the sectors into which they may be willing to enter, differ significantly among different community members, including women themselves:

"It is different from one place to another. In eastern Shan State for example in Kyain Ton and Tarchilate, brokers frankly tell women and girls that they will be working as sex workers including how many clients a day. [...] It is due to the culture. Women/girls and community in eastern Shan perceive that working by using their body, including for sex work, for the family's wellbeing is good. In other parts of Myanmar, brokers cheat people. They were not told that they will be working in the sex industry and fishing boats." (NGO representative, Myanmar)

Experiences of violence and abuse

Gender-based violence is pervasive globally, including in focus countries, and was a significant recurring element of survivors' trafficking experiences. Family

and intimate partner violence, notably domestic violence and abuse, is a key driver of women's migration, as documented by several female participants from across Cambodia and Myanmar. This corroborates another review focused on the region in which one in five participants reported having experienced physical or sexual violence before migrating (Kiss et al., 2015: 2).

Violence and abuse were also mentioned by several key informants as crucial factors as to why women migrate, noting that many wish to escape a double victimization of being abused by the perpetrator, and of subsequent discrimination in their community if their experiences become known. As one representative of a UN agency explained: "Some groups of women are vulnerable to trafficking, such as the survivors of domestic violence, rape and abuse. This group of women want to escape from violent situations in the families and the discrimination by the community as they survived rape or abuse." (UN agency representative, Phnom Penh, Cambodia)

Violence at the hands of extended family also served as a driver for girls to migrate; two orphaned survivors from Cambodia highlighted such experiences, as one 15-year-old girl survivor explained while recounting her experience: "I left the family because I couldn't stand the abuse from my auntie. She was always abusive to me, such as cursing me when I could not do the housework well or raising the pig well. Sometimes she beat me too. She tortured me several times, and then I decided to run away." Hence in this case, migration serves as an escape route for orphans and other at-risk young people who live in difficult domestic contexts in Cambodia.

Experiences of ethnic minorities

In Myanmar, both the literature and empirical findings pointed to belonging to an ethnic minority group as creating a significant risk of trafficking; which often intersects with gendered forms of marginalization.

Ethnic groups such as the Rohingya, Rakhine, Shan, and Kachin communities have an increased risk of trafficking due to being disproportionately impacted by conflict, human rights abuses including gender-based violence and rape as a tactic of war,

and displacement, as well as their overall lack of recognized citizenship status, restricted freedom of movement, and limited access to documentation, information, services, land, and livelihoods (Han, 2017; United States Department of State, 2017). Other reviews have identified that migration from Myanmar to Thailand is particularly common for Mon, Shan, Karen, Rohingya, Rakhine Kokang, and Bamar people (Kurima, 2017: 111-112; United States Department of State, 2018).

Links between ethnic group and the sector to which victims are trafficked emerged clearly, with their geographic place of origin at times also playing a role in determining their destination. For example, it has previously been reported that ethnic Karen, Shan, Akha, and Lahu women are trafficked for sexual exploitation in Thailand, and ethnic Kachin women are trafficked over the border from Kachin State to neighbouring China for forced marriage, motherhood and surrogacy (Barr, 2019; United Nations Office on Drugs and Crime, 2017: 109-118; Kurima, 2017: 113). A civil society leader interviewed for this review also perceived links between gender, ethnicity and labour sector. This reiterates the gender segregation in the garment sector created and reinforced by employers' assumptions around possible aggression and collective voice of men, which simultaneously reveals perceptions of women as easier to control and more docile:

“Karen women can be found in shopping mall stores, fuel stations or restaurants, Rakhine women are in garment factories. [...] The factory mostly hires women [...] They don't want to hire men due to drug issues, fighting each other, and [because they might strike].” (NGO representative, Myanmar)

In addition to influencing the sector, ethnic and gendered tensions shape experiences and can directly lead to discrimination. As one trafficking survivor from the Karen division explained: “I am labelled as *Kalar*¹³.... Even with [worker documentation], I was publicly discriminated against due to my ethnicity. [Employers] would ask what my racial background was and would question me ruthlessly when I tell

them that my father is Karen and my mother is Hindu.” (43-year-old woman from Myanmar)

Conflict

While some literature discusses instability as a cause of migration, there is little discussion of the relationship between conflict, migration and trafficking in the Greater Mekong Subregion in an explicit way. Nonetheless, the review uncovered the role of conflict as push factor, notably in the context of Myanmar. Conflict in Myanmar contributes to migration to Thailand and other neighbouring countries, particularly for ethnic minorities subject to political persecution, violence, and displacement (Jayagupta, 2009: 235; Kurima, 2017). It has been noted that children are trafficked to serve as soldiers and adults for labour exploitation, especially in ethnic minority areas (Kurima, 2017: 115). Recent estimates suggest that 106,000 people have been displaced by conflict in Kachin and northern Shan states, and at least 150,000 people are displaced in Rakhine state. This displacement and subsequent economic hardship make these communities vulnerable to trafficking (United States Department of State, 2018).

The crises in Kachin, Northern Shan, and Rakhine exacerbate pre-existing gender and social inequalities. In Kachin, women have frequently become the sole family breadwinner following men's departure to participate in combat, and many have migrated, notably to China, to seek work in the face of limited local opportunities, while others end up trafficked for marriage (Barr 2019). The conflict has also exacerbated high levels of gender-based violence and restrictive norms for women and girls. These restrictions limit their ability to access humanitarian services and participate in public life (Myanmar Humanitarian Coordination System, 2019: 3). Women and children make up 76 percent of populations displaced in camps in Kachin and 78 percent in Northern Shan (ibid.). Across all three regions, sexual and gender-based violence, lack of access to economic resources and livelihoods, and restrictive gender roles leave women particularly marginalized (ibid.). While no participants of this review alluded to conflict as a

13 *Kalar* is a Burmese term for a native of the Indian subcontinent which has been widely used as a pejorative ethnic slur; in this scenario, it carries a derogatory connotation, discriminating the victim for the dark tone of their skin.

major push factor affecting them, a representative of an NGO identified this as an important push factor in conflict-affected areas of the country: “After the coup in 2015, the number of documented migrants increased, but they cannot extend their stay after [their documents] expire. So most are undocumented at this moment, especially on agricultural farms.” (NGO representative, Myanmar)

There was also some evidence of the legacy of conflict as a push factor in Cambodia, as in the case of this widow who encouraged her children to migrate:

“I am a widow. My husband died when he was asked by the Government of Cambodia to join the troops clearing the forest during the civil war between the Cambodian government and Khmer Rouge along the border between Cambodia and Thailand. After he passed away, it was really hard to survive with my three kids, two sons and one daughter.” (65-year-old woman from Cambodia)

Migrant worker status

There is a distinct difference between migration and trafficking, although the two are close and linked in many ways. Several key Thai industries experience a labour shortage, and migrant workers from Cambodia and Myanmar travel to Thailand in search of better wages and the ability to send money to their families, with some becoming trafficked by employers and recruiters, or brokers, some of whom operate illegally (Napier-Moore, 2017; Bergbom, 2015; Environmental Justice Foundation, 2013) (See Box 2 for further discussion on legal and illegal recruiters).

The risk of migrant workers in the Greater Mekong Subregion being trafficked is exacerbated for women, ethnic minorities and young workers, as well as those who have undocumented migration status (Marks and Olsen, 2015: 113-114). The undocumented status of migrants from Cambodia and Myanmar in Thailand, the migrants’ lack of knowledge about their rights, fear of seeking support and of deportation, language barriers, and limited access to authorities or people outside their workplace contribute to risk. Indeed, foreign migrants, ethnic minorities, and stateless persons in Thailand have been identified as being at the greatest risk of being trafficked (UN-ACT, 2014c). In addition, many adult

victims of sex trafficking from Myanmar to Thailand are believed to have moved somewhat voluntarily to work in the sex industry and wanted to escape poverty, earn higher wages, and support their families through remittances, but were exploited in Thailand (although others were coerced or unknowingly entered the sex industry) (United Nations Office on Drugs and Crime, 2017: 119).

In some cases, risk has been created by policy decisions, including in female-dominated sectors. A key example of this has been documented following the 2014 Myanmar ban on migration for domestic work and the 2011 Cambodian suspension on migration for domestic work to Malaysia, which served to increase the number of domestic workers with undocumented migration status. In both contexts recruiters continued to operate but with less official scrutiny, which increased the risk of women being trafficked as a result of a cessation of pre-departure training and increase in deceptive practices including contract substitution (whereby recruiters told workers they would work in a different sector such as factory workers) and being frequently moved between pre-departure sites to avoid detection. Furthermore, survivors of trafficking in the domestic work sector had reduced recourse to complaints mechanisms as their engagement in domestic work was prohibited (Napier-Moore, 2017).

One key reason for challenges in travelling legally can be a lack of documentation of official citizenship status and other necessary travel documentation, and women may have a more difficult time accessing documentation than men. For example, in Myanmar, people from remote and rural areas have greater difficulty accessing citizenship documentation because of their distance from authorities’ offices, and they often have limited access to information about the process for applying for citizenship documentation. Additionally, people who live in conflict-affected areas also often have difficulty accessing citizenship documentation, as displacement may make it dangerous for them to try to obtain information about their family’s citizenship status (Norwegian Refugee Council et al., 2018: 18). In Myanmar, both men and women experience challenges accessing citizenship documentation, but women often have greater difficulty, due to factors including: “access to information and

contacts; ease with which women in Myanmar can obtain supporting information and file applications; the preference by families to obtain documentation for men over women in the households; and the implementation of laws that prohibit polygamy and regulate marriage between Buddhist women and non-Buddhist men.” (UN Women, UNHCR, Norwegian Refugee Council et al., 2018: 20) For single mothers, especially widows, their low status in Myanmar creates additional challenges for them in approaching authorities to obtain documentation (UN Women, UNHCR, Norwegian Refugee Council et al., 2018: 23). These issues heighten the risk of being trafficked of those without citizenship documentation, and should a trafficked woman return to Myanmar as a single mother the child risks being stateless if she is unable to provide evidence of the identity or citizenship of the child’s father, therefore compounding the challenge over generations (UN Women, UNHCR, Norwegian Refugee Council et al., 2018: 21).

Critically, none of the trafficking survivors from Cambodia interviewed for this review migrated through regular migration channels, meaning their migrant status was always precarious. The difficulty of navigating the official process and cost associated with obtaining travel documents in their home country and work-related documents in Thailand are likely to pose significant barriers. Estimates indicate that undocumented migration is far less costly in financial terms for migrants than taking the official route (United Nations Office on Drugs and Crime, 2017). However, while empirical data did not indicate whether women are more likely than men to lack all

of the documentation required to migrate and work legally in Thailand, the high costs associated suggest that women may have more difficulty than men in obtaining the required paperwork given their disproportionate access to economic resources.

A range of means by which undocumented migration took place were identified, with use of irregular or false documentation a common theme. Some informants used fake documentation and/or other types of inappropriate entry permits and so-called passports provided by informal recruiters which were used to cross the border at official crossings and then confiscated by the same recruiters or other agents. It was unclear what share of the participants may have had to resort to these means as a result of a lack of citizenship status or passports, or because they lacked work permits. Others walked through mountains and forests for several hours to cross the border safely because they did not have any documentation or work permits to cross the border into Thailand via a checkpoint. Others took visit day passes to enter Thailand and then overstayed their permits and were asked by informal recruiters to lie at border checkpoints to make them appear as regular migrants. Some participants’ employers took survivors on the pretext of providing them legal documentation when they started work and settled into working life in Thailand, but this never became a reality. Therefore, this review confirms that migrant workers fear arrest and deportation, and thus are more subordinated to employers, who may threaten to report the workers if they do not comply with exploitative conditions, which makes reporting and escape more difficult (Napier-Moore, 2017: 51).

BOX 2

Legal and illegal recruiters

The formal labour recruitment system in Thailand can be complicated, time-consuming, and expensive, meaning many migrant workers seek the assistance of both formal and informal recruiters to facilitate travel and accommodation and make introductions to employers. It is important to note that there are many licenced recruitment agencies and other formal recruiters who wish to – and actively work to – eliminate the exploitation, abuse, violence and other labour rights violations which characterize the trafficking of women migrant workers. As the first point of contact for many migrant workers they have a vital role to play in ensuring gender-responsive and decent work throughout the recruitment cycle, by providing information, facilitating safe and legal passage and placement, and providing legitimate contracts, and monitoring the situation of migrant workers during employment, among other roles (UN Women and IOM, 2019; UN Women, 2018).

While recruiters can play positive roles in migration experiences by connecting migrants to appropriate work, there is also strong evidence that recruiter involvement in the recruitment or transportation processes is associated with higher levels of trafficking (Baker, 2015). Recruiters can play a direct role in facilitating trafficking or act themselves as trafficker. In one study, one third of the participants reported that brokers or recruitment agents were responsible for leading them into their trafficking situation (Zimmerman et al., 2014). The adept communication skills and strong power of persuasion of many illegal recruiters towards trafficking victims was also evoked during interviews.

Much trafficking in the Greater Mekong Subregion is opportunistic and facilitated by individuals and networks known to the victim (Devine, 2009). Often traffickers share the background, country of origin, language, ethnicity, or religion with the victims, making it easier to gain their trust (Kurima, 2017; UN-ACT, 2014c). In some cases, recruiters were once migrant workers themselves (United Nations Office on Drugs and Crime, 2017: 93-94). While participants interviewed for this study did not discuss the gender of recruiters in detail, nor indicate if the gender influenced their decision to engage their services or experiences with them, other research discussed in the wider literature has found that both women and men can be traffickers. Poverty and familial responsibilities have been identified as a driver for some women to become perpetrators by earning money as a trafficker, in a social phenomenon that has been dubbed the “feminization of the global circuits of survival.” (Keo et al., 2014: 212)

There is some evidence that gender has some influence over a person’s decision to use a recruiter and the risks they experience during their border crossing. Evidence on the intersection between gender and brokerage in relation to Cambodia is mixed; it has been asserted that Cambodian women have a lower risk of being deceived, exploited, and trafficked to Thailand than men because they are less likely to employ recruiters to find work (United Nations Office on Drugs and Crime, 2017: 29-33). Yet others suggest that it is the profile of the trafficker that differs; women and girls are often trafficked by acquaintances, friends, or relatives and who provide false information regarding potential employment, leaving women and girls particularly at risk of exploitation once they arrive in Thailand (Jayagupta, 2009: 235).

This review also uncovered that recruiter methods are changing, as online recruiting becomes more common. As a civil society representative explained: ‘As new trend, the brokers use the internet. We found one recruitment advertisement, aimed at women. We suspected [it was for trafficking] as we know that the factory mentioned in the advertisement no longer exists.’ Relatively little is known about the role of the Internet in facilitating trafficking, although some have argued that online traffickers may more easily be able to deceive women from rural areas who may not be computer literate (Global Alliance Against Traffic in Women, 2019). Therefore, this is clearly is an important area of future investigation, which could focus on the effects of entrenched gendered digital divides to explore the implications of digitally-facilitated trafficking on women and girls.¹⁴

In addition, two potential push factors were identified, namely climate change and natural disasters, and transnational organized crime, for which

gender analysis remains scarce, but where further investigation might be warranted and productive.

¹⁴ For example, new data identifies a 15 percent gender gap in mobile ownership and 39 percent mobile internet use gap, both in favour of men, in Myanmar (GSMA, 201

Climate change and natural disasters

The literature review identified a few articles focused on Cambodia that discuss climate change and natural disasters as a driver of migration, but did not identify literature focused on the Greater Mekong Subregion which specifically links these issues with trafficking. This reflects the situation that globally, there is a lack of focused evidence about the nexus of climate change and trafficking, even though a relationship is likely to exist given that both slow-onset and rapid-onset disasters can cause displacement, increased debt, and poverty, which are associated with human trafficking. Climate change increases the risk of natural disasters and creates resource scarcity, meaning that in combination with the related trends already happening in the region, the risk of trafficking of those in affected areas can be increased (International Organization for Migration, 2016: 3).

Natural disasters such as floods and droughts destroy harvests and livelihoods, and this has been particularly prevalent in Cambodia. Flooding is common along the Mekong, especially during monsoon seasons, which causes internal displacement and provides incentives for migration. Deforestation in Cambodia can lead to environmental degradation and a higher risk of flooding and mudslides, which also contributes to the desire to migrate (United Nations Office on Drugs and Crime, 2017: 28; UN-ACT, 2014a). In previous studies, agriculture was the most common pre-migration occupation (Zimmerman et al., 2014: 3). Before migrating, most respondents, both men and women, were subsistence farmers (Baker, 2015: 16). Interviewees participating in this project also confirmed that agriculture was not proving productive or profitable enough in Cambodia, driving them to seek opportunities in Thailand, sometimes via more urban areas in Cambodia. Initial attempts have been made to identify and mitigate the gendered effects of climate change in Cambodia. Particular adaptation challenges facing women and children have been identified, stemming from women's lesser access to financial resources, land and natural resources, credit and financial information, as well as women's domestic responsibilities to secure water, food and energy for cooking and domestic work which increased drought, uncertain rainfall and deforestation

make more difficult (Ministry of Women's Affairs 2014). Yet the link between these challenges and trafficking of women and children has been less explored in Cambodia.

Similarly, in Myanmar some evidence of natural disasters as a push factor emerged, as this older informant recalled: "In 1997, there was flood in our village due to a dam breaking which affected the whole village including our family. My father left the family and had a second marriage. We had a bad time in those days. [...] After the flood our family's economic situation got worse. My father did not pay attention to the family business, and he didn't share his income with us because of his other wife. Only my mom was doing business for the family, she became the breadwinner of the family. All our family's properties were gradually going down. My elder brother left for Thailand without informing the family as he didn't want to live here anymore. [After the flood] some people in the village were working in Thailand. They went there the informal way, not formally and not with proper documents."

Despite this emerging evidence, pinpointing the exact link between gender, climate-related change and trafficking requires further investigation, in particular given the possibility of increasingly acute effects of climate change and associated natural disasters becoming a growing push factor in the years to come.

Transnational organized crime

Human trafficking globally is often connected with transnational organized crime. Human trafficking may also be a tactic of terrorist groups, used to spread ideology, intimidate populations, institutionalize violence, and incentivize recruitment (Counter-Terrorism Committee, 2018). It is worth noting that there is some disagreement in the literature about the role that transnational organized crime plays in trafficking in the Greater Mekong Subregion. Davy (2014: 796-797) argues that organized criminal networks of traffickers have played an instrumental role in the globalization of trafficking related to the sex industry. Jayagupta (2009: 228) argues that when migrants turn to illegal means to migrate, criminal networks often facilitate border crossing (*Memorandum of Understanding, Greater Mekong Subregion*, 2004). However, other authors argue that

there is little evidence that criminal organizations are involved and that traffickers are more likely to be individuals known to the victims or loose networks (United Nations Office on Drugs and Crime, 2017: xi and 77; Devine, 2009: 86). No data emerged around this theme during this project's interviews, with findings instead corroborating the literature which identifies victims' acquaintances, or recruiters or brokers, as key intermediaries in trafficking. However, given the current evidence base is inconclusive, additional more focused investigation may shed further light on this matter.

In addition, both the literature review and empirical findings provide evidence of a range of pull factors towards Thailand, with evidence emerging that specific pull factors intersect with gendered dynamics most strongly in relation to labour demand at destination. However while further pull factors (aspirations and expectations, success stories, family members already at destination) were identified in both literature and by participants during this review, the gender dynamics in relation to these remained unclear and as such these are presented only briefly.

Demand for labour

As economic development takes hold, migrant workers, particularly those with low education levels and in low-wage employment, can help improve the outcomes of nationals of the destination country. In Thailand, for example, immigration has helped to reduce the share of native-born workers in vulnerable employment and increase their presence in waged and/or formal employment (Mallett, 2018). However, many migrants face significant challenges and risks when arriving in a new environment, which are exacerbated when people arrive without full migration documentation, including asylum channels. Research shows that those arriving without documentation tend to find themselves in some of the most exploitable situations within the destination labour market (International Labour Organization, 2014; Khatri, 2007).

Thailand's economic development relative to Myanmar and Cambodia (as well as other poorer neighbouring countries and regions, e.g. Yunnan province in China and Laos) plays a prominent

role in individuals' choice to migrate to Thailand (Jayagupta, 2009: 234-235).

Thailand has a high demand for labour, particularly in the commercial fishing sector, and labour-heavy industries such as the garment industry, food production and construction have become reliant on migrant workers (Environmental Justice Foundation, 2013: 4; Han, 2017: 112). This review revealed a strong convergence between the literature and participants' reports concerning the gendered patterns around sectors into which people are trafficked; men and boys are more likely to be trafficked into the fishing industry, construction, and manufacturing industries in Thailand, while women and girls are more likely to be trafficked into the sex industry, domestic work, hospitality, retail and certain manufacturing sectors, notably the garment industry (United Nations Office on Drugs and Crime and the Thailand Institute of Justice, 2017: i). In particular, migrant women's labour fills gaps in public social protection and services through providing paid care and domestic work to families, including as public care systems for children, older people and others in need have been inaccessible to many or non-existent (Harkins, 2019, International Labour Organization, 2018b).

However, some literature also highlights that gendered sectoral divides are not entirely rigid. For example women are also trafficked into certain occupations in the fishing industry (such as fish processing) and can suffer violence and underpayment of wages in the construction sector (Napier-Moore, 2017).

Likewise, trafficking of children is driven by the demand for the products or services produced through children's labour, and globalization leads to a greater number of foreigners traveling to Thailand for the sex industry, fuelling trafficking of girls and women for sexual exploitation (Davy, 2014: 802-805). Key informants concurred. When discussing trafficked people from Cambodia, a Government official in Thailand explained: "In general, men are mainly trafficked in the fishing industry, and women are engaged in sexual exploitation. Children instead are sent to beg on the streets of major cities." (Government representative, Bangkok, Thailand)

Aspirations and expectations

Aspirations and expectations for a better life are a major pull factor, whether materially, in working conditions or in terms of their wider lifestyle. Many participants were looking for higher income, ability to send remittances and/or save, and pay off debts. Several explained that their expectations around higher income after migration to Thailand was a crucial pull factor for them. One woman survivor from Myanmar currently living in Thailand related her expectations to being able to provide for family members: “I do have expectations. My expectation is to be rich and to support my younger brothers and sisters so that they can continue education, they cannot be like me and stop their education.” (38-year-old woman from Myanmar) Perceived improvements in daily living conditions also acted as a major draw, as this civil society representative in Thailand explained: “The accessible lifestyle in urban areas here in Thailand is also one of the factors pulling people, especially young men and women.” (NGO representative, Myanmar)

Success stories

It emerged clearly that Cambodian and Myanmar diasporas and social networks in Thailand encourage emigration, with “success stories” from friends and family members as well as the wider local community operating as a major pull factor. This is backed up by visible material benefits – for example remittances sent by migrants working in Thailand further provide “success stories” that facilitate further migration (United Nations Office on Drugs and Crime, 2017: 17 and 109), as well as returnees who came back in a better financial position before leaving. As a female survivor from Prey Veng, Cambodia explained: “I decided to migrate to Thailand because I saw that many people in my village could earn more money to build a house and buy agricultural land. I wanted to earn more money like them.” (34-year-old woman from Cambodia)

In addition, illegal recruiters play a crucial role in creating “success stories” and expectations amongst migrant workers which operate as pull factors – with challenging economic environments in locations of origin meaning that they may find it relatively easy to create a narrative of better opportunities

elsewhere. As this UN representative told us, the idea of a “highly paid job in Thailand plays a very critical role in pulling many Cambodian migrant workers into the trafficking situation, as most of the traffickers will use [success stories] as the trick to recruit worker to work in Thailand.” (UN agency representative, Cambodia)

In some cases, such success stories are well-founded – in a series of surveys, Baker shows that migration for employment often improved the living and working conditions of migrants from Cambodia working in Thailand (Baker, 2015: 55). Yet it can be hard to distinguish the good experiences of migration - which undoubtedly occur - from bad, and “success stories” circulating in communities can also go unquestioned (at least overtly), which can contribute to them following and ending up being trafficked. A UN representative explained: “People just see when their peers from the village send remittances. But they don’t examine whether those working in Thailand are really okay. They don’t try to understand the formal system for safe migration, they are not afraid of taking risks.” (UN agency representative, Myanmar)

Family members already in Thailand

The presence of family members already in Thailand was identified as an important pull factor, notably among those from Myanmar. These networks assist in getting jobs and accommodation when during the migration process, for example in the case of one survivor from Myanmar currently living in Thailand who received family assistance: “My elder brother has been working in Thailand and he became manager of the factory.” (38-year-old woman from Myanmar)

Likewise, for younger participants, the aspirations for higher incomes and (what turned out to be) mistaken perceptions around an abundance of opportunities in nearby countries created by family members also contributes as a pull factor. As a survivor from Rakhine State explained: “My cousin told us that there is work in Malaysia waiting for us. She said that we can work at the restaurants and salary would be 1300 Ringgit [310 USD]. She said that I can save 400,000 MMK [260 USD] a month. If we both work we can save 800,000 [520 USD], that’s what I was expecting.” (28-year-old man from Myanmar)



6. PREVENTION OF TRAFFICKING

Key messages

- A range of approaches to preventing trafficking were highlighted, spanning policy and programming. However, while some positive advances can be identified, such as improvements in national coordination mechanisms in Cambodia, significant gaps remain.
- Even where policies take gender into account, implementation often remains weak. Gender awareness is often lacking within agencies working to prevent trafficking and attempts to take gender into account are often ad-hoc or superficial.
- The focus of many of the approaches to preventing trafficking identified on individual-level vulnerabilities does not sufficiently respond to the structural and gender-specific sites of marginalization and push/pull factors which heighten risk of trafficking, limiting the effectiveness of many established policies and programmes.
- The effectiveness of efforts to prevent trafficking will remain limited without a comprehensive and gender-responsive approach focused on tackling the socio-economic drivers of trafficking.

Prevention forms a core pillar of the Palermo Protocol – notably Article 9 (see Box 3). This section explores whether and how prevention has been operationalized and the extent to which implementation is gender-responsive, while shedding light on the key partners involved. This review found that much of the existing literature focuses on the vulnerabilities of women and girls who have been

trafficked. Therefore, it aims to add to the existing evidence base by considering the effectiveness of current approaches to assistance in this area, as well as exploring whether the prevention measures currently being prioritized across Cambodia, Myanmar and Thailand are responding effectively to gendered forms of marginalization and the push/pull factors identified earlier in this report.

BOX 3

Palermo Protocol Article 9 - Prevention of trafficking in persons

Palermo Protocol - Article 9. Prevention of trafficking in persons

1. States Parties shall establish comprehensive policies, programmes and other measures:
 - (a) To prevent and combat trafficking in persons; and
 - (b) To protect victims of trafficking in persons, especially women and children, from revictimization.
2. States Parties shall endeavour to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons.
3. Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with NGOs, other relevant organizations and other elements of civil society.
4. States Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.
5. States Parties shall adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

6.1 Legal and policy measures

Many of the legal and policy measures discussed during KII interviews can be seen as falling under Article 9 of the Palermo Protocol, which is focused on the prevention of trafficking in persons. Notably, communications efforts, multi-stakeholder cooperation, and bilateral or multilateral cooperation was highlighted. This can be seen as an encouraging sign that the framework is being implemented and is serving as a guide for measures to tackle trafficking. Critically, though, gendered policy analysis and gender-responsive implementation remains fairly weak throughout. Significant gaps remain, notably around tackling the structural causes of trafficking, including “poverty, underdevelopment and lack of equal opportunity” mentioned in the Protocol and tackling the demand that leads to trafficking – and in responding to many of the gendered sites of marginalization and push/pull factors explored in Chapter 5. Country-specific findings are discussed in turn.

Cambodia

There was very little reflection on gender in relation to trafficking policy among key informants, either with regards to the gender-responsiveness of policies themselves, or in their implementation. Some key informants linked prevention to the gendered factors contributing to individual-level vulnerability to trafficking, including push/pull factors such as sectors in Thailand which might be particularly perceived as providing opportunities for men or women (e.g., fishing for men, and the garment or sex industry for women) – however few links were made to implications for prevention policy. Only one government official discussed this, noting that women and children used to be prioritized in the national anti-trafficking framework, but that there had been moves towards the equal prioritization of men, women, and children in recognition of men’s vulnerability to trafficking. The overall lack of critical understanding and discussion of the concept of gender and its relationship with the root causes of trafficking – and how tackling these root causes could prevent trafficking – can therefore be identified as a critical barrier to ensuring a gender-responsive approach.

Instead, most of the discussion focused on the role and implementation of operational mechanisms. Most of the focus of discussion around prevention policy in Cambodia was focused around the national-level, with – as noted above – less focus on sub-national-level mechanisms, or on regional frameworks. While a few key informants discussed regional cooperation on trafficking, this tended to only be among organizations that work on both sides of the border, who mentioned the MoU between Cambodia and Thailand, a new Special Operational Procedure to be adopted by Cambodia and Thailand to make repatriation easier, and ASEAN anti-trafficking framework was also referenced.

In Cambodia, most respondents from the government and the UN agreed that Cambodian laws and frameworks on trafficking have historically been good, with the key national initiatives mentioned were the National Action Plan to Counter Trafficking in Persons (NAP), and the National Plan of Action to End Violence Against Women 2019-2023. However, the NAP expired in 2018 and its successor was still under development, leading to concerns among key informants about gaps and a loss of momentum in trafficking-related initiatives started or built on under the old NAP.

Many respondents felt that the national coordination mechanism for combatting trafficking was relatively coherent, with many specifically referencing the National Committee to Counter Trafficking in Persons (NCCT) as the lead entity. However, they felt the NCCT operates mainly at national level and there was less discussion of localized coordination and effectiveness of responses, for example at district and commune level (although there was some evidence that district-level initiatives are emerging). Members of the NCCT actively involved in policy development, implementation and monitoring were also mentioned, notably the Ministry of Social Affairs, Veteran and Youth Rehabilitation; Ministry of Labour and Vocational Training; and Ministry of Women’s Affairs, along with various NGOs and civil society members also engaged long-term as part of the wider NCCT stakeholder group. As a UN representative explained:

“From my point of view, the current legislation in place is enough to prevent and facilitate the

reintegration of survivors of human trafficking. For example, the government of Cambodia formed the National Committee to Counter Trafficking in Person to facilitate and coordinate the action against human trafficking. It is a national body that has the power to coordinate all the other ministries' work. Cambodia has laws on suppression of human trafficking and sexual exploitation that is focusing on criminalization the offence of trafficking, national policies to counter trafficking, ID guidelines and other relevant documents. So, to me, I think it is enough." (UN agency representative, Phnom Penh, Cambodia)

One of the most common responses concerning gaps in implementation was that while the NCCT and Cambodian legislation are sufficient, the NCCT requires funding and implementation support. This sentiment spanned government and institutional respondents, signalling that awareness of the deficiencies is fairly well established. A Government representative explained:

"For me, the current legislative framework is enough to prevent human trafficking and to facilitate reintegration. However, my main concern is about implementation. [...] Challenges include knowledge about the regulatory framework among law enforcers, the commitment and willingness of law enforcers to act, and lastly financial resource to implement. I can raise one example of my Ministry, even the government allocated some budget to this work but it was not enough for us to operate nationwide." (Government representative, Cambodia)

A UN representative reflected these thoughts, also adding that participation from trafficked persons the communities affected in policy processes is limited:

"It is a big challenge, when asking about the implementation. In Cambodia, there are laws and policies in place to counter trafficking in persons, but the problem is the implementation of those regulations. There are too many barriers to implementation, first, the capacity of law enforcers and duty bearers is limited both due to human resources and financial capacity to implement the existing regulations. Secondly the political commitment from the government means that many trafficking actions in

Cambodia rely on donor funds, and lastly there is limited participation from the community and trafficked persons." (UN agency representative, Phnom Penh, Cambodia)

One of the biggest gaps to effectiveness highlighted was the piecemeal nature of policy implementation, with some elements of policy prioritized for implementation above others, as discussed further below. Furthermore, short-term funding modalities were identified as a particular challenge by a Government official, with progress being undermined by project-based funding:

"I think the implementation of the existing law and regulation is not good enough yet. The dissemination on the information on the law and regulation to the communities is still insufficient. The awareness of the local community is very important in decreasing the risk of unsafe migration. Many organizations [work to raise awareness]. But when their project ends dissemination in the local community is very limited." (Government representative, Cambodia)

It is clear that going forward, there is a huge opportunity to ensure that the strengths to date are built on, for example the reasonably strong coordination mechanism recognized by key informants and also in the recent mid-term review of the NCCT (Kingdom of Cambodia, 2017). There is also a critical window of opportunity with the development of the new counter-trafficking NAP to establish a strongly gender-responsive approach among the various entities working in this field. However, the effectiveness of this in preventing trafficking will rely on ensuring the new NAP is firmly focused on the gendered root causes driving trafficking in the first place as identified in Chapter 5 – a focus lacking in current policy discourse around prevention in Cambodia.

Myanmar

Similarly to Cambodia, discussion of prevention policy among key informants was largely focused on processual aspects relating to policies in place, with little analysis of their gendered implications. In Myanmar national policy was discussed in far less detail than in the Cambodia context, with regional cooperation – notably the MoU signed between

Myanmar and Thailand - emerging far more strongly as the key policy modality among respondents speaking about Myanmar. However, most respondents felt that the MoU is ineffective in practice, that it is a slow process for allowing legal migration, and that it has not reduced trafficking.

Yet a lack of effective monitoring and comprehensive data mean that understanding of changes in trafficking often relies on the experience and perceptions of those working on the ground. In some cases, respondents were cognisant of gender- and age-related dynamics of trafficking, but this was rarely led to concrete discussion of how challenges could be tackled in a gender-responsive way. For example, while one representative of an international organization noted a lack of data and identified young women and men as likely to be trafficked, this was not translated into proposals around how the problem could be tackled, for example through the routine collection of sex-disaggregated data by all agencies involved in monitoring and responding to migration and trafficking:

“Trafficking to Thailand is not that much different from the past. What’s new is having an MoU between the Thai and Myanmar governments. I would say that trafficking to Thailand still exists but is not much more increased. However, we don’t have data and reliable sources of information to tell you exactly the prevalence of trafficking. But you can see that there are no young women and men in Myeik, Kawthaung, etc. You can only see old people and children.” (International organization representative, Myanmar)

Some respondents gave details about the different types of policies and agreements that shape how migrants move, whether with or without documentation. Chief among those mentioned was the certificate of identity (CI), a document introduced in Thailand in 2017 for Myanmar migrants proving that they are citizens of Myanmar. Challenges in implementation for migrants have been documented extensively in the literature (and media) and include lack of understanding about official processes (and how to navigate them) following frequent changes

in migration policy in recent years, lack of information including as a result of updates not being made available in the language(s) spoken by migrants, inconveniences of reporting every 90-days to the immigration office, being exploited by agents regarding documentation, and problems concerning wages (Burma Human Rights Network, 2019; Chandran, 2018).

Other initiatives ostensibly supporting safe migration were also discussed, including the Article 64 document which facilitated movement for those who live in a household registered in Myawaddy and work in Mae Sot.¹⁵ However, participants raised concerns that employers prefer workers to have the Article 64 documentation, as it means they have fewer obligations such as paying taxes and other contributions on their behalf – but that this leaves workers in a more precarious situation as it confers little legal status or social protection entitlements on workers (see Box 4 Case study on the experiences of trafficking survivors from Myanmar with different forms of documentation). As these NGO representatives explained:

“Employers like Article 64 as they have less responsibility. Those who hold 64 cannot hold driving license, cannot buy a motorcycle, cannot have a bank card, and their mobility is strictly prohibited. [...] Benefits and contributions cannot be expected as it does not cover social security, and there is no benefit for child bearing. [...] By holding 64, both workers and employers can avoid paying tax, so, the employer lures worker to change the document type. Since the workers don’t understand and cannot see strategically, they change to 64. Again, the official fee for getting the 64 is around 30000 MMK [19,50 USD] but the employers usually charge 60000-70000 MMK [39-45 USD]. The C.I costs 300 Baht [9,30 USD], but workers now are paying 8000-10000 Baht [248-310 USD].” (NGO representative, Myanmar)

“By releasing Article 64, it makes migrant workers more vulnerable. Those who used to have the CI lose their rights to a bank account, health insurance, driving license and it diminishes their labour rights). On the other hand, the law gives an advantage to

15 Section 64 of the Royal Ordinance on Foreign Worker Management (known among many participants as Article 64) makes seasonal/short-term worker permits available, for up to 30 days, to those living in Myawaddy in Myanmar and border areas.

Thai employers and the Myanmar Department of Immigration (DOI). As per the law, only residents who live in Myawaddy are eligible, and the DOI engage in corruption by doing fake household registration. Those who want to get household registration in Myawaddy just need to pay the DOI.” (NGO representative, Thailand)

Yet, although significant – and generally valid – challenged with these initiatives were identified, their implications for prevention in terms of responding to gendered forms of marginalization and push/pull

factors related to trafficking did not receive detailed attention. For example, while the exacerbation of economic precarity and lack of access to social security caused by Article 64 was discussed, this was not discussed in terms of the key challenges faced by women as a result of lack of social protection – such as lack of access to services to support unpaid care (including childcare, health and education) - or to mitigate gendered economic risks exacerbated across the life course of many poor women as a result of persistent labour market inequalities in access to quality employment.

BOX 4

Case study on the experiences of trafficking survivors from Myanmar with different forms of documentation

“The card was published in 2009. The card is called ‘Baht’. It has thirteen digits for each card. They take our photos, height measurements and other necessities. The card is like Thai ID cards; it is pink. I paid 3,800 baht [117.8 USD] for one year with a 500-baht [15.50 USD] deposit. It includes medical insurance. Excluding the financial benefits that I receive from having the card, I pay for everything else. The employer does not pay for external costs. The ones that have it use it to the fullest. Only workers in the factory get to hold the card. Construction site workers do not have access to it.

Prior to holding the card, I couldn’t do anything when health-related emergencies arose at twelve or one at night. I did not hold a proof to identify myself with. I only had the proof that says I work at Omega factory. I did not have any documents. Now, after being registered with the card, I can visit the hospital as I wish, whether it is a minor headache or motorcycle incident, I can visit with no charges. However, some costs may be added if the injury is severe.

The authentic copy of the card was hold by the employer. We are given the copy of the original only. Under all circumstances, we are restricted from holding the authentic card. We have to pay 3,800 baht [117.8 USD] per year. After I got a hold of this card, I earn at least 70 baht [2.17 USD] per day. However, the downfall is when workers wishes to resign from the factory, some workers are not let go of. Even after a year of working, the employer still holds onto certain workers.

Workers held the pink card from 2009; after the pink card, a book was introduced. I also changed along with the policy. The colour of the book is purple. It will cost 7,000 baht [217 USD]for one person. It was a struggle for workers; some went back home to Myanmar because it was too much of a demand. Some have lost hope and continue to struggle financially. We work through blood, sweat, and tears to even earn 4,000 baht [124 USD] for one month. We work for 48 weeks and earn roughly around 2,200 to 2,300 baht [68 to 72 USD] per month. Not many of my friends endured the relentless work. My purpose is my family’s wellbeing - that was my motivation. I persisted. I worked hard. When some of my co-workers are left with a disposable income of 1,000, [31 USD] I have 1,800 baht [55.8 USD] in my hands left. I do not eat outside so it saves up to 800 baht. [24.8 USD]

Some of my co-workers left while some are working harder than before to obtain the book. Some work for whatever pay they can get. My will became strong, strangely. So, I continued sewing. When others produce 700 cloth pieces, I produce 800. After saving up, I finally got the book.” (25-year-old man from Myanmar)

6.2 Programmes and services

Across both Cambodia and Myanmar key informants highlighted that prevention programmes should focus on two main aspects: reducing the risk of trafficking and addressing the root causes that make people vulnerable to trafficking. In practice, the first approach was much more commonly translated into programme initiatives, although gender analysis was often lacking. The extent to which prevention programme approaches are gender-responsive is discussed, followed by a brief discussion of the two most commonly-cited programme focuses – access to legal documentation and training, and awareness.

Gender-responsiveness of programmes

A range of programmatic approaches and priorities were identified. In Cambodia, some organizations offer legal aid to communities at risk of trafficking as well as livelihood programmes specifically aimed at prevention. However, according to most key informants, the majority of prevention work centres around awareness-raising and training, delivered by the government, international institutions (e.g., ILO, IOM, UNODC and UN Women – see Box 5) and NGOs. This is primarily targeted at communities at risk of trafficking and communities that migrate to Thailand for work, to reduce the risk of trafficking and to provide information to help in case a person is trafficked. In addition, other types of capacity building were highlighted, such as training Thai employers on decent wage requirements and promoting children's education so that they are less likely to be exploited and/or trafficked in the long-term.

BOX 5

UN Women and UNODC preventing trafficking through women's empowerment

In April 2017, UN Women and UNODC initiated a Joint Programme to prevent and mitigate the impacts of trafficking and transnational crimes through women's empowerment in the Greater Mekong Subregion with the support of the Government of Japan. The programme ensured that women were at the front and centre of the diverse initiatives undertaken, and that their specific needs were addressed.

Some key results:

- 24,659 women became more aware of their rights in the context of safe migration and better understood the modus operandi of traffickers in their region, and how to report potential cases and access existing services.
- 372 women in Myanmar (129), Cambodia (185) and Thailand (58) increased their knowledge of financial management and marketing and/or benefited from vocational skills training. Cash and in-kind support were provided to 207 women in Myanmar (129) and Cambodia (78) and 81 women survivors of trafficking in Myanmar (24), Cambodia (55) and Thailand (2) were supported directly through legal aid, court representation or access to health and other relevant services. In Myanmar, 5 perpetrators were sentenced for 10 years of imprisonment in December 2018.
- 599 frontline officers from police, migration and customs departments enhanced their knowledge on how to manage trafficking cases from a gender and victim centred perspective.

Consultations were carried out with more than 100 stakeholders including law enforcement representatives, NGOs and development partners to discuss the importance of promoting women in law enforcement in three countries of the Greater Mekong Subregion.

- The present review was conducted to highlight the importance of the gender dynamics of trafficking and provide key recommendations on how the prevention of trafficking and response provided to survivors of trafficking can be increasingly effective in terms of their gender responsiveness, as well as being in line with human rights frameworks.

However, the evidence suggests that - with some exceptions - such programmes are not targeted appropriately or comprehensively enough, notably when it comes to tackling gender-related trafficking risks, an area in which discussions of gender were largely absent or superficial. To illustrate, many key informants linked discussion of gender-responsive institutional practice with the presence of men or women as service providers or institutional “gender capacity-building initiatives” – rather than a discussion of overall institutional approaches to preventing trafficking. When asked about how their prevention programming is tailored to women and girls or boys or men, some of those who provided answers focused on perceived gender-equality among staff members, rather than implications for those trafficked – or how to prevent them being trafficked:

“I can give the example of when we invite the government officials or law enforcement officers to attend training programs, we always think about the gender balance in which male and female participants have equal opportunity to attend the training program.” (UN agency representative, Cambodia)

A second key area of preoccupation of participants was meeting need, in terms of the gender group quantitatively most likely to experience trafficking, and therefore requiring targeted services. At the same time, a divergence in opinion was clear amongst key informants around whether there are quantitatively more men or women victims/survivors of trafficking, and the implications of this for programme design and provisions. To illustrate, one NGO representative in Myanmar discussed their services focusing most on women in response to perceived need based on women being quantitatively more affected by trafficking.

However, a representative from a UN agency noted that while their trainings focused on preventing trafficking are not designed to be gender-specific, more women than men take part, but most survivors are men. It appears that in their view there is a mismatch between the audience for the trainings and the population that needs them most: “If we talk about safe migration we target adults but it is difficult for us. When we do campaigns we see that more women come than men. We also think about the gender balance, but the participants are mainly

women while the survivors are mainly men. The service for IOM is for general not specific for men or women.”

These two examples serve to highlight a key finding: that programmes are rarely gender-relational in their approach – that is seeking to take into account and respond to the specific and differing needs of men and women (and girls and boys) in relation to trafficking risk. Instead, focus may be on one gender group such as women, which from a gender-relational point of view risks side-lining the needs of men, or being gender-blind by ostensibly targeting all adults and achieving balance, which in turn risks not meeting the specific needs of any group. In the case of the former, there is clearly a key role for feminist and women-focused programming in responding to the specific sites of marginalization and risks of trafficking faced by women and girls, given historical inequalities disproportionately disadvantaging women. At the same time there is also a role for programmes which reach men and boys given their clear representation among those at risk of trafficking; it is critical, however, that careful attention is given to ensuring that meeting men’s and boys’ needs as part of a gender-responsive approach does not mitigate against efforts towards achieving gender justice.

Training and awareness-raising

Many key informants focused on risk of trafficking being linked to individual-level vulnerabilities, such as lack of awareness of the risk of trafficking among migrant communities – with sharing information and building migrants’ personal capacities key to avoiding trafficking. Correspondingly, most prevention measures taking place appear to be trainings, notably awareness-raising initiatives targeted at communities in which people are likely to migrate about how to migrate safely and avoid trafficking, with NGOs and international organizations (as opposed to government representatives) most likely to talk about prevention programmes and training as a critical pillar of overall efforts to combat trafficking. Often these trainings are carried out by government offices or police forces, and take place in a range of locations such as schools and community meeting places. Some international institutions also reported providing information to migrants in transit areas,

such as the border town of Myawaddy in Myanmar: “There are people who came here to Myawaddy for information. We provide updated information on the employment agencies registered in Myanmar, explain how to contact them, how to get a passport, suggest they use official channels and not brokers, etc.” (UN Agency representative, Myanmar)

However, while different viewpoints emerged on the effectiveness of training as a means to prevent trafficking, analysis of their gender-responsiveness was largely absent. Although formal and comprehensive programme evaluations are generally lacking, some participants reported improvements in awareness of trafficking, and thus greater safety for migrants – with positive progress such as more migrants being aware of the importance of having an employment contract (and having one in practice) being cited.

However, doubts were also expressed around the effectiveness of training provided. Illegal recruiters often require their clients to make a decision about the opportunity they are offering them in a very short timeframe – as little as 24 hours before leaving. This means that many of those seeking to migrate may make a hasty decision to leave for fear of missing that opportunity, even if they have participated in trainings in their home community and know the risks, and because by that point they may have already decided to leave and made an investment by paying a recruiter or other facilitator upfront for their journey.¹⁶

However, a larger issue is also at stake: that awareness-raising around risks is an inherently individual-level approach, and does little to tackle the underlying drivers which cause people to be at risk of trafficking – namely the sites of gendered marginalization and push/pull factors previously discussed. Indeed, the accounts of some trafficking survivors collected verify that a lack of economic opportunities pushed them to seek options elsewhere even though they were aware of the risks of trafficking, indicating that those at high risk of trafficking still perceive the potential benefits to outweigh the risks – or have no choice but to take the risk. Furthermore, several participants key informants

working in border areas reported that migrants already en route were little responsive to information about trafficking:

“The [recruitment] agencies usually bring the migrants to Myawaddy one day before sending them to Thailand. We only have the time while they wait for the smart card. It is difficult for us as they all are excited for their new adventure, full of expectations and dreams. They don’t want to listen, they don’t pay attention to what we’re talking about. In this situation, I don’t think they will get quality information. It is a real challenge.” (UN agency representative, Myanmar)

From a gender perspective there are further likely limitations to the effectiveness of awareness-raising, although these were not explored in depth by participants. For example, aside from increasing responsibility of providing for families in a context of disproportionately limited economic opportunities in their place of origin, women and girls who have had very little previous experience of autonomous decision-making due to patriarchal gender norms may be even less likely to question recruiters and others they suspect of being traffickers, particularly if their family members are supportive of them migrating.

Furthermore, awareness-raising places the onus for preventing trafficking on the individual, with several key informants describing what they called the successful outcomes of such initiatives in terms of potential trafficking victims being aware and therefore able to protect themselves. As these representatives of the Cambodia and Myanmar Governments illustrate:

“Before, people had never heard about human trafficking, and they did not know what it is. [...] Then, I conducted some training in the communities about human trafficking and its negative impact on the local people. After dozens of trainings, they are now beginning to know and understand about human trafficking and starting to know how to protect themselves from being trafficked.” (Government representative, Cambodia)

¹⁶ The authors are grateful to participants in the workshop held in Phnom Penh, Cambodia and Yangon, Myanmar in March 2019 for reiterating these points.

“The situation of trafficking now is not like before, I mean there are fewer trafficking cases due to high public awareness. People now have good awareness of trafficking; so, it is not so easy for traffickers to do trafficking like before.” (Government representative, Myanmar)

These quotes highlight the inherently problematic nature of such initiatives, in that success is often perceived as individual-level change delivered through programmes targeting specific groups deemed in need of protection. However, such approaches shift responsibility for preventing trafficking from the State (and other actors) onto some of their most marginalized constituents, making them managers of their own risk (GAATW, 2019a). Aside from representing a devolvement of responsibility for meeting the commitments they have made to tackle trafficking, such approaches to prevention are inadequate to combat the gendered root causes of trafficking, the structural nature of which requires an active and concerted action by multiple stakeholders, notably policymakers.

Access to legal documentation

Many key informants highlighted the expensive, confusing and difficult nature of documented migration and felt that simplifying the migration process and making it more accessible would reduce undocumented labour migration and thus help prevent trafficking. Increasing access to legal documentation and easing the process of changing employers once in Thailand were mentioned as core elements of this approach.

Particularly in Myanmar there was a considerable emphasis on supporting access to legal documentation as a way to prevent trafficking, with one organization interviewed actively involved in such initiatives. However, while several valuable initiatives were identified there was little focus on how gendered barriers to obtaining documentation discussed above, which may see women (notably widows) and those from conflict areas having a more difficult time accessing documentation verifying official citizenship status and other necessary travel documentation, are or could be tackled:

“Even though we do not have anti-trafficking specific programme like before, we do have a

birth certificate programme. Children can get birth certificates much easier than before. Having birth certificates helps them apply NVC [National Verification Card]. The NVC is key to apply for a job, get a loan, apply for a passport, etc. So, from that perspective, our agency’s programme contributes to reducing trafficking.” (UN agency representative, Myanmar)

However, documentation must be seen as just one part of the solution. Although legal documentation is undoubtedly a critical element of safe migration, in practice a lack of documentation is unlikely to be sufficient to fully mitigate the risks of – and therefore help to prevent – trafficking. This was highlighted succinctly by a survivor interviewed in Thailand who suggested compatriots travel legally as a key step towards avoiding trafficking-related exploitation, but who highlighted remaining challenges with recruitment agencies:

“I would urge people from Myanmar to come here with documents. [But] it does not mean that those coming with official documents will be free from exploitation, cheating, and abuse. There are so many people coming here with official documents who cannot avoid those problems. The agencies are cheating. The job type is of different [to that described]; it was a garment factory in the contract, but I ended up working in fish factory. The agencies need to be monitored seriously’ (38-year-old woman from Myanmar).

6.3 Unaddressed needs for gender-responsive prevention

This project’s findings suggest that some elements of the Palermo Protocol’s provisions around the prevention of trafficking have been localized and some progress has been seen across Cambodia, Myanmar and Thailand – examples of communications and awareness-raising efforts, multi-stakeholder cooperation, and bilateral or multilateral cooperation was highlighted. This can be seen as an encouraging sign that the framework is starting to be implemented and is serving as a guide for measures to tackle trafficking, with a shared consensus among participants that prevention is not a matter of reducing migration *per se*, but of reducing coercion, exploitation and abuse, guiding most implementing partners’ work.

Yet a range of challenges persist. Where prevention was discussed during interviews, this was mostly by KIIs (government officials, NGO staff, and representatives of international organizations) – many of whom are representatives of organizations and institutions with a key role in ensuring gender-responsive efforts to combat trafficking – rather than IDIs (victims and families). Among key informants NGOs most emphasized the need for trafficking-related measures to focus on prevention, indicating higher awareness and/or focus on prevention among NGOs than other stakeholders. This suggests the concept of prevention is currently more prominent among professionals working in the realm of anti-trafficking than among those at risk of trafficking. This also suggests the efficacy of information and awareness-raising initiatives – the mainstay of most of the prevention initiatives highlighted by respondents – overall remains limited.

Critically, gender analysis and gender-responsive implementation also remains weak overall. A critical gap remains in practice in current approaches to prevention, namely, addressing the structural causes at the root of trafficking, including “poverty, underdevelopment and lack of equal opportunity” mentioned in the Palermo Protocol. As discussed in Chapter 5, a range of gendered structural causes – otherwise known as push/pull factors – exist, alongside a range of individual and group-based sites of marginalization and inequality which work together to compound trafficking risk. It is suggested that an overall failure to tackle the root causes of trafficking – and therefore contribute towards its reduction – has directly contributed to its continued prevalence across focus countries. In short, preventing trafficking requires tackling the persistent patriarchal social norms which define gender roles, and which see income generation and unpaid care responsibilities for multiple generations driving women into migration patterns characterized by trafficking risk.

Furthermore, some of the established approaches to tackling trafficking – notably training and

awareness-raising initiatives – can assume that potential victims lack knowledge and/or are ill-equipped to assess migration risks and make decisions in their best interests. On the contrary, many are well-aware of the risks but their realities of acute deprivation, sense of responsibility for themselves and others, and desire for a different life mean they persist in seeking improved opportunities. Indeed, far from being passive and inherently vulnerable, for many women and girls subject to restrictive gender norms limiting their mobility and decision-making power at home communities, migration provides a means to assert agency (GAATW 2019a). In this context, it is clear that efforts to stem trafficking must be sufficiently comprehensive to support the autonomy of those at risk of trafficking in their decision-making, while working to reduce their exposure to exploitation as they embark on their journey.

Therefore, it is clear that a far more comprehensive and gender-responsive approach to prevention is needed for the widespread curtailment of trafficking. This must be deeply embedded within a transformative development agenda spanning economic, social and labour policy to support gender equal opportunities and outcomes. In practice, this means linking a gendered analysis of the structural causes of trafficking to areas of development in which such concerns have traditionally been absent, including economic development plans, employment generation and poverty alleviation, among others. It also requires recognizing there is no one-size-fits-all approach, and that such an agenda must span multiple sectors and geographic levels (regional, national, local) to be effective. Recognition of the desire to migrate among many of those seeking economic opportunities and the multiple positive benefits of migration for sending and host communities as well as migrants themselves, coupled with measures to ensure safe migration pathways leading to decent work, are critical. This necessarily also involves tackling the demand that leads to and sustains trafficking. The evidence presented suggests that such an approach is currently far from reality.



7. TRAFFICKING EXPERIENCES IN THAILAND

Survivors experience multiple hardships Thailand during their trafficking experience and understanding these experiences is critical to inform understanding of survivors' subsequent support needs. This chapter brings together the extensive existing literature with the empirical findings of this project to briefly document trafficking experiences in Thailand, which are often characterized by hardship, abuse, coercion and lack of recourse to escape, and shaped by gender.¹⁷

The United Nations Office on Drugs and Crime stated in 2017 that, "Victims of trafficking often endure unspeakable hardship. Physical violence, sexual abuse, harassments, threats and coercion are common experiences for many trafficked persons. These experiences leave most victims scarred for life. Some suffer serious trauma and depression; others are marked by injury or contemplate self-harm. Some lose their lives at the hand of ruthless traffickers who exploit the victims' vulnerabilities and turn their dreams of a better life into nightmares." (United Nations Office on Drugs and Crime, 2017: ix) The findings of this review validate this assessment.

Sexual exploitation and gender-based violence

Gender-based violence is a frequent experience of trafficked persons, with people receiving post-trafficking care in Cambodia, Thailand, and Viet Nam having been trafficked as brides or wives, for fishing, sex work, domestic servitude, and begging reporting particularly high levels of physical and/or sexual violence, and among them women most frequently

reporting having experienced violence (Zimmerman et al. 2014). This was corroborated by participants in this review, with men and women survivors from both Cambodia and Myanmar participating in this review reporting violence at the hands of traffickers, employers and colleagues (including on fishing boats, in restaurants/hospitality and domestic work).

Women also recounted experiences of sexual abuse, assault and exploitation. One survivor from Cambodia described the abuse she experienced and how abusers took advantage of her gender and young age:

"I was raped by my Thai employer 6 times, and I did not receive any single salary from my auntie. My auntie took all the money whom I earned from work and she did not return that money to me [... She] always abused me and controlled me but when the Thai employer raped me I told her, and she did not know what to do and neither did she help me to escape. She kept me in that abusive situation until I called my sister who worked at a different place and she helped me escape from my workplace and meet other Cambodian migrant workers who helped us to report it to the police. Then the police picked me up and brought me to the police station." (23-year-old woman from Cambodia)

Indeed, women and girl respondents who are alone and/or travel without a network of support, such as their family, appeared to be particularly marginalized and exposed to violence and abuse.

¹⁷ Given that trafficking victims'/survivors' experiences in Thailand are extensively documented in existing literature, and that this part of the trafficking journey does not form part of the core focus of this review, the intention of this short discussion is to outline key elements to pave the way for an exploration of survivors' priorities and realities in subsequent chapters.

Exploitative working conditions

Exploitative working conditions were a mainstay of survivors' stories; with experiences of scams and fraud in the workplace taking many forms, including wage theft, overwork and lack of breaks/rest perpetrated by employers. Consequently, while many had hoped to earn money for themselves or their families, they were unable to do so or ended up in debt. One female survivor from Myanmar summarized the challenge of being overworked: "Who can stay working without taking one day of leave in 365 days? We are not superwomen." (38-year-old woman from Myanmar)

The under-valuation of women's work means these types of exploitation are also gendered, with women often concentrated in the lowest-paying occupations or underpaid when doing the same work as men (Napier-Moore, 2017; GAATW, 2019a). One Cambodian survivor confirmed this, explaining that while both she and her husband received low pay, she received even lower payment because she is a woman.

Crowded and restrictive living conditions

Survivors described restrictive living conditions in Thailand, including overcrowding in small living spaces and limited ability to move or leave. One Cambodian boy survivor explained, "I lived at the construction site when I worked there. My employer provided me a room to stay with other migrant workers whom I worked there. The room was small." (17-year-old boy from Cambodia)

This poor treatment is often enforced with control over the individual's mobility and the threat of arrest if the victim does not cooperate. Two thirds of respondents in Zimmerman et al. (2014) reported they were never or seldom free to go where they wanted or to do what they wanted, with those trafficked for domestic work and fishing the most likely to be in the never category. One survivor trafficked for domestic work in Thailand explained: "She did not pay me. She also scared me saying that if I ran away or escaped from the home, she would report to the police to arrest me and put me in jail as I did not have any documents to work in Thailand. I was really scared. I was really exhausted sometimes as I needed to do a lot of housework and help her shopping at the markets. Sometimes I went to bed

around midnight and woke up at 4am in the early morning to do house work, but she continued to blame me, scolded me every time. She did not allow me to leave the house." (27-year-old woman from Cambodia)

Poor health and lack of care

Trafficked individuals often experience situations that result in physical, sexual, and psychological distress, such as poor sanitation, inhumane living conditions, inadequate nutrition, physical and emotional attacks, dangerous conditions in the workplace, and a lack of healthcare, (Devine, 2009: 8). Long working days with poor living conditions, exposure to hazards and serious occupational injuries, and lack of access to healthcare are commonplace, with survivors perceived as disposable (and in some cases even murdered) when disabled or unable to work due to illness or injuries (Kiss et al., 2015: 4; Environmental Justice Foundation, 2013; Zimmerman et al., 2014; Pocock et al., 2018), a situation confirmed by interviewees from both Cambodia and Myanmar in this review. Women face particular challenges around pregnancy and childbirth, with their right to take maternity or sick leave ignored; Myanmar garment workers in Thailand - if not dismissed following pregnancy - have reported having very little rest before or after birth, with some employers expecting them to be at work except at the time of giving birth (GAATW 2019a).

Trafficking can have a severe impact on an individual's well-being and mental health, with symptoms associated with depression, post-traumatic stress disorder and anxiety reported or displayed by many survivors (Iglesias-Rios, et al., 2018; Zimmerman et al. 2014; Devine, 2009). Children and adolescents often experience the most damaging forms of abuse in trafficking situations, with serious consequences for their lifelong mental health (Devine, 2009; Kiss et al., 2015).

Some victims are forced to use drugs or supplied with drugs such as methamphetamines to increase their dependency on traffickers and to help them endure long working hours or painful experiences (Zimmerman et al., 2014: 4; Jayagupta, 2009: 235; United Nations Office on Drugs and Crime, 2017: 80-81). This behaviour, and the effects this has on

those around users, was confirmed by participants – the story of this survivor from Myanmar highlights the highly marginalized position of women experiencing interpersonal violence and the negative effects of drug abuse, as well as the important role of service provision in Thailand: “All the male workers in the field often took a drug called ASIAN [Ar si Yan]. [After taking it] their eyes went red and

they became aggressive, fought and shouted at each other. [...] I was beaten by my husband when he took drugs, mostly on my head and back with a rubber tree stick. One day I ran away. Thanks to God, in the evening, a Thai woman saw me [and] helped me to get assistance from the Thai government. I stayed [in a shelter] for seven months.” (17-year-old girl from Myanmar)

8. RESPONSE AND RETURN

Key messages

- International standards for response and return dictate that gender-responsive and rights-based approaches should avoid reinforcing discriminatory gender stereotypes that could limit women's choices. Many survivors of trafficking praised the quality of services they received in transit shelters. Nonetheless, routine detention is also practiced in rescue shelters, and it appears to especially affect women (and children), disregard their agency and further disempower them. This also applies to training offered in shelters that reiterates gender stereotypes, and that may further trap women and girls into poorly paid, under-valued, exploitative and risky occupations.
- Many service providers interviewed for this review were not able to offer detailed information on how their programming is gendered. If they were, they mainly discussed programming targeting women and girls. However, this risks leaving men and boys underserved.
- Main challenges identified around the response to human trafficking relate to limited available funding, the lack of updated, granular and gender-differentiated data, the short-term nature of the programming cycle and limited knowledge by service providers on gender targeting and mainstreaming.

This section discusses the response and return elements. It discusses identification of trafficked persons, services provided to survivors of trafficking and unaddressed needs. The three sub-sections shed light on different experiences of men and women (as well as boys and girls whenever possible) during the return and response phases.

8.1 Identification of trafficked persons

The reference legal framework for response and return remains the Palermo Protocol, which deals with "Repatriation of victims of trafficking in persons" in

Article 8 (see Box 6). It must be noted at the outset that the strict definition of human trafficking provided in the Protocol can be seen as a significant weakness. Strictly classifying trafficking cases according to this definition carries the risk of sidelining women and men whose experiences of exploitation are strongly reminiscent of trafficking, but which do not fit neatly into the Protocol's conceptualization. In such cases, no matter how severe the exploitation they endured, they would be unlikely to access services, and would be left at risk of re-trafficking (UN Women, 2019).

BOX 6

Palermo Protocol Article 8 - Repatriation of victims of trafficking in persons

Article 8 - Repatriation of victims of trafficking in persons

1. The State Party of which a victim of trafficking in persons is a national or in which the person had the right of permanent residence at the time of entry into the territory of the receiving State Party shall facilitate and accept, with due regard for the safety of that person, the return of that person without undue or unreasonable delay.
2. When a State Party returns a victim of trafficking in persons to a State Party of which that person is a national or in which he or she had, at the time of entry into the territory of the receiving State Party, the right of permanent residence, such return shall be with due regard for the safety of that person and for the status of any legal proceedings related to the fact that the person is a victim of trafficking and shall preferably be voluntary.

3. At the request of a receiving State Party, a requested State Party shall, without undue or unreasonable delay, verify whether a person who is a victim of trafficking in persons is its national or had the right of permanent residence in its territory at the time of entry into the territory of the receiving State Party.

4. In order to facilitate the return of a victim of trafficking in persons who is without proper documentation, the State Party of which that person is a national or in which he or she had the right of permanent residence at the time of entry into the territory of the receiving State Party shall agree to issue, at the request of the receiving State Party, such travel documents or other authorization as may be necessary to enable the person to travel to and re-enter its territory.

5. This article shall be without prejudice to any right afforded to victims of trafficking in persons by any domestic law of the receiving State Party.

6. This article shall be without prejudice to any applicable bilateral or multilateral agreement or arrangement that governs, in whole or in part, the return of victims of trafficking in persons.

States' obligation to provide assistance and support to survivors of trafficking stems from their duty to offer effective remedies for human rights violations and to protect from additional harm. Assistance and support are crucial for survivors to be able to exercise their rights effectively (OHCHR, UNHCR, UNICEF, UNODC, UN Women, 2011: 41). It is important to ensure transparency of procedures and honesty of information to avoid secondary victimization, given trafficking survivors' previous experiences of deception and abuse (OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO, 2011: 68; Surtees, 2013: 61). The ASEAN Gender-Sensitive Guidelines for Handling Women Victims of Trafficking in Persons, when implemented, are an example of a significant and practical step forward to strengthening the capacity of practitioners and frontline officers in providing more gender-responsive services to women survivors of trafficking.

Challenges related to identification of victims

As further discussed in the following chapter on reintegration, victims – and particularly women victims – may be afraid to seek out help and services, as there is often a strong stigma around their trafficking experience. A technical brief by UN Women in Cambodia (UN Women, 2019) highlighted that women who have survived labour exploitation or trafficking may prefer to hide their experience and not report them to authorities. This is especially the

case if victims experienced sexual violence, abuse or exploitation or may be suspected of having engaged in sex work (GAATW, 2019b). Such experiences also emerged during this review, and which are investigated in greater detail in the following chapter. Hence, the Thailand-Cambodia national MoU developed in 2003 includes a focus on identifying target groups or trafficked individuals, with an explicit focus on women and children in sex work or who have been sexually exploited (Empower Foundation, 2012: 48).

Perceived lack of confidentiality, family members' engagement in trafficking or exploitation and lack of knowledge and awareness of available services may further discourage reporting (UN Women, 2019), and victims may fear retaliation by traffickers or may be afraid of being arrested if they are undocumented (OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO, 2011; UN Women, 2019). As one NGO representative explained, "Migrant workers do not want to report to police because they fear being arrested and deported back, and most of the victims of labour exploitation prefer to run away from their workplace rather than file a complaint against their employer." (NGO representative, Thailand)

It is also the case that many victims of trafficking do not report having been trafficked because they feel that being trafficked was still a better option (in case they received some payment) than not having employment in their home country. A civil

society representative explained: “As per procedure, trafficking survivors are sent back to their home country. Many of the survivors do not want to go home. So, even when they know that they were trafficked, they do not want to report. The government procedures for trafficking cases are not victim-friendly.” (International organization representative, Myanmar)

8.2 Services for survivors of trafficking

International standards state that assistance to survivors of human trafficking must be provided on a consensual and informed basis, taking explicitly into account the gender, age, and special needs of survivors. Assistance may include access to shelter or housing, counselling and information, medical, psychological, and material assistance, legal advice, and employment, educational, and training opportunities (OHCHR, UNHCR, UNICEF, UNODC, UN Women, 2011: 41). The bilateral MoU signed by Thailand, Laos, Myanmar, Viet Nam, and Cambodia provides a standard list of protections for trafficked persons, including access to legal representation, shelter, protection, vocational training, health treatment, safe repatriation, the right to compensation, and free from prosecution for immigration offences (Empower Foundation, 2012: 49).

However, key challenges in gender-responsive service provision have been identified in the literature (UN Women, 2019). A key imperative for the provision of services is to ensure that they follow a survivor-centred and gender-responsive approach (i.e. responsive towards the different needs and risks experienced by women and men, boys and girls), which respects the survivors’ right to information, privacy and confidentiality (given the strong social stigma faced by women, for instance), and the right of survivors to make their own informed decisions. Women and men often have different needs after having escaped trafficking – for example, a gender-specific need for some women is to engage in the birth registration process both for themselves and for children born while they were trafficked. This is especially important for women trafficked for sexual exploitation or forced marriage (Surtees, 2017: 59; Surtees, 2013: 23). Additionally, some women trafficked for forced marriage are not able to divorce their “husband” because courts require

consent from the “husband” (Surtees, 2017: 62). Similarly, legal support is particularly important for women attempting to gain custody of their children, particularly children born out of a forced marriage (Surtees, 2017: 63). Men also experience gendered challenges in receiving appropriate services. Surtees (Surtees, 2013: 111) found that most service providers are women, and it may not always be appropriate for them to be alone with men, which makes it difficult to offer counselling or individual support.

Transit/rescue shelters

Transit shelters in Thailand are intended to safely host, for a limited time, survivors of human trafficking. Some Cambodian returnees commented on their positive experiences there, including a girl survivor. “I felt at home in the shelter, I had friends, a good teacher and good food to eat. No one threatened me, no one harassed me. I felt safe, safer than back home in fact.” (15-year-old girl from Cambodia) A woman survivor also shared her positive perception of the services received: “I was really happy with the support I received in shelters both in Cambodia and Thailand. In Thailand, police rescued me. They provided me with a place where to stay, with vocational training, and they also helped me with my court case. In Cambodia, the shelter’s staff helped me to communicate with my mother and asked my mother to come and take me back home. I was so glad to see my mother again.” (23-year-old woman from Cambodia) A woman survivor from Myanmar added: “I am satisfied with all support I have received in the rescue shelter, where we were all well taken care of and well fed. Moreover, Myanmar officials that visited us in the centre gathered information from us, and they tried to get in touch with our families and send us back home.” (24-year-old woman from Myanmar) A girl survivor from Myanmar added: “I stayed seven months in a rescue centre in Thailand. I was able to learn hairdressing. My teacher was a Thai Muslim woman; she was sweet and patient. I was provided with everything that I needed such as clothes, soap and shampoo. I could even sleep on a proper bed with a mattress rather than on the floor, and there was a ceiling fan in my room. I loved the meals they served every day. Food was delicious. In the seven months that I spent in the shelter, police investigated my case. I cannot speak Thai, but I was helped by a translator that always assisted me.

They said they were trying to contact my parents and asked me to wait patiently. I was happy and relaxed while staying there.” (17-year-old girl from Myanmar) This support appears to be in line with international standards, which dictate that survivors of trafficking should be provided with counselling and information about their legal rights, access to legal assistance, and available remedies in a language that they can understand (OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO, 2011: 55).

One key aspect that emerges from these quotes is the provision of training that could potentially benefit survivors in the long run. Training is provided (at times over several months) in shelters that are transit and rescue centres and that, by their very nature, are likely to offer only temporary assistance. This could be seen as a valuable first step on a pathway towards return and reintegration, but it must be considered as one step in a longer-term coordinated process. At the same time, a lengthy return process (which involves spending six months or more in shelters) may also fail to address practical needs of survivors to keep supporting their families, particularly if they are unable to engage in paid work or obtain any other income while in the shelter. This may then be linked with the issue of routine detention.

Routine detention

Contrary to the positive accounts of some seemingly rosy pictures that the previous quotes paint, some other survivors (women and men alike) expressed a sense of being trapped in shelters. The most pressing need to address for survivors is employment upon return. Court cases against traffickers take a long time, and survivors may have to wait in shelters for the case to end. Yet international standards¹⁸ are clear that shelters must not detain survivors for any reason other than their immediate safety, and it must be for the shortest time possible. Individuals cannot be detained for collecting evidence or support prosecution (OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO, 2011: 38-39).

A survivor in Cambodia mentioned, “I am not content with that fact that they kept us in the shelter for ten months. Some have been there for one or two years! You can see that we are among the lucky ones.” (24-year-old woman from Cambodia) A survivor from Myanmar shared similar concerns. “When I was in the shelter, I felt as if I was in jail. I was not allowed to go outside. I could not contact my wife and my parents. I could not perform any job, I could not gain any money. I was wasting my time.” (28-year-old man from Myanmar) Delayed legal processes in turn delay the repatriation of survivors and contribute to a low rate of victim participation in the judicial process (UN-ACT, 2014c). This was confirmed by some service providers who indicated how victims would refrain from reporting their trafficking experience because they knew it would take a long time for their case to be investigated and resolved. Community-based (instead of centred-based) services could help address this drawback, as long as the rights to protection, access to legal representation and to compensation are preserved.

Empower Foundation (2012) found that trafficked (and non-trafficked) sex workers were detained against their will in government or women’s shelters in Thailand and forced to participate in occupational training and rehabilitation. Shelter staff confiscated women’s phones and monitored their calls and letters, and women could not contact their family and friends especially if they were waiting to testify in court. If they managed to escape, police could forcibly return them. In the same study, children had no right to leave until they were 18 and, even then, they were detained until their parents or guardians were found and approved of them leaving, contingent upon assessment by state welfare officials and shelter staff. While some men in Thai shelters were allowed to leave the shelter for work, women were negated this opportunity (ibid.). All of these practices are intended to fulfil the State’s responsibility to protect human trafficking survivors from further exploitation, and to ensure they are released into safe environments with their families and communities. Nonetheless, these practices ignore the rights and choices of women and children, and may

18 Guidelines 2(6) and 6(1) from the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders and Articles 9 and 12 from the International Covenant on Civil and Political Rights (ICCPR) (see OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO, 2011: 38-39)

even reiterate the restrictive living conditions that survivors faced during their trafficking experience in Thailand. As reminded by OHCHR (2014: 19) “Routine detention of victims or suspected victims of trafficking in public detention facilities or public/private shelters violates a number of fundamental principles of international law. In some circumstances, it violates the right to freedom of movement and in most, if not all, circumstances the prohibitions on unlawful deprivation of liberty and arbitrary detention. International law absolutely prohibits the discriminatory detention of victims, including detention that is linked to the sex of the victim. The practice of routine detention of women and girls in shelters, for example, is clearly discriminatory and therefore unlawful. Routine detention of trafficked children is also directly contrary to international law and cannot be justified under any circumstances.”

Focusing on the fact that women in the Greater Mekong Region are increasingly expected to take up the main breadwinner role in families and to migrate for work in order to fulfil this role, GAATW (2010) further stresses how keeping women and girls in the shelter is equivalent to minimizing their autonomy and freedom of movement. “Anti-trafficking advocates may unwittingly replicate the behaviour of traffickers if they forcibly control women’s movements by locking women inside shelters during the day or forcibly removing them from their workplaces (such as in “raid and rescue” missions) or by violating women’s rights in “rehabilitation centres” (e.g. harassment by guards, unsanitary conditions, lack of access to healthcare, inadequate food and shelter). (GAATW, 2010: 26)

Training based on gender stereotypes

Many Cambodian survivors suggested that, once back to Cambodia, they were hoping to set up their own businesses, often using the skills learnt in shelters. Women survivors referenced starting make-up and hair styling businesses, whilst male survivors talked about motorcycle repair, fishing boat repair,

and opening a grocery store as a result of the training they had received in shelters. These statements indicate that much of the training on offer in rescue shelters may confirm to traditional notions around gender roles, it may be tailored around stereotypical ways of viewing women’s and men’s skills, and it may entrench negative gender stereotyping around ostensibly suitable occupations.

Training offered in shelters in Thailand varies nationwide, with content and delivery dependent on the capacity of shelter staff. In some shelters, rapid assessment is conducted through informal conversation with survivors to assess what they are interested in (independently from long-term income generation opportunities in their country of origin).¹⁹ Nonetheless, Surtees (2017: 54) found that trafficked persons tend to be offered pre-set gendered vocational training; with women being offered hairdressing, weaving, dressmaking or tailoring, cooking or baking, or animal-raising, and men being offered barber training, animal-raising, motorbike repair, radio repair, electrical repair, or air conditioning repair. Pre-set gender-specific training may then contrast with beneficiaries’ aspirations and ambitions and/or provide skills that beneficiaries are not effectively interested in acquiring (but that are socially acceptable based on gender norms). Gender-specific training may also connect to employment opportunities that are unsuitable for survivors given the nature of exploitation that they endured (Surtees, 2012). It is then clear that this training risks further entrenching the negative impacts for women of widespread gendered occupational segregation, given that women are already over-represented in low-paid work characterized by poor working conditions and a lack of access to social protection, including in the lowest-return segments of the informal economy (Hunt and Samman, 2016; ILO, 2018). Such training may then reiterate gendered sectoral and occupational segregation. In turn, this results in concentration of women in poorly paid, under-valued, exploitative and risky occupations.

19 The authors are grateful to UN Women colleagues for highlighting this.

20 See Directive 2011/36/EU of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, replacing the Council Framework Decision 2002/629/JHA.

International standards²⁰ for response dictate that gender-responsive and rights-based approaches should avoid reinforcing discriminatory gender stereotypes that could ban or restrict women's actions and choices; restrict women's migration as so-called protection against trafficking or limit women's ability to do certain types of work are not gender-responsive (OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO, 2011: 30). The ASEAN Gender Sensitive Guidelines for Handling Women Victims of Trafficking in Persons state that "The human rights of the victim should be respected throughout the victim assistance process, and the victims shall be recognized as individuals (regardless of sex, age, race, ethnicity, religion, nationality, sexual preference, disability, or past experiences)," (p. 11) and that "The victim should be empowered so that where appropriate, she can be involved in all aspects of the planning and implementation related to the assistance she receives." (p. 13)

Partnerships for service provision

During interviews conducted for this review, key informants reported a reasonably high level of collaboration for response and return activities among stakeholders: International organizations coordinate with government offices and ministries, and those offices and ministries in turn collaborate with NGOs. Some international organizations, such as UN-ACT, also work with NGOs directly. There are also many partnerships between NGOs. A common theme was that NGOs help support government services, particularly in shelters and transit centres. This includes providing livelihood support, trainings, or psychosocial support. A Thai government official described how NGOs support government-led initiatives. "We recently provided licenses to two Thai NGOs to operate shelters for trafficked persons. We wanted to offer human trafficking survivors a choice on whether to stay in government shelters or the NGOs' shelter." (Government representative, Thailand) It was not possible during this review to ascertain the extent to which these NGO services were gender-responsive, but this process provides a relevant example of opportunities to ensure gender is central to provision, where a gender-responsive service model may be a criterion for being awarded a licence, including under the new Thailand-specific

ASEAN gender-sensitive guidelines localization initiative discussed above.

8.3 Unaddressed needs

Implementation challenges including lack of gender-responsiveness

Government officials, NGO staff, and representatives of international organizations alike highlighted the challenges of limited funding, lack of information or data, and the short-term nature of the programming cycle as key barriers to service provision. Specifically, lack of funding was discussed as an obstacle to extending programming to more regions or more communities, to continuing ongoing projects, or to working across the border with Thailand (both by respondents in Myanmar and Cambodia). NGO representatives also cited that short-term or project-specific funding structures limit their ability to link return programming with reintegration, and to effectively conduct reintegration activities. In addition, lack of funding was discussed as an issue limiting staff training, both in NGOs and in government offices. Additionally, limited funding (and data) make developing and delivering gender-responsive services more challenging.

Data are limited, but some estimates suggest that twenty shelters in Cambodia are operated by different NGOs to provide assistance to women and children survivors of trafficking; only the Poi Pet transit centre is operated by the government. According to UN-ACT, there are no shelters in operation for trafficked men, and there is limited funding available to assist family members of survivors (UN-ACT, 2014a). Many service providers interviewed for this study were not able to offer detailed information about how their programming is gendered. If they were, they spoke mainly about programming for women and girls. However, this is a shallow understanding of gender and it seems to risk leaving men and boys underserved. In general, some key respondents acknowledged that gender is not an explicit component of their programming.

Moreover, respondents' knowledge of gender as it relates to programming (on return) appears limited—both on gender targeting and mainstreaming. Some

NGOs interviewed reported that lack of participation in the identification process limits their ability to adapt their services to the needs of women and men. Meanwhile, it emerged that many service providers are still lacking training in psycho-social support and understanding of how to identify the gendered needs of service users and tailor and deliver services to meet these needs.

Overall, policies and programmes on return and response should reflect the specific sites of marginalization and risks faced by women and men during the trafficking process. Survivor-centred approaches to return and response service development and provision, which place the agency and empowerment of service users at their core, are critical if they are to minimize the risk of re-trafficking. Efforts to minimize risk intersect with the social and economic dimensions of life, and it is important to incorporate gender-responsive responses in education, skills training, access to information on migration and mechanisms for assistance, legal documentation for birth, citizenship, and marriage, and training officials to respond in a gender-responsive way to at-risk communities (Surtees, 2013).

Lack of data

One of the most significant themes of discussion from respondents was the lack of data or information. Many respondents reported that they did not have data on migration trends or trafficking trends and could only provide general assessment about whether trafficking was increasing or decreasing. This was true for participants

from government offices, NGOs, and international organizations. Empower Foundation (Empower Foundation, 2012: 52) found that there is no common monitoring or reporting system used by anti-trafficking NGOs and government departments in Thailand; they use individual data reporting systems that are not readily available for public scrutiny, and many representatives were unable or unwilling to provide data on the number of persons assisted or the extent of trafficking (Empower Foundation, 2012: 52).

Lack of data remain a great obstacle to inform interventions, even more so when it comes to gender-disaggregated data and data collected across different sectors where men and women are predominantly found. Gender-disaggregated data are critical for guiding programming and service provision. Lack of funds and data affected the kind of programs that organizations could offer, and the geographical extent of their operations. Challenges related to victim identification are substantial and require combined efforts towards data gathering. However, it is notable that while improving data collection is critical to better understanding and addressing trafficking patterns, trafficking estimates will also only include those individuals who are reported or registered, which does not provide an accurate representation of overall trafficking.

Having analysed the elements of response and return, and their gender dimensions (or lack of), the discussion now moves to the reintegration aspect, and the challenges faced by women and men once back in their home countries.

9. REINTEGRATION

Key messages

- Reintegration experiences are highly gender-specific. Trafficked women are likely to face stigma once back in their communities, particularly if they experienced – or are suspected to have experienced – trafficking into the sex industry. Both women and men may face social stigma if they returned without money. Reintegration approaches often neglect power dynamics within the household, and societal dynamics in the community.
- Women are increasingly in charge of providing for their household, whilst their labour market participation remains highly conditioned by stereotypical and discriminatory attitudes and practices in relation to their economic, social and familial roles. Reintegration interventions identified in this review largely fail to address such stereotypes.
- Reintegration interventions rarely mitigate the structural causes that lead to trafficking, meaning many survivors may be at high risk of being re-trafficked as they seek again to migrate to meet economic needs.
- A long-term and gender-responsive reintegration process which supports the autonomy and preferences of survivors, is currently missing. Reintegration programmes tend to be short-lived, constrained by unsustainable and limited funding.

This section analyses reintegration into communities following trafficking²¹. The literature shows that reintegration assistance programs are largely funded by foreign donors, international organizations, and UN agencies, and they are mainly implemented by NGOs and international organizations, as these organizations can help identify and serve survivors of trafficking who do not trust police or security forces (Surtees, 2013: 17; Davy, 2014: 808-809). Overall, KIIs provided information on programming for reintegration, and IDIs offered details on reintegration experiences, community and family relationships and future plans. Survivors' future plans are explored first to shed light on their preferences, followed by discussion of the reality of their reintegration experiences and the needs left unaddressed by reintegration initiatives in Cambodia and Myanmar.

The Palermo Protocol does not mention reintegration in any of its articles.

9.1 Returnees' future plans

Survivors - both men and women - are acutely aware of the need to secure employment and economic opportunities upon return to their home communities and families, expressing concerns over the need to earn money and find new employment quickly upon return. Poverty conditions that they left before migrating to Thailand have rarely changed after they returned to their home countries.

Some returnees to Cambodia are considering moving to urban areas where job opportunities seem more promising, with some hoping that return shelters provide assistance with their job search. A survivor from Cambodia explained, "I plan to stay in my hometown for a while, but I will move away again when the staff of the shelter, whom I am still in touch with, help me get a job in Kampot city." (23-year-old woman from Cambodia) Another survivor from

21 It has been suggested that the word "reintegration" implies a return to the community of origin (which may not be the best option) or that the person was integrated in the first place (which may not be the case for many trafficked persons) (see Surtees, 2012 and the UN General Assembly, 2019). The authors take note of this assertion and therefore focus on understanding what reintegration processes would support the preferences of the survivor, including in relation to the community or location in which they wish to build their life following trafficking.

Cambodia explained her plans: “I plan to stay home for some time, but not forever. I would return to Phnom Penh to look for a job as garment worker.” (20-year-old woman from Cambodia) As indicated in Chapter 5, women and girls bear a disproportionate responsibility for the care of their families, including providing their families with an income while also facing challenges in accessing decent job opportunities in local markets (especially because of low education attainment and women’s concentration in poor quality sectors/occupations). This does not change on return, driving many to seek further opportunities in an unchanged context of gendered barriers in accessing quality work in local labour markets. For some women and girls, migration is a strategy used to make ends meet and fulfil their role as caregivers and/or economic providers – and is the strategy that they have chosen amongst other options and so may be seen as exercising autonomy. Therefore reintegration also needs to account for the fact they may wish to migrate again, and support them to do so in a safe and fulfilling way. This relates both to safe migration and to decent work, to ensure quality economic opportunities are available whether women choose to seek work at home or internationally.

Some returnees hinted they would consider going back to Thailand to attempt to find well-paid jobs, while some would do so only via legal routes. This relates to the belief that facing troubles in Thailand is not necessarily the norm. Instead, finding a decent job in Thailand is possible, as demonstrated by many success stories (pull factors). Again, women especially feel the pressure to support their families. A woman survivor from Cambodia suggested, “I will stay here for a while, but I will surely move back to Thailand and look for job there again. I cannot rely on my husband’s job to support the whole family. In addition, I need to earn money to pay off the debt for the recruitment and documentation fee to Thailand.” (34-year-old woman from Cambodia)

Two Cambodian survivors related their intention of moving back to Thailand to their hope of finding good employers. These respondents consider what happened to them previously as part of the process,

and somehow explained by a previous lack of luck in finding/being assigned to bad employers. A boy survivor discussed his future plans to return to Thailand: “I am thinking of migrating to Thailand again. My first trip to Thailand was unsuccessful, but I do not expect to experience the same again if I prepare well before I migrate. Some people who used to migrate to Thailand told me that working without pay is a normal issue for many migrant workers. Sometimes, we meet good employers and sometimes employers are bad.” (17-year-old boy from Cambodia) A woman survivor from Myanmar shared similar thoughts. “I would not go back to Thailand illegally. Instead, I plan to move there officially. I still want to earn a lot of money for my parents. Not all migrants to Thailand face troubles. There are so many people who are successfully working there. Yet, if I could, I would suggest women like me not to trust brokers to avoid troubles.” (21-year-old woman from Myanmar) Respondents indicated that their predicament may be due to personal misfortune or related to bad karma (see also Global Alliance Against Traffic in Women, 2017). Yet, “such interpretation can preclude [survivors] seeking justice, as it situates the injustice outside of any particular person or state policy and can even place the responsibility for it on the migrants themselves” (ibid.: 13).

Finally, prior experiences of abuse and violence can also shape survivors’ decision-making process during reintegration, make them decide to migrate again and heightens their risk of being re-trafficked. A woman survivor from Myanmar who previously experienced violence in her family home recounted her plans:

“I have two hopes - one is to find money by myself and have a business of my own. The other is to live by myself and to stay away from my father ... I was not happy with my father’s second marriage. I did not get along with my step-mother. I don’t want to live at home, I don’t want to live with them. [...] My aunt has been living and working in Malaysia, for two years. I told her that I didn’t want to live at home and I want to get a job and she told me that I can come and work there with her.” (26-year-old woman from Myanmar)

9.2 Reintegration experiences and social stigma

Survivors recounted different experiences of reintegrating into their communities. A woman survivor from Cambodia suggested that her home community was compassionate for some time, but that only lasted a short time: “People from my community used to visit me when I returned back home, and they would ask me to narrate my story. Though, they do not care about me any more now.” (34-year-old woman from Cambodia)

Some survivors faced social stigma of perceived failed migration, that is returning home without money. A woman survivor from Cambodia illustrated the difficulties faced in reintegrating for this reason: “Some community members suggested that everyone that migrated to Thailand earned a lot of money, but they think I was lazy, that I did not work, or I did not save any money. The community did not care that I was cheated, that my employer did not pay me and that I was trafficked. They only care about money. If I returned with money, they would have cared about me. But I returned barehanded, so they say bad things about me.” (33-year-old woman from Cambodia) This was reiterated by survivors from Myanmar, including a woman survivor. “People look down on me because I came back from Bangkok with nothing; people gossip about me and make me the subject of their tattle every now and then. They also make fun of me. It gets to me personally, and I get downhearted from those remarks. Luckily, my family and friends uplift me during these times.” (24-year-old woman from Myanmar) Although none of the men and boys interviewed expressed this, other studies suggest that they may experience this kind of social stigma, due to traditional expectations (although increasingly less so) to be family breadwinners (see Global Alliance Against Traffic in Women, 2019b), meaning they may have failed in realizing this role.²²

Returnees may also experience stigma as a result of being trafficked for sexual exploitation, or having experienced sexual violence or abuse while trafficked, and this may make re-joining their families difficult or undesirable (Jayagupta, 2009: 237-238). This mainly affects women and girls; it could, for instance, greatly limit the possibility for Cambodian women to marry if they wished to. Social stigma related to migration and experiences of work in stigmatized sectors (including sex work) during migration may then make it challenging for women to talk about their experiences, and their families and communities may think they have been morally compromised, an attitude that is not usually faced by men. Service providers in Cambodia reported that women therefore have a harder time than men disclosing and discussing their trafficking experience²³.

Two women survivors from Cambodia talked about such stigma:

“I did not tell my story to community members because if they knew that I was raped, they would look down on me. They would say that it was not a case of rape, but I allowed the employer to take advantage of me as it did not happen only once. Community members place great importance on women’s virginity, and they would despise me had they known that I have lost my virginity before marriage. It was better for me not to let anybody know.” (23-year-old woman from Cambodia)

“I did not share my story with my mother and older brother. I just told them that I have worked in Koh Kong, but they do not know the kind of job that I was doing there. If they knew that I was working as massage girl, they would be very unhappy. If my villagers knew, they would discriminate against me, and they would say that I am a bad girl.” (20-year-old woman from Cambodia)

22 Traditional views on manhood and masculinity in Cambodia expect men to be dominant over women and the main breadwinners within the household. ‘Some of the key Cambodian constructions of masculinity [...] indicated that men are expected to be: the head of the household; the breadwinner; superior to women and girls; dominant over women; and strong and brave. Cambodian men are expected to be the head of the family and everything in a boy’s socialization is designed to prepare him for this responsibility. [...] The standards for masculinity impose severe pressure on some men, particularly as those standards have become more difficult to fulfil in the face of changing economic circumstances and as more women enter the workforce.’ [Gender and Development for Cambodia (GADC), pages 10 and 11]

23 Meanwhile, it is also the case that men may refrain from sharing their experiences because the society expect them to be strong and tough, and to be able to deal with their problems quietly and by themselves (Global Alliance Against Traffic in Women, 2019b).

According to key informants in Myanmar, with the possible exception of women from some ethnic groups (as discussed above), stigmatization of women that have been sexually exploited is widespread. “The challenge for women, especially those trafficked into the sex industry, is reintegration because of community discrimination. In some cases, family members do not want to accept what happened to their women and girls. They are afraid that other community members may come to know. Thus, they do not welcome reintegration services, especially if service providers do not maintain a low profile.” (NGO representative, Myanmar)

Survivors may wish to move on, forget about their trafficking experiences, and not be reminded about them – including from service providers. Accordingly, follow-up visits in the community of origin need to be carried out sensitively and with the prior consent of the survivor. A woman survivor from Myanmar highlighted her experience:

“During the first six months after I returned from Thailand, one female government official visited me three times. Her purpose was to check whether I was OK, and what plans I had for my future. Whenever she came, my father and I would meet her at the village leader’s home. To be honest, I felt uncomfortable whenever she visited me. It reminded my community that I had troubles in Thailand – in other words, that I was, and I still am, vulnerable.” (17-year-old girl from Myanmar) This suggests that, at implementation level, reintegration initiatives do not adequately focus on reinforcing the agency and autonomy of the survivor, instead reinforcing individual and empowering the survivor especially when the community may perceive her as vulnerable.

9.3 Unaddressed needs for gender-responsive reintegration

Service providers in Cambodia cited lack of funding as main constraint for the services they can offer to survivors of trafficking. “I think the current legal framework is in place, but it is not fully implemented by the government of Cambodia due to limited funds. Implementation mostly relies on support from UN agencies, NGOs and other key stakeholders.” (NGO representative, Cambodia) Another provider added, “To me, the current legislation framework is enough to prevent human trafficking and to facilitate

reintegration. However, my main concern is about the implementation of those regulations. Some implementation challenges relate to lack of knowledge of the regulation framework among law enforcement officers, their commitment and willingness (or lack of) to enforce the law and, lastly, limited financial resources to implement those laws.” (Government representative, Cambodia)

One key informant in Myanmar acknowledged that,

“The challenge is to guarantee survivors’ livelihood after return. The Department of Social Welfare (DSW) is the only government agency that follows and supports survivors. Though, DSW suffers from limited human and financial resources, and it struggles to offer economically sustainable alternatives to survivors. The support that survivors receive both from the government and from NGOs is insufficient for them to be economically safe.”

Lack of long-term support for reintegration and the ability to follow up with survivors were further cited as a gap in reintegration programming by an NGO representative in Myanmar: “Current reintegration programs are short-lived, and merely based on donors’ funding. Long-term programs are instead needed to ensure that the trafficked persons have enough time to start anew.”

Ultimately, the push and pull factors that led to migration -and in some cases trafficking- are not tackled sufficiently in the reintegration phase to mitigate the ever-present risk of re-trafficking. Poverty and the need to support large families remain central to survivors’ everyday lives. Again, it is clear that policies to promote economic development, generate employment, alleviate poverty, and allow the poorest and most marginalized to permanently escape poverty traps urgently require a gender lens, which is currently elusive. Such an approach should derive from a gender-responsive approach along the entire human trafficking intervention framework, and it would involve, for instance, tackling gender discrimination and the undervaluation of women’s work to increase equal opportunities and wages, including in sectors in which women remain concentrated in the lowest-return occupations (such as garment work); strengthening oversight of labour conditions; and improving provision of public services (notably healthcare, child and elderly care).



Photo: UN Women/Pathuumporn Thongking

10. CONCLUSIONS

This report has shown that trafficking is a persistent challenge across Cambodia, Myanmar and Thailand, and is characterized by the violation of the right of survivors to a life free from coercion, abuse and violence. Intersecting gendered sites of marginalization and systemic drivers – notably poverty and debt, conflict and a lack of opportunity to access quality work - place individuals and communities at risk of trafficking. This risk is shaped and compounded by intersecting sites of inequality, in which gender interacts with age and other sites of disadvantage and discrimination including ethnicity, geographic location and migrant status, among others. Women and girls face particularly acute marginalization, due to gender gaps in access to education, economic inequality and insecurity compounded by decent work deficits and limited access to social protection, social norms around the role of women in paid work and in the household, prevalent and persistent violence and abuse, and limits on their mobility and decision-making power. As a result, women and girls are at heightened risk of being trafficked into some of the most exploitative and hidden situations.

Many of those subject to trafficking remain hidden due to significant difficulties in identifying trafficked persons – and therefore understanding the scale and nature of the challenge. Recent improvements in global data collection have led to incremental improvements in knowledge – notably the increased recognition of men as survivors of trafficking – but an unknown, and presumably large, number of trafficking survivors remain isolated and therefore without access to support. This report has shown that while efforts to tackle trafficking in Cambodia, Myanmar and Thailand have undoubtedly picked up pace in recent years, significant gaps remain in policy and programming to meet the needs of those affected by trafficking across the spheres of prevention, response and return, and reintegration. Critically, gender analysis and responsiveness of approaches to combat trafficking were overall weak.

At the heart of the challenge is a divergence in understanding of the issue among key partners involved, including around prevalence and the

situation in terms of gendered risk and the distinct trafficking experiences and subsequent needs of women, men, girls and boys. To some extent this is understandable: a lack of effective monitoring of anti-trafficking initiatives and comprehensive data mean that understanding of trafficking often relies on the experience and perceptions of those working on the ground. This is a double-edged sword. Their insights may be based on a long history of specialist institutional knowledge and therefore offer potential to add to the at times scant data and evidence on trafficking. It also offers hope that some survivor groups are being identified and supported even in the absence of official data. But at the same time it suggests that support may be delivered to certain groups of survivors according to organizational priorities or capacities and not focused on a need ascertained through a full scoping of the situation – or in worst case driven by the priorities of external funders.

It is clear that the time is ripe for a renewed holistic and gender transformative approach to tackling trafficking in the Greater Mekong Subregion, with sharp focus on the realities, priorities and needs of the most marginalized groups. Such an approach focuses on tackling inequalities between, and differences in the trafficking experiences of women, men, girls and boys, as the starting point, and responds to the different needs and priorities of each group. In practice, this requires comprehensive action by a close coalition of actors with complementary roles working across multiple sectors and administrative levels. This must recognize that addressing the deeply entrenched causes and nature of trafficking requires effort that is both sustained and tailored to the needs of different groups, to respond to gendered risks and the reality that trafficking journeys and experiences are rarely uniform. To be effective, such an approach must tackle the root causes of trafficking, necessarily involving an integrated and coordinated response spanning economic, labour and social policy. Tackling entrenched gender inequalities in economic structures and decision-making, labour market opportunities and outcomes, and access to social protection is necessarily central

to such a transformative approach (UN Women, 2015). It will also recognize the close links between labour migration and trafficking – and take as a starting point that reducing trafficking is not automatically synonymous with reducing migration, but instead is centrally concerned with reducing exploitation and abuse to ensure safe migration and all migrants’ access to decent work.

There exists a clear mandate to act. The global agreement under Sustainable Development Goals (SDGs) Five (on women’s rights and gender equality) and Eight (on economic growth and decent work) to eliminate trafficking, sexual and other types of exploitation and all forms of violence against women, together with commitments under the Palermo Protocol and the ILO Decent Work Framework provide impetus and a clear directive to secure progress on this agenda. Furthermore, the SDGs call to “leave no one behind” speaks clearly to the aspiration to achieve gender justice, calling for a rebalancing of historic inequalities between women and men and drawing attention to the need to focus efforts first on the groups who are currently the most marginalized (Stuart and Samman 2017). At the same time, there is a clear window of opportunity to bolster gender-responsive localization and implementation of international frameworks in focus countries; for example with the ongoing development of the new National Action Plan to Counter Trafficking in Cambodia.

Ensuring progress on this agenda is increasingly urgent given that current gender gaps risk being exacerbated in the future world of work, given that demand for women’s labour migration is likely to increase in the years to come. For example, demographic change will increase global demand

for the paid domestic and care work traditionally performed by women (ILO 2018b). Yet such work is often characterized by informality and poor working conditions, meaning a heightened risk of yet more women being concentrated into exploitative forms of work and denied labour rights, into which many may be trafficked. This example highlights how concerted action is required now to ensure that the trajectory towards the eradication of trafficking is a positive one, in the face of trends which could easily jeopardize the fragile gains that have been made to date across Cambodia, Myanmar and Thailand.

Making this transformative gender-responsive agenda a reality requires placing the realities and priorities of the communities at risk of trafficking, and survivors of trafficking, at the front and centre of efforts. Too often they are portrayed as vulnerable victims without agency, and side-lined from the development of policies and programmes intended to target their lives. There is also a need to ensure that efforts remain fit for purpose in the face of emerging challenges – from major threats such as climate change, to emerging means of trafficking facilitation such as the digital brokering increasingly taking place on the Internet, and which could quickly elude the scope and effectiveness of more established approaches to combatting trafficking. It is evident that consistent and ongoing efforts to deepen knowledge, tackle the causes of trafficking head-on and respond to emerging challenges are increasingly critical to ensure that intersecting gendered inequalities do not continue to leave the most marginalized behind.

Therefore, a set of recommendations for priority action for governments, international institutions and development partner follows.





11. RECOMMENDATIONS

Cross-cutting priorities

- Review new laws, policies, guidelines and agreements focused on trafficking to ensure gender analysis of their content and expected impacts is applied and that they support gender justice by promoting women's rights and gender equality, notably by ensuring they promote women's voice, agency and autonomy, support women's decision-making power, and tackle entrenched gender inequalities including gender-based violence experienced by women before, during, after trafficking (including violence perpetrated by families, communities, traffickers, employers and authorities).
- Ensure that all policymakers and service providers are trained on the gendered dimensions of trafficking, the specific challenges faced by, and experiences of, women, men, girl, and boy survivors of trafficking, and the specific needs of each group arising as a result of their experiences.
- Ensure safe migration, notably labour migration, by strengthening governance and partnerships among relevant stakeholders (i.e. governments, international organizations, local and international NGOs and CSOs); better regulating and monitoring the recruitment industry (in view of the extraterritorial nature of international recruitment) and intermediaries through strict licensing; and strengthening and enforcing legal frameworks governing immigration and employment, monitoring both recruitment agencies (White, 2015) and employers through increased labour inspections, notably in sectors known to engage trafficked people, and strengthening the prosecution system.
- Strengthen cooperation between the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT, for the Greater Mekong Subregion) and ASEAN to further the regional agenda around common solutions to human trafficking.
- Improve the implementation of the MoUs between Cambodia and Thailand and between Myanmar and Thailand. This includes ensuring implementation plans are updated and operational, for example by developing a new Plan of Action to implement the MoU on trafficking between Cambodia and Thailand which expired in 2018 through an open and transparent process involving meaningful participation of CSOs and the trade unions.²⁴
- Enhance cross-border collaboration between the three Governments. At the same time, improve cooperation and coordination among anti-trafficking stakeholders both in Cambodia and in Myanmar. In Cambodia, build on the role of the NCCT to coordinate this effort. In Myanmar, improve collaboration between Government agencies, including between the Ministry of Home Affairs (directed by the Military Chief, and which houses the Central Body for Suppression of Trafficking in Persons and the Anti-Trafficking in Persons Division) and other agencies with a mandate to combat trafficking, which operate under the civilian government.
- Allocate sustained and earmarked budgets to prevention, response, return and reintegration programming, at the national and sub-national levels, based on a full costing analysis of policies and implementation plans.
- Localize regional and national policies to tackle trafficking and support women's empowerment by incorporating their provisions into community development plans, and ensuring implementation is fully funded through national and/or local budgets, as relevant, for example by allocating a portion of the communal budget to counter trafficking initiatives.

24 The process currently includes some NGOs and UN agencies, but greater inclusion of trade unions and CSOs is needed.

- Invest in systematic data collection on the prevalence and characteristics of labour migration and trafficking in a way which protects victims' identities and privacy, with data disaggregated by location, gender, age and ethnicity.
- Monitor and increase knowledge of gendered dynamics of trafficking to assess how they are changing (for example new trends including trafficking for surrogacy or digital brokering), as well as their differential impact on men, women, girls and boys, and use this information to ensure strategies to tackle trafficking are up to date and fit for purpose.

Prevention

- Increase the availability of quality and equally-accessible employment opportunities and decent working conditions in both source and destination countries, recognizing that women disproportionately face multiple forms of inequality and barriers to accessing decent work and safe migration. This includes developing partnerships between government, private sector and workers' groups to ensure *inter alia* minimum wages meet living costs and are enforced, compliance with workers' rights and protections, tackling the gender-based occupational segregation and undervaluing of work traditionally carried out by women, and eliminating workplace discrimination including gender wage gaps and gendered workplace violence.
- Take holistic measures to address the gendered structural factors increasing risk of trafficking (and re-trafficking), including gendered inequalities in education, in labour markets and access to social protection (including for informal workers), and - in line with SDG Target 5.4 - support the redistribution of unpaid care and domestic work within the household and through quality, accessible and affordable public services, including education, health, and care services, notably for children, older and disabled people.
- Enhance access to legal migration pathways, including to the poorest migrants who are often most at risk of being trafficked, by enhancing

affordability and efficiency including easier access to passports and other documentation to support legal labour migration, and making it easier for potential labour migrants to access safe work opportunities, and change employers in destination countries.

- Ensure equitable access to legal migration pathways, notably by tackling gender disparities in access to citizenship and migration-related documents, by supporting and funding those best placed to reach marginalized women, including women's organizations and networks. This includes developing targeted outreach and information dissemination to women to overcome the barriers they face in accessing information, navigating application procedures and obtaining documentation, notably lower literacy levels, gendered digital divides which limit access to online information, and limited mobility and access to public spaces where information may be provided or shared (including informally). Similarly, facilitate access to legal migration information and services for people living in remote and conflict-affected areas, who face additional barriers to obtaining knowledge or are constrained by distance and lack of accessibility of formal services and support.
- Raise awareness of Thai labour laws and regulations among migrant communities and link them to legal services and support providers, for example through outreach by the Cambodian/Myanmar Embassies in Thailand and other relevant attachés (e.g. specialist labour units), as well as other key stakeholders active in migrant communities, including trade unions and NGOs such as migrants' and women's rights organizations.
- Strengthen regulation and monitoring of recruitment agencies and facilitators and ensure their compliance with legal employment practices and fair recruitment models (including gender-responsive practice), including by increasing monitoring in known trafficking hotspots including rural, conflict and some border areas, and identifying and sanctioning illegal recruitment agencies.

- Increase recruiters' knowledge of, and adherence to, gender-responsive recruitment procedures, including by developing recruitment and pre-departure training and information which is based on gender analysis of inequalities and specific challenges faced by women migrant workers and therefore tailored and accessible to women and girls, ensuring recruitment processes support and enhance women's labour rights, and by upholding and supporting the autonomy and preferences of women migrants, including during communication with peer and family networks and employers.
- Ensure training and other awareness-raising initiatives are gender-responsive, by ensuring they enhance potential migrants' informed choice, autonomy and decision-making; ensuring that awareness-raising and pre-decision-making/ departure training is designed to reach women and men, including by holding trainings in places where women can easily go and at convenient times to fit in with paid and unpaid care loads such as at schools, markets or via women's support groups; and ensuring that analysis of gender-specific risks is central to information received, such as highlighting the specific risks involved in the sectors into which women and men are often trafficked.
- Deliver training and information to children via in schools and other sites where they can be reached (including children not in education who may be at highest risk of being trafficked), coupled with parental education about the gendered risks faced by girls and boys and supporting parents to develop strategies aimed at averting trafficking.
- Enhance the capacity of community watch groups (e.g. those in Myanmar working on child protection and those focusing on trafficking in Kachin State under the UN Women-UNODC joint programme) to increase community members' awareness of trafficking. Where appropriate, and where a do-no-harm approach can be assured (notably by ensuring community stigmatization of trafficking survivors does not occur and that survivors are emotionally and practically prepared to participate, and freely choose

to do so), this could also include developing peer support networks and self-help groups (SHGs) in communities, including returning migrants and trafficked persons and community leaders to share information on safe migration and trafficking risks, and the realities of migrant journeys, success stories and trafficking experiences.

Response and return

- Shorten the time it takes to initiate legal action, and address language and cultural barriers through the provision of translation and tailored information.
- Ensure services providers are fully cognisant of how to design and implement gender-responsive programming, including by ensuring that all front-line staff and service providers are trained on the gendered dimensions of trafficking, including social norms that negatively impact women and specific challenges women, men and child survivors face, and ensure that all services are designed to respond to these dimensions (e.g. psycho-social support, legal information, representation, safe shelter, etc.). Create incentives and ensure compliance by stipulating adherence to a gender-responsive service model as a key criteria for being awarded funding or a licence to operate where one is required, for example in licences administered under the new Thailand-specific ASEAN gender-sensitive guidelines localization initiative.
- Strengthen psycho-social services by enhancing their capacity to support survivors' health and wellbeing, and increasing their capacity for choice and autonomy. To ensure a gender-responsive approach, psycho-social service professionals should respond to the specific experiences of men and women survivors of trafficking and deliver a survivor-centred and empowerment model under which survivors are able to decide what services they want (e.g. counselling, therapy, confidence building) and be able to refuse services.
- Ensure case management systems are gender-responsive and survivor-centred, including by ensuring they are widely accessible by everyone,

regardless of their gender or migration status, and support autonomy and right to freedom, for example by ensuring survivors can leave shelters when they want, and not be detained against their will whilst their case is under investigation.

- Ensure training and skills development programmes, notably those delivered in shelters, support the preferences and empowerment of survivors and avoid reiterating gender stereotypes that risk trapping women in low-paid and exploitative occupations. To do this, training and skills development should deliberately address occupational segregation by providing training in higher-return and higher-quality occupations and sectors, and actively supporting women to engage in this training if they wish to.
- Improve national identification protocols by involving trade unions in victim identification given their contact with trafficked persons in destination countries, and by increasing the number and capacity of labour inspectors to identify and respond to cases of trafficking. Protocols should also be designed to sensitively identify victims of trafficking taking in consideration concerns of privacy and confidentiality, and that implementing agencies are able to respond to the different experiences and needs of men, women, girls and boys – for example by ensuring that women/men front-line staff are available to respond to women/men, and developing their interviewing skills so that women feel confident and empowered to talk to service providers, including the police.
- Enhance victims' capacity and confidence to self-identify and self-report and help them access available return and response services, by disseminating information (also via the mass media) to raise awareness on human trafficking and opportunities for assistance, boosting the capacity of referral services such as self-referral hotlines, and promoting the gender-responsiveness of services to increase victims' comfort with approaching services and confidence their needs will be met.
- Boost the capacity of services to respond to referred victims who do not meet the definition of trafficking but who have been exploited, including by ensure referrals guidelines take into account gender differences in exploitation patterns and experiences, and ensuring these victims can access relevant services in recognition that much of the trauma and other effects may be similar to trafficking victims.
- Strengthen collaboration between key service providers across national and local levels – including government offices NGOs, CSOs (including women's rights organizations and networks), trade unions, private recruitment agencies - to increase their capacity to work together and ensure a streamlined referral and response system which supports survivors' access to appropriate information and gender- and age-specific services while protecting survivors' privacy and confidentiality.
- Review current training programmes on migration and human trafficking for law enforcement and judicial officers, to introduce a standardized manual for training that proposes a rights-based survivor-centred approach, and that is responsive towards differences across gender, age, ethnic groups and locations.
- Carry out regular assessment of return services' impact and effectiveness to address the gendered needs and priorities of trafficking survivors, with lessons learnt systematized and fed into service improvement.
- Enhance collaboration between Cambodia, Myanmar and Thailand and the COMMIT and ASEAN to identify and prosecute offenders.

Reintegration

- Ensure coordination and coherence between systems in origin and destination countries to ensure continuity of service provision and support, and that survivors are linked to appropriate services in their home country upon return. This will include Embassies in receiving coun-

tries, between judicial and other statutory services, and at points of entry such as airports and land borders upon return.

- Ensure technical and vocational skill training (offered by governments, the UN, the private sector, local and international NGOs and CSOs) is in line with survivors' needs, hopes and aspirations, as well as maximizing survivors' economic options and opportunities by boosting survivors' employability in local and national labour markets. Core to this will be ensuring programmes address long-standing gender inequalities in labour markets, for example by supporting women to develop skills in and access high-return occupations.
- Develop long-term, gender responsive community-care based reintegration programmes for trafficking survivors. To be effective, these programmes should couple survivor-focused and confidential support to meet survivors' needs (e.g. training, confidence building, counselling), with community-focused components aimed at supporting reintegration, for example by tackling stigma and discrimination and faced by women following a trafficking experience.
- Strengthen quality of psycho-social services by investing in ongoing training and development of professionals to provide gender-responsive psychological support and counselling services to trafficked women and men, and increase the accessibility of these services by establishing reintegration programmes in smaller locations, beyond capitals and other large cities. To streamline with existing services, this could include building connections between reintegration interventions and existing gender-based

violence (GBV) response mechanisms at sub-national level.

- Fund women's rights organizations and women-led community groups to develop new programmes to support the individual and collective empowerment of trafficked women (or by adapting existing programmes, as relevant) including building leadership skills, self-esteem and autonomy, and to develop networks and groups which provide safe spaces for mutual support, development and strategic alliance building (such as self-help groups).
- Tackle negative and discriminatory gender norms, perceptions and behaviours, including by implementing public sensitization and information campaigns at commune, provincial and national level aimed at dispelling myths around trafficking and increasing understanding of rights violations and abuse inherent to the trafficking experience, including in relation to sexual violence and abuse.
- Provide holistic support to survivors to establish enterprises if they wish to do so, including start-up and development capital, business training and empowerment support, for example to support women's confidence and decision-making capacity.
- Ensure access to provision of gender-responsive legal support by female lawyers (who speak local languages) to survivors including for investigation, reporting, court representation and overall handling of the case as a liaison between the survivor and authorities. Provide funding to local NGOs and CSOs and strengthen capacities of local lawyer networks.

REFERENCES

- Agreement on Guidelines for Practices and Cooperation between the Relevant Government Institutions and Victim Support Agencies in Cases of Human Trafficking* (2007) Phnom Penh: The Kingdom of Cambodia (https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=93361)
- ASEAN (2015) *ASEAN Convention Against Trafficking in Persons, Especially Women and Children*. ACTIP. (<https://asean.org/asean-convention-against-trafficking-in-persons-especially-women-and-children/>)
- ASEAN (2016) *Gender Sensitive Guideline for Handling Women Victims of Trafficking in Persons*. Jakarta: ASEAN Secretariat. (https://asean.org/storage/2012/05/FAASN_gender_8_email_REV.pdf)
- Asian Development Bank and International Labour Organization (2013) *Gender Equality in the Labour Market in Cambodia*. Mandaluyong City: ADB (<https://www.adb.org/sites/default/files/publication/31193/gender-equality-labor-market-cambodia.pdf>).
- Asian Development Bank (ADB), United Nations Development Programme, United Nations Population Fund, and the United Nations Entity for Gender Equality and the Empowerment of Women (2016) *Gender Equality and Women's Rights in Myanmar: A Situation Analysis*. Mandaluyong City, Philippines: Asian Development Bank.
- Baker, S. (2015) *Migration Experiences of Cambodian Workers Deported from Thailand in 2009, 2010 & 2012*. Bangkok: UN-ACT and UNDP (<http://un-act.org/publication/view/human-trafficking-trends-asia-migration-experiences-cambodian-workers-deported-thailand-2009-2010-2012/>)
- Barr, H. (2019) *"Give Us a Baby and We'll Let You Go" Trafficking of Kachin "Brides" from Myanmar to China*. New York: Human Rights Watch (<https://www.hrw.org/report/2019/03/21/give-us-baby-and-well-let-you-go/trafficking-kachin-brides-myanmar-china>).
- Bergbom, K. (2015) *Trapped in the Kitchen of the World: The Situation for Migrant Workers in Thailand's Poultry Industry*. Swedwatch and Finnwatch (https://swedwatch.org/wp-content/uploads/2016/11/76_thaikyckling_151123_ab.pdf)
- Bill & Melinda Gates Foundation (2019) *Gender Equality Lexicon*. Online: Bill & Melinda Gates Foundation (<https://gatesgenderequalitytoolbox.org/definitions-concepts/gender-equality-lexicon/>)
- Burma Human Rights Network (2019) 'Burmese Migrants Report Discrimination in Citizenship Verification Process'. Webpage. Burma Human Rights Network (<http://www.bhrn.org.uk/en/press-release/44-burmese-migrants-report-discrimination-in-citizenship-verification-process.html>)
- Chandran, R. (2018) 'Fears for "Stateless" Myanmar Workers in Thailand as Deadline Looms'. Thomson Reuters Foundation (<http://news.trust.org/item/20180627125537-n92su>)
- COMMIT (n.d.) 'About'. Webpage. COMMIT (<http://commit.asia/about/>)
- COMMIT (2014) *Reflections from the Greater Mekong Subregion on the Occasion of the 10-Year Anniversary of COMMIT*. Bangkok: UN-ACT (<http://un-act.org/publication/view/commit-10-years-reflections-from-the-gms/>)
- Convention Concerning the Abolition of Forced Labour* (1957) No. 105. Geneva: International Labour Organization (https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C105)
- 'Coordinated Mekong Ministerial Initiative against Human Trafficking' (2010) COMMIT presentation (https://www.ohchr.org/Documents/Issues/Trafficking/Dakar_Friedman.pdf)
- Counter-Terrorism Committee (2018) 'The Nexus between Human Trafficking and Terrorism'. Open briefing of the Counter-Terrorism Committee (<https://www.un.org/sc/ctc/wp-content/uploads/2018/11/2.-Ms-Delphine-Schantz-CTED.pdf>)
- Counter Trafficking Data Collaborative (2018a) 'The Counter Trafficking Data Collaborative Global Data Hub on Human Trafficking'. Webpage. International Organization for Migration (<https://www.ctdatacollaborative.org/>)
- Counter Trafficking Data Collaborative (2018b) 'Exploitation of Victims: Trends'. Webpage. International Organization for Migration (<https://www.ctdatacollaborative.org/story/exploitation-victims-trends>)
- CPA UK (N.D) *Legislating Against Modern Slavery, Human Trafficking & Forced Labour – e-handbook*. London: Commonwealth Parliamentary Association UK (<https://www.uk-cpa.org/what-we-do/modern-slavery/e-handbook-legislating-against-modern-slavery-human-trafficking-forced-labour>)

- Cunnington, P. and Hung, S. (2009) *United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Subregion (UNIAP) Phase III (2007-2010) Mid-Term Evaluation Report. Final draft, March 2009* (<https://erc.undp.org/evaluation/documents/download/2381>)
- Davy, D. (2014) 'Understanding the Complexities of Responding to Child Sex Trafficking in Thailand and Cambodia' *International Journal of Sociology and Social Policy* 34(11/12): 793-816
- Devine, S. (2009) *Psychosocial and Mental Health Service Provision for Survivors of Trafficking: Baseline Research in the Greater Mekong Subregion and Indonesia*. Bangkok, Thailand: International Organization for Migration (<https://publications.iom.int/system/files/pdf/psychosocialandmentalhealtheng.pdf>)
- DFAT (2016) Women and the Economy in Myanmar: An Assessment of DFAT's Private Sector Development Programs. DFAT. Online (<https://dfat.gov.au/about-us/publications/Documents/women-and-the-economy-in-myanmar-assessment-dfat-private-sect-dev-prog-jan-16.pdf>)
- Dickson, B. and Koenig A. (2016) *Assessment Report: Profile of Returned Cambodian Migrant Workers*. International Organization for Migration (IOM) Cambodia
- Dottridge, M. (2017) 'Eight reasons why we shouldn't use the term "modern slavery"'. *Open Democracy*, 17th October 2017 (<https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/eight-reasons-why-we-shouldn-t-use-term-modern-slavery/>)
- Dottridge, M. (N.D.) 'Some implications of using the term 'modern slavery''. The Trafficking Research Project (<https://thetraffickingresearchproject.wordpress.com/2014/02/28/some-implications-of-using-the-term-modern-slavery/>).
- Empower Foundation (2012) *Hit & Run: The Impact of Anti-Trafficking Policy and Practice on Sex Workers' Human Rights in Thailand*. Thailand: Empower Foundation (<http://un-act.org/wp-content/uploads/2017/02/hit-run-by-empower-foundation.pdf>)
- Environmental Justice Foundation (2013) *Sold to the Sea: Human Trafficking in Thailand's Fishing Industry*. London: Environmental Justice Foundation (https://ejfoundation.org//resources/downloads/Sold_to_the_Sea_report_lo-res-v2.compressed-2.compressed.pdf)
- Environmental Justice Foundation (2015) *Pirates and Slaves: How Overfishing in Thailand Fuels Human Trafficking and the Plundering of Our Oceans*. London: Environmental Justice Foundation (https://ejfoundation.org//resources/downloads/EJF_Pirates_and_Slaves_2015_0.pdf)
- Food and Agriculture Organization (2019) *Agricultural Development and Economic Empowerment in Cambodia*. Rome: FAO (<http://www.fao.org/3/ca3555en/CA3555EN.pdf>)
- Feingold, D. A. (2009) 'Think Again: Human Trafficking'. *Foreign Policy*, October 20th 2009. (<https://foreignpolicy.com/2009/10/20/think-again-human-trafficking/>)
- Foresti, M., Hagen-Zanker, J., and Dempster, H. (2018) 'Overview' in *Migration and the 2030 Agenda for Sustainable Development*. London: ODI (<https://www.odi.org/sites/odi.org.uk/files/resource-documents/12422.pdf>)
- The Feminist Sexual Ethics Project (n.d.) 'Bonded Labor or Debt Bondage'. Webpage. Waltham, MA: Brandeis University (<https://www.brandeis.edu/projects/fse/slavery/contemporary/essay-bonded-labor.html>)
- Gender and Development for Cambodia (GADC; 2010) *A preliminary analysis report on Deoum Troung Pram Hath in Modern Cambodia - A Qualitative Exploration of Gender Norms, Masculinity and Domestic Violence* (http://www.partners4prevention.org/sites/default/files/resources/a_qualitative_exploration_of_gender_norms_masc_and_dv_cambodia.pdf)
- Global Alliance Against Traffic in Women (GAATW) (2010) *Beyond Borders: Explaining Links between Trafficking and Gender*. Bangkok, Thailand: GAATW (http://gaatw.org/publications/WP_on_Gender.pdf)
- Global Alliance Against Traffic in Women (GAATW) (2011) *Smuggling and Trafficking: Rights and Intersections*. Bangkok: GAATW (https://www.gaatw.org/publications/Working_Papers_Smuggling/WPonSmuggling_31Mar2012.pdf)
- Global Alliance Against Traffic in Women (GAATW) (2017) *Access Unknown: Access to Justice from the Perspectives of Cambodian Migrant Workers in Thailand*. Bangkok: GAATW: (<https://www.gaatw.org/resources/publications/918-access-unknown-access-to-justice-from-the-perspectives-of-cambodian-migrant-workers-in-thailand>)
- Global Alliance Against Traffic in Women (GAATW) (2019a, forthcoming 2019) *Reclaiming Migrant Women's Narratives: A Feminist Participatory Action Research project on 'Safe and Fair' Migration in Asia*. Bangkok: GAATW.
- Global Alliance Against Traffic in Women (GAATW) (2019b, forthcoming 2019) *Demanding Justice: Women Migrant Workers fighting Gender Based Violence*. Bangkok: GAATW.
- GSMA (2019) *Connected Women: The Mobile Gender Gap Report 2019*. London: GSMA (<https://www.gsma>

[com/mobilefordevelopment/resources/mobile-gender-gap-report-2019/](http://www.ilo.org/mobilefordevelopment/resources/mobile-gender-gap-report-2019/))

Hagen-Zanker, J., Postel, H. and Mosler Vidal, E. (2018) 'Poverty, Migration and the 2030 Agenda for Sustainable Development' in *Migration and the 2030 Agenda for Sustainable Development*. London: ODI (<https://www.odi.org/sites/odi.org.uk/files/resource-documents/12422.pdf>)

Han, S. (2017) *Human Trafficking and Ethnic Minority Problems in Myanmar: Policy Recommendations for Myanmar and Neighboring States. The Public Sphere* (http://publicspherejournal.com/wp-content/uploads/2017/03/PSJ17_Article04.pdf)

Harkins, B. (Ed) (2019) Thailand Migration Report 2019. Bangkok: United Nations Thematic Working Group on Migration in Thailand. (https://thailand.iom.int/sites/default/files/document/publications/Thailand%20Report%202019_22012019_LowRes.pdf)

Hunt, A. and E., Samman (2016) *Women's economic empowerment: navigating enablers and constraints*. London: Overseas Development Institute. Available: <https://www.odi.org/publications/10483-womens-economicempowerment-navigating-enablers-and-constraints>

Iglesias-Rios, L., et al. (2018) 'Mental Health, Violence and Psychological Coercion Among Female and Male Trafficking Survivors in the Greater Mekong Subregion: A Cross-Sectional Study' *BMC Psychology* 6(56): 1-15

International Justice Mission (2013) *Commercial Sexual Exploitation of Children in Cambodia*, written by Dave Shaw (<https://www.ijm.ca/documents/studies/Commercial-Sexual-Exploitation-of-Children-in-Cambodia.pdf>)

International Labour Office Mekong Subregional Project to Combat Trafficking in Children and Women (2008) *The Mekong Challenge: An Honest Broker: Improving Cross-Border Recruitment Practices for the Benefit of Government, Works and Employers*. Bangkok: International Programme on the Elimination of Child Labour, International Labour Office (<http://un-act.org/wp-content/uploads/2015/07/An-Honest-Broker.pdf>)

International Labour Organization (2014) *Fair Migration: Setting an ILO Agenda*. International Labour Conference, 103rd session report. Geneva: ILO (https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_242879.pdf)

International Labour Organization (2015) *Internal Labour Migration in Myanmar: Building an Evidence-Base on Patterns in Migration, Human Trafficking and Forced Labour*. Yangon: International Labour Organization, ILO Liaison Officer for Myanmar (https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_440076.pdf)

International Labour Organization (2017) World Social Protection Report 2017-19: Universal social protection to achieve the Sustainable Development Goals. Geneva: ILO. (https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_604882.pdf)

International Labour Organization (2018a) World Employment and Social Outlook: Trends for Women 2018 - Global snapshot; International Labour Office - Geneva: ILO, 2018 (https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_619577.pdf)

International Labour Organization (2018b) Care work and care jobs for the future of decent work. Geneva: ILO. (https://www.ilo.org/global/publications/books/WCMS_633135/lang--en/index.htm)

International Labour Organization (2019) 'ILO Statement at the CEDAW Half-Day of General Discussion on Trafficking of Women and Girls in the Context of Global Migration'. United Nations Office of the High Commissioner on Human Rights (<https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/DiscussionOnTrafficking.aspx>)

International Labour Organization and Walk Free Foundation (2017) *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*. Geneva: ILO (https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf)

International Organization for Migration (2016) *The Climate Change-Human Trafficking Nexus*. Geneva: IOM (https://publications.iom.int/system/files/pdf/mecc_infosheet_climate_change_nexus.pdf)

International Organization for Migration (2017a) *Global Trafficking Trends in Focus*. Geneva: IOM (https://www.iom.int/sites/default/files/our_work/DMM/MAD/A4-Trafficking-External-Brief.pdf)

International Organization for Migration (2017b) *Counter-trafficking 2017*. Geneva: IOM (https://www.iom.int/sites/default/files/our_work/DMM/MAD/ct2017_english_24_july.jpg)

International Organization for Migration (2017c) Human Trafficking Global Database, 2017. Online resource. (<https://migrationdataportal.org/themes/human-trafficking>)

International Organization for Migration and USAID (2018) Human Trafficking Snapshot - Cambodia, September, 2018 (https://iom.int/sites/default/files/resources/files/cambodia20iom20x20human20trafficking20snapshot2028201829_3.pdf)

- International Organization for Migration (2019) *Flow Monitoring: In-/Outflows of Myanmar Nationals to and from Thailand*. Geneva: IOM (https://reliefweb.int/sites/reliefweb.int/files/resources/DTM%20Thailand_FMP%20Infographic-%20February%20%2719.pdf)
- Jayagupta, R. (2009) 'The Thai Government's Repatriation and Reintegration Programmes: Responding to Trafficked Female Commercial Sex Workers from the Greater Mekong Subregion' *International Migration* 47(2): 227-253
- Keo, et al. (2014) 'Human Trafficking and Moral Panic in Cambodia' *The ANNALS of the American Academy of Political and Social Science* 653: 202-224
- Khatri, S.K. (2007) 'Labour Migration, Employment and Poverty Alleviation in South Asia', in S. Ahmed, S. Kelegama and E. Ghani (eds.), *Promoting Economic Cooperation in South Asia: Beyond SAFTA*. Washington, DC: World Bank.
- Kingdom of Cambodia (2017) *National Plan of Action 2014-2018: National Committee for Counter Trafficking in Persons Mid-Term Review Report*. Kingdom of Cambodia (<https://ctipcambodia.files.wordpress.com/2017/08/03-aug-17-ncct-mid-term-review.pdf>)
- Kiss, et al. (2015) 'Exploitation, Violence, and Suicide Risk Among Child and Adolescent Survivors of Human Trafficking in the Greater Mekong Subregion' *JAMA Pediatrics* 169(9)
- Kurima, P. (2017) 'The Pattern of Human Trafficking: Comparative Case Studies of Zimbabwe and the Greater Mekong Subregion'. Submitted to the Salaya Conference on Irregular Migrants: Refugees or Victims of Human Trafficking? Analysis, Advocacy and Assistance between Categorizations and (Self) Identification
- Liberty Asia (2017a) *ASEAN & ACTIP: Using a Regional Legal Framework to Fight a Global Crime* (<https://globalinitiative.net/wp-content/uploads/2018/01/Using-a-Regional-Legal-Framework-to-Fight-a-Global-Crime-Liberty-Asia-2017.pdf>)
- Liberty Asia (2017b) *Legal Gap Analysis of Thailand's Anti-Trafficking Legislation*. China: Liberty Asia (<http://un-act.org/publication/view/legal-analysis-human-trafficking-thailand/>)
- Maher, L., Crewe Dixon, T., Phlong, P., Mooney-Somers, J., Stein, E. S. and K. Page (2015) *Conflicting Rights: How the Prohibition of Human Trafficking and Sexual Exploitation Infringes the Right to Health of Female Sex Workers in Phnom Penh, Cambodia*, Health and Human Rights Journal 17/1 (<https://cdn2.sph.harvard.edu/wp-content/uploads/sites/125/2017/08/Maher.pdf>)
- Mallet, R. (2018) *Decent Work, Migration and the 2030 Agenda for Sustainable Development*. London: ODI (<https://www.odi.org/publications/11193-decent-work-migration-and-2030-agenda-sustainable-development>)
- Marks, E. and Olsen, A. (2015) 'The Role of Trade Unions in Reducing Migrant Workers' Vulnerability to Forced Labour and Human Trafficking in the Greater Mekong Subregion' *Anti-Trafficking Review* 5: 111-128
- Mattar, M. (2013) 'Transnational Legal Responses to Illegal Trade in Human Beings' *The SAIS Review of International Affairs* 33(1): 137-159
- Memorandum of Understanding Between the Government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking* (2003) Siem Reap: The Governments of the Kingdom of Thailand and the Kingdom of Cambodia (https://www.asean.org/wp-content/uploads/2016/05/CT1_Memorandum-of-Understanding-between-the-Gov-of-KoC-n-the-Gov-of-the-KoThai-2003.pdf)
- Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Subregion* (2004) Yangon: The Governments of the Kingdom of Cambodia, the People's Republic of China, the Lao People's Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam
- Mi Young Park, C. (2018) "Our Lands are Our Lives": Gendered Experiences of Resistance to Land Grabbing in Rural Cambodia, *Feminist Economics*, DOI: 10.1080/13545701.2018.1503417
- Michaels, S. (2016) *Human Trafficking and Ethnic Minority Problems in Myanmar*
- Migration Data Portal (2019) 'Human Trafficking'. Webpage. International Organization for Migration (<https://migrationdataportal.org/themes/human-trafficking>)
- Ministry of Women's Affairs (2014) *Climate - Gender and Climate Change, Green Growth and Disaster Management: Cambodia Gender Assessment*. Phnom Penh: Ministry of Women's Affairs of Cambodia (https://www.kh.undp.org/content/dam/cambodia/docs/DemoGov/NearyRattanak4/Neary%20Rattanak%204-%20Gender%20and%20Climate%20Change.%20Green%20Growth,%20and%20Disaster%20Management_Eng.pdf).
- Muraszkiewicz, J. (2016) 'Modern slavery - but let us remember the trafficked.' *LSE Human Rights blog: Anti-Slavery series*, 18th January 2016. (<https://blogs.lse.ac.uk/humanrights/2016/01/18/modern-slavery-but-let-us-remember-the-trafficked/>)

- Myanmar National Committee for Women's Affairs (2013) *National Strategic Plan for the Advancement of Women (2013-2022)*. Yangon: Ministry of Social Welfare, Relief and Resettlement (https://myanmar.unfpa.org/sites/default/files/pub-pdf/NSPAW2013-2022_0.pdf)
- Myanmar Humanitarian Coordination System (2019) *Gender Profile for Humanitarian Action, and across the Humanitarian-Peace-Development Nexus*. Yangon: The national and sub-national humanitarian coordination system in Myanmar (<http://asiapacific.unwomen.org/en/digital-library/publications/2019/02/gender-profile-for-humanitarian-action>)
- Napier-Moore, R. (2017) *Protected or Put in Harm's Way? Bans and Restrictions on Women's Labour Migration in ASEAN Countries*. Bangkok: ILO and UN Women (http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2017/06/wcms_555974-compressed.pdf?la=en&vs=4604)
- NSWP, Global Network of Sex Work Projects, Promoting Health and Human Rights (2018) *The Impact of Anti-trafficking Legislation and Initiatives on Sex Workers*, Policy Brief (https://www.nswp.org/sites/nswp.org/files/impact_of_anti-trafficking_laws_pb_nswp_-_2018.pdf)
- Norwegian Refugee Council, et al. (2018) *A Gender Analysis of the Right to a Nationality in Myanmar*. Norwegian Refugee Council, The Seagull, Institute on Statelessness and Inclusion and SNAP (<http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2019/01/gender-analysis-of-right-to-nationality-in-myanmar.pdf?la=en&vs=528>)
- Office of the Higher Commissioner for Human Rights, UNHCR, UNICEF, UNODC, UN Women, and International Labour Organization (2011) *Joint UN Commentary on the EU Directive: A Human Rights-Based Approach*. OHCHR, UNHCR, UNICEF, UNODC, UN Women, and ILO (<http://www.unwomen.org/-/media/headquarters/media/publications/en/uncommentaryeutraffickingdirective2011.pdf?la=en&vs=947>)
- Pocock, N., et al. (2018) 'Because If We Talk About Health Issues First, It is Easier to Talk about Human Trafficking': Findings from a Mixed Methods Study on Health Needs and Service Provision Among Migrant and Trafficked Fishermen in the Mekong' *Globalization and Health* 14(45): 1-19
- Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime* (2000) United Nations General Assembly Resolution (https://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf)
- Representative of Thailand to the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) for Women's Rights (2019) *Report on Organization of the Launch, Workshops, and Consultation for Promoting and Disseminating the Guidelines for Frontline Officers and Practitioners working with Women Victims of Trafficking in Thailand with Good Practices and Lessons Learned of the interventions with recommendations*
- Royal Government of Cambodia (2010) *1st and 2nd National Report on the Implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography 2002-2010*. Phnom Penh: The Kingdom of Cambodia (https://cambodia.ohchr.org/sites/default/files/Treaty-report/OPSC_to_CRC-Eng.pdf)
- Robinson, W. C. and C. Branchini (2018) '*Estimating trafficking of Myanmar women for forced marriage and childbearing in China*', Johns Hopkins and KWAT (https://reliefweb.int/sites/reliefweb.int/files/resources/ETFM_Full%20Report_07Dec2018_Final.pdf)
- Samman, E., et al. (2016) *Women's Work: Mothers, Children and the Global Childcare Crisis*. London: ODI (<https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/10333.pdf>)
- Samuels, F., et al. (2018) *Between Work and Care: Older Women's Economic Empowerment*. London: ODI (<https://www.odi.org/older-women/empowerment>)
- Stuart, L. and Samman, E. (2019), *Defining 'leave no one behind'*, ODI briefing note, London: ODI (<https://www.odi.org/sites/odi.org.uk/files/resource-documents/11809.pdf>)
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery* (1956) Economic and Social Council resolution 608 (XXI). Geneva: Economic and Social Council (<https://www.ohchr.org/en/professionalinterest/pages/supplementaryconventionabolitionofslavery.aspx>)
- Surtees, R. (2012) *Re/integration of trafficked persons: supporting economic empowerment*. Issue paper #4 Trafficking Victims Re/integration Programme (TVRP). An initiative of the King Baudouin Foundation (KBF), Belgium and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. NEXUS Institute, Washington (https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/reintegration_of_trafficked_persons_supporting_economic_empowerment_1.pdf)
- Surtees, R. (2013) *After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Subregion. Summary Report*. Bangkok: UNIAP/NEXUS Institute (http://un-act.org/wp-content/uploads/2018/04/After_Trafficking_Full_Report.pdf)
- Surtees, R. (2017) *Supporting the Reintegration of Trafficked Persons: A Guidebook for the Greater Mekong*

Subregion. Bangkok, Thailand: NEXUS Institute, UN-ACT, and World Vision (<http://un-act.org/wp-content/uploads/2017/04/Final-Reintegration-Guidebook-3.pdf>)

Tuangratananon, T., Suphanchaimat, R., Julchoo, S., Sinam, P. and Putthasri, W. (2019) 'Education Policy for Migrant Children in Thailand and How It Really Happens; A Case Study of Ranong Province, Thailand'. *International Journal of Environmental Research and Public Health*: 16, 430; doi:10.3390/ijerph16030430

UN-ACT (2014a) 'Cambodia'. Webpage. United Nations Action for Cooperation against Trafficking in Persons (<http://un-act.org/cambodia/>)

UN-ACT (2014b) 'Myanmar'. Webpage. United Nations Action for Cooperation against Trafficking in Persons (<http://un-act.org/myanmar/>)

UN-ACT (2014c) 'Thailand'. Webpage. United Nations Action for Cooperation against Trafficking in Persons (<http://un-act.org/thailand/>)

United Nations General Assembly, Human Rights Council (2019) *Trafficking in persons, especially women and children. Report of the Special Rapporteur on trafficking in persons, especially women and children*. A/HRC/41/46 (<https://undocs.org/A/HRC/41/46>)

United Nations Human Rights Office of the High Commissioner (OHCHR, 2014) *Human Rights and Human Trafficking*, Fact Sheet No. 36 (https://www.ohchr.org/Documents/Publications/FS36_en.pdf)

UNHCR (2018) Policy On Age, Gender And Diversity. (<https://www.unhcr.org/protection/women/5aa13c0c7/policy-age-gender-diversity-accountability-2018.html>)

UNIFEM (2005) *Trafficking in Persons: a Gender and Rights Perspective* (https://www.peacewomen.org/sites/default/files/unifem_traffickinggender_2005_0.pdf)

UNODC (2017) *Trafficking in persons from Cambodia, Lao PDR and Myanmar to Thailand*. Bangkok: UNODC. (https://www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking_in_persons_to_Thailand_report.pdf)

UN Women (2015) *Progress of the world's women 2015-2016: Transforming economies, realising rights*. New York: UN Women. (<http://www.unwomen.org/en/digital-library/progress-of-the-worlds-women>)

UN Women (2018) *Gender-Responsive Self-Assessment Tool for Recruitment Agencies*. Bangkok: UN Women (http://www2.unwomen.org/-/media/field%20office%20eseasia/docs/publications/2019/03/ap-unw_grsa_tool_fa-webr03.pdf?la=en&vs=1840)

UN Women (2019) *Enhancing the Gender Perspective of National Plan of Action for Counter Trafficking*. UN Women Technical Brief.

UN Women, Asia and The Pacific (2019) *ASEAN launches gender-sensitive guidelines for handling women victims of trafficking* (<http://asiapacific.unwomen.org/en/news-and-events/stories/2019/01/asean-launches-gender-sensitive-guidelines>)

UN Women and International Organization for Migration (IOM) (2019). *Recruitment of Women Migrant Workers in South Asia - Background Briefing Paper*. (unpublished paper)

UNESCO (2019a) *Cambodia*. Webpage. UNESCO Global Education Monitoring Report (<https://www.education-inequalities.org/countries/cambodia#?dimension=sex&group=all&year=latest>)

UNESCO (2019b) *Myanmar*. Webpage. UNESCO Global Education Monitoring Report (<https://www.education-inequalities.org/countries/myanmar#?dimension=sex&group=all&year=latest>)

UNICEF East Asia and Pacific Regional Office (2009) *Reversing the Trend: Child Trafficking in East and South-East Asia*. Bangkok: UNICEF East Asia and Pacific Regional Office (https://www.unicef.org/protection/Unicef_EA_SEA_Trafficking_Report_Aug_2009_low_res.pdf)

The Union of Myanmar (2005) *The Anti Trafficking in Persons Law*. Yangon: The State Peace and Development Council (<http://un-act.org/publication/view/myanmars-anti-trafficking-in-persons-law-2005/>)

United Nations and Partners (2018) *2019 Humanitarian Needs Overview: Myanmar*. United Nations and Partners (https://reliefweb.int/sites/reliefweb.int/files/resources/2019%20Myanmar%20HNO_FINAL.PDF)

United Nations General Assembly Human Rights Council (2016) *Report of the Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences*. United Nations General Assembly HRC/33/26 (<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/142/67/PDF/G1614267.pdf?OpenElement>)

United Nations Office on Drugs and Crime (2009) *Global Report on Trafficking in Persons*. Bangkok: UNODC (https://www.unodc.org/documents/Global_Report_on_TIP.pdf)

United Nations Office on Drugs and Crime (2013) *Transnational Organized Crime in East Asia and the Pacific: A Threat Assessment*. Bangkok: UNODC (https://www.unodc.org/res/cld/bibliography/transnational-organized-crime-in-east-asia-and-the-pacific-a-threat-assessment.html/TOCTA_EAP_web.pdf)

United Nations Office on Drugs and Crime (2017) *Trafficking in Persons from Cambodia, Lao PDR and Myanmar to Thailand*. Bangkok: UNODC (<https://>

www.unodc.org/documents/southeastasiaandpacific/Publications/2017/Trafficking_in_persons_to_Thailand_report.pdf)

United Nations Office on Drugs and Crime (2018) *Global Report on Trafficking in Persons 2018*. Vienna: UNODC (https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTIP_2018_BOOK_web_small.pdf)

United Nations Thematic Working Group on Migration in Thailand (2019) *Thailand Migration Report 2019*. Bangkok: United Nations Thematic Working Group on Migration in Thailand (https://thailand.iom.int/sites/default/files/document/publications/Thailand%20Report%202019_22012019_HiRes.pdf)

United States Department of State (2017) *Trafficking in Persons Report June 2017*. Washington, DC: United States Department of State Office to Monitor and Combat Trafficking in Persons

United States Department of State (2018) *Trafficking in Persons Report June 2018*. Washington, DC: United States Department of State Office to Monitor and Combat Trafficking in Persons (<https://www.state.gov/wp-content/uploads/2019/01/282798.pdf>)

White, L. (2015) *How can we ensure fair – and safe – working conditions for migrants?* World Economic Forum (<https://www.weforum.org/agenda/2015/12/how-can-we-ensure-fair-and-safe-working-conditions-for-migrants/>)

Wickramasekara, P. (2015) *Bilateral Agreements and Memoranda of Understanding on Migration of Low Skilled Workers: A Review*. Geneva: International Labour Office (https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_385582.pdf)

World Bank (2019) World Development Indicators. Accessed July 2019. (<https://data.worldbank.org/>)

World Vision (2014) *The Vulnerability Report: Human Trafficking in the Greater Mekong Subregion*. World Vision (<https://www.wvi.org/sites/default/files/WV%20Trafficking%20Report%20P1.pdf>)

Zimmerman, C., et al. (2014) *Health and Human Trafficking in the Greater Mekong Subregion*. Anesvad Foundation, London School of Hygiene and Tropical Medicine and the International Organization for Migration (https://publications.iom.int/system/files/pdf/steam_report_mekong.pdf)

ANNEXES

Methodology – further information

Fieldwork in Cambodia

ANNEX TABLE 1

Qualitative data collection – In-Depth Interviews with victims of trafficking and their family members (IDIs)

	Province	Sex	Category	Education
1	Prey Veng Province	Male	Victim of labour exploitation	Secondary school
2	Prey Veng Province	Female	Victim of labour exploitation	Secondary school
3	Kampot Province	Female	Victim of labour exploitation and sexual abuses	Secondary school
4	Kan Chhreac district, Prey Veng province.	Female	Victim of labour exploitation	Primary School
5	Krolahn district, Siem Reap Province	Female	Victim of labour exploitation	No Education
6	Smachmean MACHMEAN CHEY district, Koh Kong Province	Male	Victim of labour exploitation	Primary school
7	Baray District, Kampong Thom Province	Female	Victim of labour exploitation	Primary school
8	Banteay Meanchey	Female	Family of trafficked person	No education
9	Koh Kong	Male	Family of victim of labour exploitation	Secondary school
10	Koh Kong	Female	Family of victim of labour exploitation	Primary school
11	Oddor Meanchey, Dang Rek mountain, Banteay Meanchey	Female	Victim of trafficking	No education
12	Banteay Meanchey	Female	Victim of trafficking	Primary school
13	Born in Prey Veng province but grew up in Koh Kong	Male	Victim of labour exploitation	Secondary school
14	Born in Preah Vihear Province but grew up in Koh Kong province	Female	Victim of labour exploitation	Primary school
15	Born in Prey Veng Province but grew up in Koh Kong province	Male	Victim of labour exploitation	No school
16	Kanchreach district, Prey Veng province	Female	Victim of labour exploitation	Primary school
17	Prey Veng Province	Female	Family member of female victim of labour exploitation	Primary school
18	Born in Makprang village Kampot province but moved to Daung Tong district, Koh Kong province	Female	Victim of labour exploitation	Primary school
19	Prey Veng	Female	Family member of victim of labour exploitation	Primary school

Key-Informant Interviews (KIIs)

1. Anti-Trafficking Police in Poi Pet, Banteay Meanchey
2. Transit Centre in Poi Pet, Banteay Meanchey
3. Ministry of Social Affair, Veteran and Youth Rehabilitation (MOSAVY), Phnom Penh
4. International Organization Mission (IOM), Phnom Penh
5. Ministry of Women’s Affairs (MOWA) Phnom Penh
6. National Committee to Counter Trafficking in Person, Phnom Penh
7. ADHOC, Phnom Penh
8. Legal Support for Children and Women (LSCW) based in PHNOM PENH and KOH KONG
9. United Nation Action Counter Trafficking (UNACT), Phnom Penh

IDIs with border management/frontline officers

- Immigration Officer in Phnom Penh

IDIs with Facilitators in the Border Area

- 1 boat driver in Koh Kong and one border guide in Banteay Meanchey (2 people)

Fieldwork in Myanmar

ANNEX TABLE 2

Qualitative data collection – In-Depth Interviews with victims of trafficking and their family members (IDIs)

	Region	Sex	Category	Education
1	Dawei, Tanintharyi Region	Female	Victim of trafficking and sexual abuse	Primary school
2	Yangon, Yangon Region	Female	Victim of labour exploitation	Primary school
3	Dawei, Tanintharyi Region	Female	Victim of labour trafficking and sexual abuse	Primary school
4	Waw Tsp, Bago Region	Female	Victim of labour exploitation	Secondary school
5	Yan Htaung Village, Thayat Chaung Township, Dawei, Tanintharyi Region	Female	Victim of trafficking	Primary school
6	Kan Pyin village Rathataung township, Rakhine State	Female	Victim of trafficking	Primary school
7	From Bago, Myanmar but living in Mae Sot	Female	Victim of labour exploitation	Secondary school
8	Yay Phyu Township, Dawei District, Tanintharyi Region	Female	Victim of trafficking	Secondary school
9	Palaw Township, Dawei District, Tanintharyi Region	Female	Victim of trafficking	Primary school
10	Bago, Bago Region	Female	Victim of labour exploitation	Primary school
11	Yangon, Yangon Region	Male	Victim of labour exploitation	Primary school
12	Ywar Ma Pyin village, Kyauk Taw Tsp, Rakhine State.	Female	Victim of trafficking	Secondary school
13	Kathit Taw, Kyauk Taw Tsp, Rakhine State	Male	Victim of trafficking	Secondary school
14	Oo Son Taung, Kyauk Taw Tsp, Rakhine State	Female	Victim of trafficking	Secondary school

15	Yangon, Yangon Region	Male	Victim of labour exploitation	Primary school
16	Daik Oo, Bago Region	Male	Victim of labour exploitation	Primary school
17	Shwe Kyin, Bago Region	Female	Victim of trafficking and labour exploitation	Primary school
18	Puak Wa Village, Kyauk Taw Tsp, Rakhine State	Female	Victim of trafficking	Primary school
19	Lite Pwel, Ti Lone Village, Kayin State	Female	Victim of trafficking and labour exploitation	Primary school
20	Oo Son Taung, Kyauk Taw Tsp, Rakhine State	Female	Victim of trafficking	Primary school
21	Hta Min Ma Sar Village, Palaw Tsp, Tanintharyi Region	Female	Victim of labour exploitation	unknown
22	Hta Min Ma Sar Village, Palaw Tsp, Tanintharyi Region	Female	Victim of labour exploitation	unknown-
23	Bago Region	Female	Victim of trafficking	Secondary school
24	Kone Thar Yar Inn village, Tanintharyi Region	Male	Family member of victim of trafficking and labour exploitation	unknown
25	Palaw Township, Dawei District	Female	Family member of victim of trafficking and labour exploitation	Unknown

Key-Informant Interviews (KIIs)

1. Trafficking Police Myawaddy
2. Department of Social Welfare (DSW) Crisis centre Myawaddy, Kayin State
3. IOM Myawaddy, Kayin State
4. IOM Yangon, Yangon Region
5. UNICEF Pha-an, Kayin State
6. Issara Myanmar, Yangon
7. General Administration Department (GAD) Palaw, Tanintharyi Region
8. Myanmar Women Affairs Federation (MWAF) Myawaddy, Kayin State
9. Child Care Foundation (CCF) Myawaddy, Kayin State
10. Migration Management Group Myawaddy, Kayin State
11. Mon Women Organization Mawlamyine, Kayin State
12. Tavoy Women Union, Dawei, Tanintharyi Region
13. Acted, Dawei, Tanintharyi Region
14. UN ACT, Yangon
15. MAP Foundation, Mae Sot, Thailand
16. Arakan Worker Association, Mae Sot, Thailand
17. Social Action for Women, Mae Sot, Thailand
18. General Police

IDs with Facilitators in the Community

1. Female facilitator/Labour Recruiter/Contact Point Pha-an, Kayin State
2. Facilitator, Mae Sot, Thailand

Overview of selected sites

Cambodia

Review focus sites in Cambodia included Koh Kong, Banteay Meanchey, Prey Veng, Siem Reap and Kampot provinces. Site selection was non-random, but based on LSCW's local contacts and the number of cases on human trafficking they received by location.

Koh Kong is a coastal area in the south of Cambodia bordering the Trat province in Thailand. It is a source, transit and destination province for human trafficking in the Greater Mekong Subregion. Evidence suggests that traffickers and trafficking facilitators (e.g. illegal recruiters) have used both the legal Cham Yeum border crossing, as well as

illegal border crossing routes to traffick Cambodian women and girls into Thailand, notably into the sex industry and other forms of exploitative labour in the Trat province. In addition, initial evidence review further justifies the selection of Koh Kong given its profile as:

- The centre of established legal and illegal trade routes
- The centre of established (labour) migration routes
- Receiving high influxes of cross-border trade, business, people and tourists
- Having a large number of sex trade establishments and facilities for sex-focused tourism
- A relative lack of support to trafficked persons, for example from NGOs and government agencies.

Banteay Meanchey province in northern Cambodia shares a border with Sa Kaeo province of Thailand. In recent decades, these two provinces have become the transit and source of thousands of Cambodian persons trafficked to Thailand. Poi Pet town in Banteay Meanchey province is a well-known transit area, home to casinos and other entertainment establishments involved in sex trafficking. Poi Pet is an international checkpoint in Cambodia, and it has been the focus of a significant scale of interventions by the Cambodian and Thai Governments, international organizations and NGOs to assist victims of human trafficking.

Returnee migrants in Koh Kong and Banteay Meanchey border areas may not have completed the reintegration stage and, even when originally coming from Koh Kong and Banteay Meanchey transit provinces, they may have very different trafficking experience from trafficked persons from central Cambodia. Hence, it was decided to carry out some IDIs with survivors living in Prey Veng. Prey Veng is one of the biggest source provinces of human

trafficking in Cambodia. It has a long history of migration and human trafficking to Thailand, especially in the fishing industry, construction and plantation. Moreover, during the validation workshop in Phnom Penh, the majority of the participants suggested to select Prey Veng as the sourcing province for human trafficking, especially when interviewing family members of survivors.

Kampot is also a coastal area located along the southern side of Cambodia. People who live in this province rely on rice growing, farming and fishing. Kampot is a source of migration, and people move abroad in search for better income.

Siem Reap is well-known for commercial sexual exploitation of children (CSEC) in commercial sex establishment. A 2013 study conducted by the International Justice Mission found a total CSEC prevalence of 9.21% in Siem Reap (for children younger than 17 years), of which 1.18% for children aged 15 and younger (International Justice Mission, 2013).

Myanmar

SEGRI team made preliminary field visits to Myawaddy (Kayin State, Myanmar) and Mae Sot (district in western Thailand), and they met with local organizations and key informants (in both sites) and the shelter officer (in Myawaddy). From the meetings, it emerged that most trafficked persons in Mae Sot are from Bago Region, Kayin State, Rakhine State and Tanintharyi Region. Accordingly, and as per key informants' suggestions, SEGRI selected Kayin, Rakhine and Tanintharyi in Myanmar and survivors from Bago in Mae Sot.

Mae Sot district in western Thailand is a major checkpoint providing easy access between Myanmar and Thailand by road. It is cost effective and faster for traffickers to travel by road than by air through the other two major checkpoints (Tachileik-Mae Sai and Kawthoung-Ranong). Mae Sot was then selected as data-collection site.



United Nations Building,
5th Floor Rajdamnern Nok Avenue
Bangkok 10200 Thailand
Tel: +66 2 288 2093
Fax: +66 2 280 6030

www.asiapacific.unwomen.org
www.facebook.com/unwomenasia
www.twitter.com/unwomenasia
www.youtube.com/unwomen