

FOCUS ON LABOUR ISSUES IN THE FISHING INDUSTRY



FROM TRAFFICKING TO POST-RESCUE

**INSIGHTS FROM BURMESE FISHERS ON
COERCION AND DECEPTION IN (ANTI)
TRAFFICKING PROCESSES**

SERIES PAPER 3

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Informed consent: The Burmese former fishermen featured in this report have all provided fully informed consent for their stories and photos to be shared.

Front cover: Four Burmese fishers, beneficiaries of Issara Institute's Freedom of Choice program, come together to make a short film, explaining the impact of cash transfers on their lives.

Back cover: Thai fishing vessels in Songkhla province, Thailand.

OVERVIEW

This paper focuses on the experiences of Burmese men who, having been trafficked into Thailand's offshore fishing industry, are in the process of reintegrating into Burmese society. Discussions with 15 of these men highlight how they were coerced or deceived throughout all phases of their experience, from recruitment to post-rescue. While the men corroborated accounts of deception and abuse on Thai fishing vessels that have been widely reported by the media and non-governmental organizations (NGOs), in-depth interviews reveal other forms of deception and coercion by anti-trafficking actors. This raises serious questions for assistance providers about the protection and reintegration of trafficked persons and highlights why it is imperative that the international community, including businesses, NGOs, and governments, pay more attention to reintegration efforts and supporting these men to rebuild their lives. Recommendations to support these men include: rethinking appropriate and more empowering assistance; providing financial compensation; and strengthening engagement of the private sector in reintegration activities.

METHODOLOGY

In-depth interviews were conducted by the authors in November 2016 with 15 Burmese men formerly trafficked onto Thai fishing vessels who now live in Yangon and Myeik, Myanmar. Further informal port surveys were also conducted across Cambodia, Thailand, and Myanmar to help situate this analysis. The Issara Institute conducted follow-up interviews with nine of the fishers in June 2017. Some respondents were initially trafficked onto Thai commercial fishing vessels in Kantang, Thailand; others were trafficked onto Thai vessels fishing in Indonesian waters, eventually stranded in Benjina, Indonesia. The focus of the interviews was to understand their lives post-rescue and to think about how to better support these men as they re-integrate into Burmese society.

INTRODUCTION: STORIES OF DECEPTION IN TRAFFICKING AND DECEPTION IN ANTI-TRAFFICKING

This research brief focuses on the stories of 15 Burmese men who became victims of human trafficking on Thai commercial fishing vessels. It examines how they were recruited, the conditions they faced at sea and at port, how the men were rescued, and what happened in terms of assistance provision and their daily livelihoods once they returned to Myanmar. The men's experiences with exploitation varied greatly. For example, some men faced violent abuse, while others were tricked into fisheries but experienced decent working conditions and treatment.

Noteworthy were the forms of deception and coercion that the men experienced, not only from their traffickers (a mix of brokers and boat owners), but also from the authorities and other actors tasked with helping them. While many organizations have good intentions, and some support has likely been helpful, the feedback from these men highlights how an anti-trafficking assistance framework can harm and

disempower the trafficked persons that it is designed to help, specifically through repeated deception and coercion throughout the assistance process.

The respondents were rescued in 2015 from Thai fishing vessels either in Kantang, Thailand or Benjina, Indonesia, at a time when labour abuses at sea and fisheries reform were receiving increased attention by the Royal Thai Government and seafood importing nations. English-language media covered the brutal cases of 'sea slavery' in these two locations, which prompted rescue efforts and spotlighted labour exploitation in Thailand's seafood industry. Once the men were rescued and repatriated, however, little follow up by the media, national governments, the United Nations, or NGOs was conducted, even as the men continued to struggle emotionally, psychologically, and financially with the after-shocks of their trafficking experience.

DEFINING DECEPTION. The verb “to deceive” has two definitions: 1) to be false to, and 2) to fail to fulfill. In the context of trafficking, both of these forms of deception may be employed to control fishers. This paper describes instances of both forms of deception experienced during the trafficking stage and after being rescued.

DEFINING COERCION. Coercion is an indicator of human trafficking and forced labour as defined under international law, yet there is no legally accepted definition of coercion within these contexts. This paper defines coercion as: 1) to restrain or dominate over individual will, 2) to compel to an act or choice, and 3) to enforce or bring about by force or threat.

DECEPTION AND COERCION IN THE RECRUITMENT PROCESS

All of the men experienced some form of deception at the recruitment phase. Desperate for work opportunities, men (or in two cases, boys) trusted village acquaintances or other migrants who connected them to a broker.¹ Some brokers were directly connected with boat owners in Thailand’s fishing industry, while others were connected to a series of brokers in Thailand who could find jobs. As such, workers passed through various hands, incurring debt along the way. Some respondents claimed they had no idea that they would cross an international border or that their documents were fake; others thought they were going to be working at a land-based job. In all but one case, workers did not have proper documents to work in Thailand (and then Indonesia).

Some respondents recalled having their pictures taken for fake documents, on which their Burmese names were replaced with Thai names. For those who knew they would be working in fishing, men were promised a trial period of a few months to encourage them to board the vessel; once they were at sea, they were unable to leave.

One respondent recounted how he met his broker at a teashop:

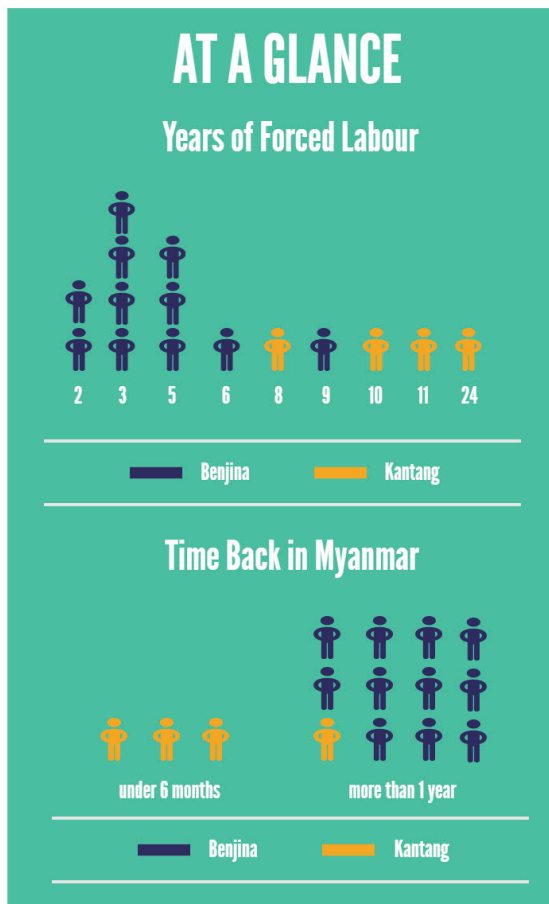
“The broker told me ‘you will have to work at farms or factories but you won’t get paid for the first three months because we will need to cover your transportation charges, but, later you will get paid.’ When we got to the port, that is when we knew we would have to work on fishing boats. Then we were sent off to Indonesia.”

Another fisher rescued from Benjina described how he was trafficked, noting that in his home village, one of his neighbours had married the broker:

“The broker told us we would work on fishing boats, but we were told that if we wanted to leave after a month, after a year, we could. But once we were there, we could not.”

The men’s experiences demonstrate how various layers of deceit were used to convince or trick the men into working aboard fishing vessels. It is likely that some of these vessels were unregistered or ‘ghost’ vessels.²

Debt bondage, which occurs when a person is forced or tricked into work to pay a debt over which they have no control,³ is considered a form of coercion and was used by some brokers to force migrants to work on boats. As one Kantang participant described:



“I went to a restaurant owned by a lady ... she opened a big restaurant. She was a broker. Her waitresses made us pay more [for food] than it actually costs and we couldn't pay. So she made us stay at her place and pay for it by working on the boats again.”

For the Kantang respondents, their brokers were particularly brutal. In one case, a broker and her husband used violence and the threat of murder to force the men onto ships and scare them from escaping. A respondent described one such horrific incident:

“The woman [broker] took money directly from the owner of the fishing boats and when I asked for the money, the woman's husband showed me a gun and said, ‘Do you want the money or a bullet?!’ Just as I was about to run away, two guys ran away ahead of me and were shot dead. If they hadn't killed them, they would have cuffed them, and just tortured them, beating them behind the house to make a good example as I had seen them do before.”

Another man recalled his own broker, known for murdering migrants:

“He was a drug addict, and would kill anyone for 3,000– 4,000 Baht (USD \$ 91– 121).”⁴

RECRUITMENT: POINTS OF DECEPTION

- ☑ Deception on industry and location of work.
- ☑ Deception related to length of employment or ability to leave or change employers.
- ☑ Deception on legality of work and migration documents.

RECRUITMENT: POINTS OF COERCION

- ☑ Violence, threats, and being held against their will.
- ☑ Use of debt bondage to force migrants to work on boats.

LABOUR CONDITIONS AT SEA AND AT PORT

Labour abuse on the fishing vessels occurred in various forms. Verbal and physical abuse were common, particularly if men were seen as working too slowly or as misbehaving. All men reported long working hours – sometimes up to 20 hours at a time – with few rest periods, certainly less than the current Thai legal requirement of 10 hours per 24 hours or 77 hours in a seven-day period.⁵ A Benjina respondent discussed the use of physical violence to enforce long working hours without breaks:

“We had three meals a day but we got to eat only if we were done working. If we ate before finishing our work, the captain would beat us. He would beat not only me but also the other workers every day. There were 22 Burmese and only two Thai workers on board, but they had guns so we could not do anything.”

Some men also suffered permanent, physical workplace injuries. Two men from Kantang were left disfigured; one severed his finger with a net and continued working without medical treatment, while another lost an eye and injured the other eye in a shoot-out with the Indonesian Navy when the captain ordered them to fish illegally in foreign waters. The legacy of this abuse continues; doctors have told him that he will eventually become blind in his remaining eye.

Captains also employed other tactics like debt to

keep the men in forced labour conditions. One participant described how his captain charged interest rates of 50 percent, which workers could never pay off in practice. Captains and brokers also coordinated the exploitation of workers. As one respondent from Kantang recalled:

“I worked there for three or four years ... I didn't understand a word they were saying to each other because they were speaking in Thai. They told us that we were indebted to them so instead of a salary, they kept taking our money- saying it was money we owed them.”

Both on and off shore, all respondents experienced working conditions in contradiction to Thai law, including long working hours, withholding of payment, no sick leave, and reports of cramped and unsanitary working conditions.⁶ Many spoke of limited water, and only eating a meal of rice and fish. At least two men were hired under the age of 18 (one as young as 10 years old).⁷

Not all of the men recognized the severity of the abuse. For example, hitting and yelling were common and some workers considered this ‘deserved’ if a worker was lazy or disobedient. Many Benjina respondents hoped to get paid after five years of work, even though five years without pay is an outrageously unreasonable contract agreement.

One respondent commented that he liked the adventure of being out at sea, although he was angry that he had been tricked into believing he would, at some point, be paid. Even the few men who liked ‘fishing life’ because they had ‘good’ captains did not like that they were not paid for their work.

As one Benjina respondent described:

“Our captains were nice and if we stayed put, stayed with each other and followed the rules, they would not do anything [harm us].”

For those men that ended up in Indonesia, they had little choice; once they were on fishing boats, the boats were diverted to fish into Indonesian waters. Local police were not seen as an option in terms of helping them. In Kantang and Benjina, the police were known to resell escaped fishers back to their traffickers, from whom they were likely to face severe punishment, including death. Coercion at this phase is particularly problematic, as it trapped the men for years in situations of exploitation and abuse.

Some workers contemplated escaping while they were at port, however their mobility was limited since they lacked the appropriate paperwork to enable them to move beyond the boat or pier. In Kantang, a particularly violent locale, workers were fearful to move around and often stayed in the docked boats; one man was reportedly caged when his vessel docked ashore. In Benjina, Indonesia, escape was impossible given the island’s isolation from the mainland. Captains allegedly possessed satellite phones, but fishers would have had to purchase their own phones and SIM cards and hike a few hours

to the top of a mountain, which was the only location where they could receive service. While a few men did call home, many did not. The men described an island of “no rules,” where if a Thai captain disfavored a crew member, which they claimed happened most often with Burmese crew,

“The [Indonesian] police would capture those people and beat them. Sometimes, they did it too much and they would just die.”

AT SEA AND AT PORT: POINTS OF DECEPTION

- ☑ Deception regarding payment of wages.
- ☑ Deception of location of work and level of communication they could have with their families.

AT SEA AND AT PORT: POINTS OF COERCION

- ☑ Debt bondage, sometimes coordinated and exacerbated by both the broker and the captain.
- ☑ Resold to traffickers by corrupt police.
- ☑ Violence, threats, and intimidation.
- ☑ Restricted movement or confinement on shore.

DECEPTION AND COERCION IN THE RESCUE PROCESS

The men from Kantang described harrowing tales of rescue and escape. After years of abuse, they came across the Issara migrant worker hotline. One participant described trying to convince others to run away with him but they did not for fear of getting caught, or simply because they could not get away at the time of escape. For the Benjina men, the long-term journalistic investigation by an Associated Press team unleashed a mass rescue operation with various international and local NGOs and governments coordinating the removal of over 1,000 men from Indonesia back to four different origin countries.⁸

While the majority of the fishers interviewed were happy to finally leave Benjina, many were reluctant because they were waiting for their salaries, which were due in just a few months, after five years of work. Men also recounted how some Burmese fishers had hidden in the jungle to escape deportation because they did not

want to leave the families they had formed with Indonesian women on the island, after being stranded for years. The reluctance of some fishers to leave Benjina, in addition to accounts of authorities coercing them with threats of arrest if they did not leave with the rescue operation, raises the issue of forced assistance, and what more could have been done to assuage the legitimate concerns of migrant workers without risking re-victimization and reinforcing trauma.

A Benjina respondent described his hesitation:

“Calling us back here [Myanmar] is what made it difficult. For me, it was easy because I speak Thai and I was okay with the boss, so the longer I was there [Thailand], the more [money] I would have made. Here, it would be okay if the government compensated us like they said they would. Now I have to struggle a lot and I have spent way too much time with nothing.”

Once rescued, the men were placed in government-run camps or trafficking shelters. For some of the Benjina workers, they stayed in camps run by the Indonesian government for up to two months before flying to Myanmar.

The camp conditions seemed fine, with Benjina respondents describing them as ‘good,’ except for one who noted that the flimsy shelters did not protect them from the elements. Meanwhile, the respondents rescued from Kantang were placed in a Thai government-run shelter while an investigation and court process unfurled. The men in this shelter stayed there for approximately seven to eight months and experienced restrictions on freedom of movement, communication and access to healthcare; discrimination by government authorities; and sub-par living conditions, as outlined in the table below. One respondent described efforts by police to get the men re-trafficked onto boats, and how he was ultimately deported informally back to Myanmar and, as a result, considered ineligible for any of the assistance offered by the government to other human trafficking survivors.

DECEPTION IS NOT ALWAYS OBVIOUS.

Two respondents described a work situation different than those of their colleagues: these two men knew that they would be working in Indonesia in offshore fishing and were willing to do so. They also described fair working conditions, and did not experience physical or verbal abuse. What they were unaware of, however, is that their salary would be withheld. These men truly believed that they would have been paid after five years, even though being unpaid for such a length of time is a form of forced labour. All of the respondents felt like they had been deceived by their rescuers – the government officials who had promised their wages within six months of return to Myanmar. None of the men interviewed – over a year later – had received their owed salaries.

COMPARISON OF POST-RESCUE CAMP/SHELTER CONDITIONS

BENJINA (INDONESIAN GOVERNMENT AD HOC CAMP)	KANTANG (THAI GOVERNMENT SHELTER)
PROS	CONS
<ul style="list-style-type: none"> • No phone restrictions • Only two months wait until returning home • No feeling of discrimination 	<ul style="list-style-type: none"> • Feeling of insecurity and discrimination • Not enough food to eat • Inadequate health care or attention to health needs
CONS	
<ul style="list-style-type: none"> • Flimsy shelters • Unable to leave the compound 	<ul style="list-style-type: none"> • Incidents of re-trafficking by police • Risk of informal deportation • Recurring incidents like being insulted and called names; small amounts of money taken by officers
	<ul style="list-style-type: none"> • Phone restrictions • Unable to leave the compound • Seven to eight months wait until returning home

POINTS OF DECEPTION AND COERCION OF KANTANG RESPONDENTS DURING RESCUE

DECEPTION

- ☑ Told by authorities that they would receive their owed salaries.

COERCION

- ☑ Some victims deported illegally back to Myanmar against their will.

POINTS OF DECEPTION AND COERCION OF BENJINA RESPONDENTS DURING RESCUE

DECEPTION

- ☑ Told by authorities that they would be paid six months after returning to Myanmar.
- ☑ Told by authorities that jobs are plentiful in Myanmar.

COERCION

- ☑ Threats of arrest if they did not leave Indonesia.

DECEPTION AND COERCION POST-RETURN TO MYANMAR

Upon return to Myanmar, the men faced a difficult reintegration process. Reuniting with family was a joyous moment for many, but that too was not without challenges. From long lost wives and children, to returning to no family, or not being able to locate their families, not all men returned to a supportive network. Assisting the families of survivors is an overlooked aspect of reintegration considering that family support plays a crucial role in either undermining or facilitating the successful reintegration of the trafficking survivor. Family members, particularly wives and children struggling to survive after the trafficking of their husband/father, may also be considered 'secondary victims of trafficking.'⁹ Moreover, several men returned to ailing relatives.

Orphaned respondents in this research recounted especially poignant struggles in adjusting and surviving in Myanmar, and were much more dependent on NGOs for livelihood and emotional support. There was no formalized reintegration program dedicated to male trafficking survivors without family, but the men called one locally-based NGO for informal assistance because they had no one else to turn to. While this is an example of a positive experience with an NGO, it highlights a major gap in assistance, including the lack of a systematic and sustainable network of support services.

Soon after arrival to Myanmar, the men faced the return of economic pressures. This pressure was magnified since the men had worked for years with nothing to show for it. One Benjina respondent could not repay the debt he owed to community members who had financed his migration to Thailand; this debt had since grown, and he now had to borrow additional funds to pay for food and rent. Another former fisher, now working in fish processing in Myeik,

noted that he had big dreams before he left home, but now had returned with nothing. Men described feeling shame and embarrassment that it had not worked out as they had hoped. All the men described having a difficult time providing for their families or affording shelter and food, and most were extremely poor by Myanmar standards. The cases of returned Burmese fishers demonstrate that, for the most part, assistance ends once the person is rescued and they often end up in a worse financial/employment situation than when they left Myanmar.

The men interviewed self-identified as poor, and the majority were in an unstable employment situation. A common theme across the interviews was the daily struggle these men encountered to buy food, to pay rent, and to find more than casual work. One third of the men had picked up some form of construction work, often casual, which generally does not pay well. For example, men were being paid 1,000 Myanmar Kyat (USD \$0.96)¹⁰ per hour if there was work available, which is well below Myanmar's required minimum wage introduced in 2015 of 3,600 Kyat (USD \$3.48).¹¹ Another respondent in Myeik reported earning 50,000 Kyat (USD \$48) per month for construction work, often working a few days a week. This wage amounts to about USD \$1 per day.

The assistance provided to the participants was mostly material in nature, and generally bound by donor constraints. For example, the largest form of assistance was 500,000-600,000 Kyat (USD \$484- 581), which could not be distributed in cash but in items only (i.e. trishaws, rice and oil, tools, motorbike). Not only did this diminish the agency of the survivors to use the cash as they saw best, but there were also major flaws in how it was distributed.

The men were strongly encouraged to pick items that they could use to invest in a business, but were not given any short-term or long-term business or livelihood counseling. The men were not yet on their feet when they had to pick an item, and most men were at a loss regarding what to ask for. They accepted the common suggestions of the assistance officers and received a trishaw or rice to start a business. Two participants were more creative with what they asked for: one requested five months' worth of rent and another asked that a water well be built in his village. The latter said that it was the best use of the assistance because he recognized that using it for a business would likely not be successful. The former said that the funds provided for rent were fine, but that if he had combined the assistance amount with that of his son's, who also worked with him in Benjina, they could have built a house in their village, eliminating the need to pay rent. With the benefit of hindsight, all of the men noted that they would have spent the funds differently if they had been able to receive cash instead, such as invest in a new business, reinvest in a former business, buy a house, and repay debts.

All of the men would have preferred to receive cash assistance.¹² The men did receive some small cash assistance to help them in their initial readjustment period. They found this helpful in terms of initial emergency funds, but said that more money would have been needed if they were going to start a business, as other organizations had urged them to do. A criticism consistently emerged across the interviews: men were promised greater assistance than what was provided. Fishers felt that false promises had been made, which only increased their sense of disempowerment and frustration. For example, local and international NGOs asked a lot of questions, and some respondents found the manner in which they were questioned to be

inappropriate and intrusive. One Kantang respondent explained:

“The questions they [the assistance officers] asked me were, ‘What do you want to do? What are you going to do? Are you going to herd pigs?’ We [the returned workers] don’t even have a place to stay; where are we going to herd pigs?”

Meanwhile, other organizations followed up initially and then dropped off. As one Benjina respondent recalled:

“For the first month they just called us and told us ‘if you need any help, just tell us’. They did that for the first two months; then after that, nothing.”

As another Benjina respondent noted,

“It is just words.”

Respondents did not appear to have specific expectations about assistance they should have received, however, once services were offered and not provided, they felt misled and abandoned by assistance providers.

POINTS OF DECEPTION DURING REINTEGRATION

At this stage, while the trafficking survivors were not necessarily or intentionally deceived, they were made to believe that they would be receiving additional assistance that failed to be fulfilled, and can be considered a form of deception.

- ☑ Ad hoc meetings with organizations, with no follow up (i.e. creating false promises).
- ☑ No updates or further action on their case, despite providing statements to government officials and police.



The rice shop of one respondent (left) failed after a few months, due to insufficient support and training. He is now unemployed and hoping to return to Thailand safely. The respondent on the right made his iron cart with welding materials donated by an international NGO. Photo Credit: Myo Thiha.

VIEWS ON THE MEDIA AND GOVERNMENT AUTHORITIES

The fishers interviewed for this study were largely unaware that their story—so-called “seafood slavery”—had received extensive coverage in the international (and mainly English) media. Few articles, including those of the famous Associated Press investigations that won the Pulitzer Prize for Public Service in 2016, had been translated into Burmese.¹³ Even though the Burmese media – in English and Burmese -- did pick up on the Benjina story, the men we interviewed were unaware of this coverage. This speaks to the reach of the media, and highlights how stories in and of themselves do not necessarily translate into empowerment or giving voice to survivors. Perhaps, in the context of Myanmar, the media reported as best they could given restrictions on freedom of the press, and censorship.¹⁴

While in Thailand, Indonesia, or back in Myanmar, the men also experienced discrimination at the hands of authorities, and there were plenty of examples that the men

could cite about unfair, unjust experiences even while having the special status of being a trafficked person. The men felt especially unheard and disempowered when some Thai police officers did not believe their testimonies. When they returned to Myanmar, officers there did not even bother writing down their witness statements. This also presents a problem for the delivery of justice and compensation for the survivors, and reflects the limitations of the justice systems in Thailand and Myanmar. One respondent noted that there was not much they could do on their own, since he felt that, if they were to organize and protest, this would be met with arrest. Multiple respondents from both Kantang and Benjina underlined the importance of spreading ‘the truth’ and making the public aware of the injustice they had endured. Participants also felt that greater public awareness would help speed up the trial of their traffickers and therefore expedite the payment of their lost wages and other compensation.

DISCUSSION: CONTINUED DECEPTION AND COERCION

Lies and abuse mark the trafficking experiences of the fishers, which in some cases lasted decades. Once the men were rescued, this was often considered the end of the story for the public and the authorities. However, deception and coercion continued in other forms, this time from figures of authority and organizations that the men were supposed to trust. Authorities promised that job prospects in Myanmar had improved and that they would receive their salaries within six months, only to receive very little or nothing of what was promised to them. The men were repeatedly given false hopes of assistance, payment of lost wages and other forms of compensation.

International and local NGOs have approached the human trafficking survivors offering assistance. They have taken the men’s time to interview them on their condition and needs, which often involves them traveling long distances and taking time off of work; however, in many instances the men have not heard back from them. For example, one Benjina respondent left Yangon to work in another

province in Myanmar while awaiting news of compensation. While he was away, an organization handed out assistance in the form of items worth 600,000 Kyat (USD \$581). Once the man heard about this, he rushed back to Yangon to receive his compensation, but was told he had missed the deadline. He had left his job and paid for the long journey back to Yangon only to receive nothing. While donor assistance is often attached to conditions and there were likely a host of logistical reasons why the man could not be given assistance, his experience is another example of how service providers, in their goodwill, can also instill false hopes in men who have already been misled and traumatized.

In Myanmar, the men were frustrated at still not having been paid as promised, yet there was nothing they could do. What makes the situation worse is that the men were unaware of the intense media coverage on slave labour at sea or the millions of dollars committed to addressing the issue – and yet these men still have not received compensation or justice.

STATUS UPDATE: WHERE ARE THEY NOW?

In June 2017, Issara spoke with nine respondents interviewed for this study (six Benjina and three Kantang respondents) to get an update on their lives since having returned to Myanmar. This update highlights the struggles faced by people after trafficking experiences and the resilience of these persons in their plight to build successful and meaningful lives.

A common theme among respondents was the need to take on informal work. One Kantang respondent found that the construction industry had changed significantly during his years away, but with the help of friends, he found work as a carpenter in his village. Another Kantang respondent first worked in a car repair shop and then as an informal fishing worker. Another Kantang respondent took a job working as a ticket collector on public buses, which he found with the help of his uncle.

Many of the respondents attempted to start their own businesses when they first arrived home. One Benjina respondent opened a shop selling rice, but when the business proved unviable after three months, he took a job as a construction worker and began doing odd jobs. He is now mostly unemployed. Another Benjina respondent opened a betel nut shop and at first expanded to selling coffee, but when the business failed, he began working as a trishaw driver and as a daily wage labourer doing odd jobs.

For some respondents, their trafficking experience took a toll on their physical and mental health, severely impeding their ability to continue living their lives as they might have hoped. One Benjina respondent had lost his vision during an accident on the fishing boat. Despite enrolling in a massage course for the blind, his traumatic experience proved too much; he struggled to get along with fellow students and returned to his village where he is now homeless. Illness in the family presents additional challenges. One Benjina respondent is currently working as a handy man and selling lottery tickets, but is limited in pursuing other options as he taking care of his sick father.

Despite hardships, many respondents persevered and employed a range of agency strategies in pursuit of financial security, such as living with family and friends to save money, taking on multiple jobs, regularly changing jobs, and migrating internally and internationally. One Benjina respondent worked for his family business at first, installing and repairing air conditioners, but as the income was insufficient he supplemented this work renting out his own trishaw. Another Benjina respondent, whose rice shop business failed, hopes to re-migrate to Thailand with help from Issara to find a reliable recruitment agency and employer. Another Benjina respondent employed an agency strategy he knew well—migration:

“I was unable to find work when I returned home. I first migrated to Yangon and worked in construction sites and as a handy man in a brick making factory. After working for ten months without overtime pay, I quit and began working at a car wash. Unable to save enough money, I returned to my home village and took another job, but eventually moved back to Yangon with my wife to take factory jobs.”

Some respondents developed broader aspirations in the post-trafficking space, including a desire to provide others with information to prevent situations of human trafficking. One Kantang respondent has been collecting information about labour conditions in the fishing industry in southern Myanmar, and wants to re-migrate to Thailand in hopes of finding better employment as well as to provide information to migrants. Another Kantang respondent has been sharing safe migration information in central Myanmar and plans to re-migrate to Thailand:

“Adjusting in Myanmar has been a big challenge. As a person who lost contact with family and has no home, life is very tough. However, I have not given up and keep a strong hope and desire to return to Thailand legally and do something to help many other people.”

STATUS UPDATE: KANTANG SURVIVORS



“I thank the government officials and organizations for rescuing us, but I am still angry at the fact that we were rescued by the government and identified as witnesses but we did not have a chance to provide our statement to the court. Then we were deported back to Myanmar through illegal checkpoints together with other undocumented migrants. Because of not being repatriated through official channels, I and four of my friends in the same group were not identified as victims of trafficking by the Myanmar authorities, and did not receive assistance like our friends. For instance, I had difficulty applying for my NRC [Myanmar Nationality Registration Card] and, still, I do not have one. I was asked for different supporting documents, while one of my friends who came back and had no documents received his NRC within a month after returning. If I were officially handed back to the Myanmar government through the formal channel, I would not have this problem now. Moreover, I have no hope to claim my unpaid wages while other friends who were identified as victims have hope that they will get their compensation. We do not know why we were not identified as victims of trafficking. What can we do now? Any chance that I can provide my statement to an official now?”



“Integrating and adjusting myself in Myanmar have been big challenges because, as a former net supervisor, I am not liked nor trusted by others who were rescued from the same employer. And as a person who has lost contact with my family and who has no home, life is very tough. However, I do not give up. I am keeping strong hope and desire to return to Thailand legally, and to do something to help many other people by working with Issara.”



“I want to share my story with everyone so that people like me will not be cheated. It is good that I received support from different organizations after we returned to Myanmar, but I still hope that we all will receive our wages and compensation so that we can start a good life back home.”

STATUS UPDATE: BENJINA SURVIVORS

“We were told not to worry about our lost wages because the government would ensure that we would get it. Before leaving Benjina and Ambon, we had to sign many papers which gave us hope that we would get our money back. But still we have not received our money except support money from organizations like Issara and IOM [International Organization for Migration]. Some of my friends working in the same vessel group, who were not rescued, returned by themselves as their boat returned to Thailand, and they came back home with 20-30 million Kyat (USD \$19,361-29,042). As a trishaw driver, I get 8,264-10,330 Kyat (USD \$8-10) per day, so I am struggling to survive and send my two children to school.”

“My other friends who made their way back from Thailand by themselves from the same vessel group received their wages and are running their own businesses now. But for me, I still do not have a proper job and am still in debt, as my father is not well. The Myanmar Department of Social Welfare and Anti-Trafficking Police assisted me and my friends to get NRC cards, however the township immigration office has given us a hard time since I did not have all the required supporting documents. Finally, I gave up since I did not have the money to go there again and again, and I also lost my daily income every time I went there.”

“It is very difficult to find a job and to run a small business, so I am considering going back to Thailand with some of my friends ... although I do not want to go and work there again. Do we have any hope to get the unpaid wages that we were promised before we left Benjina?”

“We were told that we would get our unpaid wages from the fishing boat owner or the captain one month after our return from Indonesia, but nothing happened. The Myanmar Embassy staff told us that we would get our unpaid wages within two months. We had to fill out different forms until our hands got tired. After we came back, we were interviewed again and again and had to fill out different documents again. I gave information on the vessel owner, number of years on the vessel, and all the information that I had. Before I left Benjina, I even met with the vessel owner who promised me that he would give me the money. My friend who went on the same journey but ended up on a different vessel owned by the same person came back from Thailand with money ... For us who returned with the assistance of the government, we have waited for more than two years and are losing hope. The help that we have received from different organizations has been very helpful, yet we all want our unpaid wages, so that our lives will be better off.”



Forms of deception and coercion experienced by fishers in this study

	Recruitment	Work at Sea	Rescue	Reintegration
Deception	<ul style="list-style-type: none"> Industry and location of work Length of employment or flexibility to leave/ change employers Employment documents 	<ul style="list-style-type: none"> Payment of wages Location of work and level of communication with family 	<ul style="list-style-type: none"> For Kantang respondents: Receipt of their owed salaries For Benjina respondents: Receipt of their owed salaries within six months Availability of jobs in Myanmar 	<ul style="list-style-type: none"> Provision of services by organizations Lack of follow up on their cases, despite providing statements to government officials and police
Coercion	<ul style="list-style-type: none"> Violence, threats, and being held against one's will Debt bondage 	<ul style="list-style-type: none"> Debt bondage Resold to traffickers by corrupt police Violence, threats, and intimidation Restricted movement or confinement on shore 	<ul style="list-style-type: none"> For Kantang respondents: Deported illegally, against their will For Benjina respondents: Threats of arrest if they did not return to Myanmar 	



Kantang respondents reunite in Yangon and read Issara's Annual Report, which includes their stories and voices.

Photo Credit: Myo Thiha.



Working with the respondents to capture their perspectives and collect their inputs for the completion of this paper.

Photo Credit: Myo Thiha.

RECOMMENDATIONS

The following are recommendations for assistance providers on how to support the dignity and livelihoods of trafficked fishers.

1 Placement in shelters should only be voluntary, and only into shelters with adequate staffing and resources.

Very few trafficked persons want to be placed in shelters. Trafficked persons should not be placed in shelters involuntarily, for indefinite periods of time, or for unexplained purposes. In cases where trafficked persons need to reside in shelters, their freedom of movement and communication should be maintained to the greatest extent possible, particularly given that restrictions on freedom of movement may have been a main component of their trafficking experience. Government and NGO shelters should only be operational if they are able to offer their residents adequate food and health care services. The structure of buildings should be sound and able to withstand local weather conditions. Shelters should be staffed with qualified and compassionate counselors and other individuals, particularly those who do not possess discriminatory or hateful attitudes towards the population they are tasked with serving. Police or other authorities should not be allowed to enter the premises without authorization and good reason, such as to prevent the types of abuse faced by the Kantang respondents in shelter.

2 Trafficked persons should have a voice regarding their situation and abuse in international media coverage.

As was found through this research, trafficked persons may be completely unaware of international media coverage of their specific cases of abuse, and at the same time they may feel completely unheard and disempowered. Service providers can play a role in connecting trafficked persons to international media in simple cost-effective ways, for example, by conducting media awareness workshops, translating key journalistic pieces into local languages, or by encouraging local media to

feature summaries of international articles. Those interested in using the media as an empowerment tool could facilitate interviews for trafficked persons with international journalists or host activities to make their voices heard. On the media side, journalists whose stories are heavily reliant on or focused on the abuse and suffering of others should allow those victims some voice in shaping the story – for example, sharing their views on what outcomes should be gained from telling their personal stories to audiences of thousands or millions.

3 Recognize the legitimate reasons why trafficked persons may not want to return home.

In the context of human trafficking and labour exploitation that lasts years or decades, migrant workers may have developed any number of coping mechanisms in order to live in the destination country. Despite enduring abuse and exploitation, they may have integrated with local communities, learned local languages, and formed supportive relationships: some have even married people locally. Trafficked persons may have no one to return to and no support system in their home countries. They may not want to return home due to difficult family issues, which might be even more challenging to deal with after having been trafficked. Some Benjina respondents even hid in the jungle to avoid repatriation, which shows the extent to which some migrants wanted to remain in Indonesia. Service providers, including government and NGO bodies, should work with trafficked persons to identify what they want to do next, and where they can go to gain access to a strong emotional support system. Forcing a trafficked person to leave a destination country under threats of arrest poses a high risk of re-victimization and reinforcing trauma. Service providers should consider all available options to consider a trafficked person's desire to remain in the destination country, and, if needed, provide avenues with legal support for recruitment into new, decent jobs.

4 Provide adequate psychosocial assistance for trafficked persons and their families.

There is a general lack of psychosocial assistance for trafficked persons and their families, as was reflected in this study. Reunification with family after long periods apart can be very difficult emotionally both for the trafficked person and for the family members. Trafficked persons may learn that their family members are sick or have died or may struggle with being reunited after failing to provide for them financially. One respondent was unable to find his family at all after 11 years in forced labour.

Meanwhile, family members may have thought their trafficked relative was dead or have moved on with their lives significantly. They may, themselves, face trauma from seeing their family member suddenly after a long period of time, in particular if they have been struggling to survive financially. Service providers can provide important counseling services to trafficked persons and their families, with specialized programs for family members, for trafficked persons who have been orphaned or whose spouses have passed away while they were gone. In particular, service providers could develop a formal reintegration program dedicated especially for male trafficking survivors without family; in most places, they only rely on informal assistance, with specialized trafficking programs focusing mainly on women and children.

5 Transition to more empowering and individualized victim assistance.

Assistance provided to trafficked persons should be empowering and driven by the affected person. For example, all of the respondents for this study would have preferred cash to alleviate economic pressures to provide for their families when they return home, so unconditional cash transfers would have been more empowering and more appropriate than in-kind assistance. Cash transfers serve as an empowerment tool, as the survivors are able to use the cash as they see fit and spend it on their most urgent needs and priorities. Where in-kind material assistance is provided, it should take the form of resources to invest in a business or other livelihoods and should be driven by clients' preferences, supported by market-based livelihood

counseling. Service providers should take all precautions not to promise greater assistance than what will be ultimately provided, as this can lead to additional feelings of disempowerment and frustration. Trafficked persons would benefit significantly from much greater efforts from providers to engage them in open discussions about what services are available and how they could be utilized to give them back control of their lives.

Assistance providers could also be more creative in supporting effective post-trafficking options. For example, not all men wanted to return home from Benjina: some would have preferred negotiating better terms for fisheries work, or receiving assistance in obtaining legal papers so they could work elsewhere. Innovative victim assistance programs that are flexible and "smart" enough to support individualized reintegration assistance would be most empowering to victims.

6 Prioritize financial compensation to victims.

Receiving their owed salaries was of the utmost importance to the men, even more so than seeing their traffickers punished under the law. The simple message here is that civil remedies to acknowledge and pay back lost wages to trafficked persons within a reasonable timeframe should be prioritized. Restitution of lost wages would be a significant help in allowing the men to move on with their lives.

7 Work with the private sector to employ these skilled workers.

Former fishers have extensive knowledge about fishing, skills that can translate into successful fishing and fish farming jobs elsewhere. The private sector could play an important role in connecting men that have been trafficked with other fishing-related jobs, which also supports fishing businesses in countries like Thailand since there is a severe labour shortage in the fishing sector. Getting seasoned fishers into safe jobs on fishing boats could be a big win-win for both exploited workers and responsible businesses.

8 Recognize migration as a livelihood strategy; sometimes it is the only viable option.

Many men continue to struggle to find decent employment and are unable to save the money required to rebuild their lives. When first interviewed, not long after they had returned to Myanmar, the men were reluctant to return to Thailand for work. However, as the status update in this paper highlights, over half a year later, some of the men are once again considering migration as the challenges of everyday life in Myanmar proved insurmountable to achieving their life goals. Migration to Thailand may offer more hope than remaining for work in Myanmar. Formal migration channels should be made more accessible, simple, and affordable for migrants workers.

ENDNOTES

1. These men were drawn to the economic livelihood opportunities that Thailand offered. Two respondents were trafficked as children (10 and 14 years old). While several of the men had fished in Myanmar, in and around the Thai border, only one interviewee had been involved in offshore fishing work. For an overview on the worker-broker relationship, see Marshall, P. (2016, September). Slavery Free Recruitment Systems: A Landscape Analysis of Fee-Free Recruitment Systems. Retrieved June 22, 2017, from the Issara Institute website: http://media.wix.com/ugd/5bf36e_47b2c5880148494c88101734aba21d45.pdf.
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4. The exchange rate for THB to USD was 33 to 1 on January 1, 2015, as the respondents were rescued throughout 2015. Retrieved June 22, 2017: <http://www.xe.com/currencytables/?from=USD&date=2015-01-01>.
5. See Thailand Ministerial Regulation concerning Labour Protection in Sea Fishery Work (2014) B.E. 2557.
6. See the Ministerial Regulations on Labour Protection in Sea Fishery Work (2014) and the Labour Protection Act B.E. 2551 (2008).
7. Prior to December 2014, workers under the age of 18 could be found working legally on fishing boats due to a provision in Thailand's main piece of labour legislation that prohibits the employment of a child under 15 years of age, but allows those under 18 to engage in certain types of work (see The Labour Protection Act B.E. 2551 (2008), Sections 44-52). However, since December 2014, Thai law specifically prohibits the recruitment or employment of all workers under 18 years of age on fishing boats (see the Ministerial Regulation on Labour Protection in Sea Fishery Work (2014), Clause 4).
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