

Pushed to the Brink

Conflict and human trafficking
on the Kachin-China border

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Introduction

On the surface, Burma seems to be strengthening its fight against human trafficking. Burma's long-held position in the lowest ranking of international trafficking efforts finally inched upwards a rank as a result of several policy reforms and new programs. An anti-trafficking hotline opened, as did several anti-trafficking task force offices. Anti-trafficking stickers and posters are plastered in areas across the country, and American singer Jason Mraz recently teamed with MTV to hold a massive free concert in Rangoon to raise awareness about human trafficking.

Yet at the same time, conflict rages a thousand kilometers away in northern Burma. Government army offensives have driven tens of thousands of people from their homes to the China border, vastly increasing their vulnerability to trafficking.

The stark contrast between the Burmese government's anti-trafficking rhetoric and its actions on the ground is what we aim to highlight in this report.

Our earlier reports *Driven Away* (2005) and *Eastward Bound* (2008) had documented the growing incidence of trafficking along the China-Burma border. This new report looks at the impacts of the renewed conflict on this problem. We sincerely hope that our findings will lead to more appropriate and holistic responses to this complex issue.

Executive Summary

The Burmese government's renewed war against the Kachin has exponentially increased the risk of human trafficking along the China-Burma border. New documentation by KWAT indicates that large-scale displacement, lack of refugee protection and shortages of humanitarian aid have become significant new push factors fuelling the trafficking problem.

Burma Army offensives against the Kachin Independence Army since June 2011 and widespread human rights abuses have driven over 100,000 villagers from their homes, mainly in eastern Kachin State. The majority of these refugees have fled to crowded IDP camps along the China border, which receive virtually no international aid. Desperate to earn an income, but with little or no legal option to pursue migrant work in China, many cross the border illegally. Their lack of legal status renders them extremely vulnerable to exploitation by traffickers, who use well-trodden routes to transport and sell people into bonded labor or forced marriage as far as eastern provinces of China.

Although ongoing attacks and massive social upheaval since the start of the conflict have hampered systematic data collection, KWAT has documented 24 trafficking cases from Kachin border areas since June 2011, mostly involving young women and girls displaced by the war, who have been tricked, drugged, raped, and sold to Chinese men or families as brides or bonded laborers. The sale of women and children is a lucrative source of income for traffickers, who can make as much as 40,000 Yuan (approximately \$6,500 USD) per person. While some manage to escape, and may be assisted by Chinese authorities in returning home, others disappear without a trace.

Kachin authorities and community-based groups have played a key role in providing help with trafficking cases, and assisting women to be reunited with their families. No trafficked women or their families sought help from Burmese authorities. The Burmese government lists an anti-trafficking border liaison office at Loiye on the Kachin-China border, but it is unknown to the community and thought to be non-functional.

Far from seeking to provide protection to the internally displaced persons (IDPs) and mitigate trafficking risks, the Burmese government has continued to fuel the war, block humanitarian aid to IDPs in Kachin controlled areas, and even attack and destroy IDP camps, driving refugees into China. It has also closed some of the immigration offices on the Kachin-China border which could provide border passes for refugees to legally seek work in China.

It is thus ironic that in 2012, Burma was recognized in the U.S. State Department's Annual Trafficking in Persons Report as increasing its efforts in combating human trafficking, resulting in a rise from its bottom-level ranking for the first time in the history of the report, and a corresponding increase in financial support to Burma's quasi-civilian government.

It is urgently needed to address the structural problems that have led to mass migration and trafficking in the past and also spurred the recent conflict. The Burmese military's gross mismanagement of resource revenues from Kachin State over the past few decades, and ongoing land confiscation, forced relocation, and human rights abuses, have pushed countless Kachin civilians across the Chinese border in search of peace and the fulfillment of basic needs. These problems led to the breakdown of the 17-year ceasefire between the Kachin Independence Army (KIA) and the military-dominated government in 2011. Refusing to engage in dialogue to address Kachin demands for equality and equitable development, the government launched attacks to seize total control over the wealth of resources in Kachin State.

Resolving the current conflict via genuine political dialogue would not only be a step towards peace, but also a concrete move towards curbing human trafficking from Kachin areas. Launching a range of reforms dealing with the political and economic factors driving people beyond Burma's borders is critical to addressing trafficking. Therefore, KWAT recommends the following:

To the Burmese government

- End all military aggression, begin troop withdrawal from Kachin areas of Burma, and enter into political dialogue with the Kachin Independence Army
- Allow humanitarian aid agencies to freely access and provide aid to IDPs in Kachin-controlled areas
- Facilitate the provision of border passes for IDPs along the China-Burma border, including allowing IDPs to use alternative identifying documents to make the passes

To the Chinese government

- Give shelter and protection to refugees fleeing conflict in Burma
- Facilitate provision of aid to IDPs in Kachin-controlled areas along the China border

To the international community

- Re-impose targeted sanctions on Burma that have been suspended
- Immediately provide humanitarian aid through community based organizations (CBOs) working cross-border to assist IDPs in Kachin-controlled areas
- International humanitarian agencies must recognize and support local CBOs already providing services in Kachin IDP areas, and make efforts not to duplicate existing programs
- Anti-trafficking agencies should seek to address the trafficking problem in Burma holistically, and ensure that the Burmese government is doing the same.



Burma Army air strike: A house in Kachin State burns after being hit by a bomb dropped by Burmese Army forces. Photo credit - RANIA

Methodology

The information for this report was collected by local researchers from June 2011 to April 2013 through KWAT's anti-trafficking program. The 24 cases were primarily gathered from Kachin IDP camps near Mai Ja Yang and Laiza. KWAT mainly identified trafficking cases via their crisis support centers in these areas, in cooperation with the local Kachin Women's Association. KWAT researchers then conducted interviews with people who had been trafficked, their family members, and community members who had witnessed incidents of trafficking.

The conflict has disrupted existing local anti-trafficking support systems for several reasons. Many roads have been closed, and travel between areas has been greatly restricted. Communication with some IDP camps has also been difficult due to both lack of infrastructure and ongoing fighting in these areas. Community groups are heavily burdened in dealing with the basic humanitarian needs of the displaced, and cannot focus on trafficking problems. Therefore, KWAT believes that the cases collected in this report represent only a small fraction of the actual trafficking cases that have taken place since the start of the conflict.

Without a trace: Hpaikawng IDP camp burned down by Burma Army, forcing IDPs across the border into China

In July 2012, due to intense fighting near Pangsai in northern Shan State, villagers from four villages fled towards the China border and set up an IDP settlement in Hpaikawng, which sheltered over 300 people.

On November 28, 2012, in apparent retaliation for a clash with Kachin troops earlier in the day, Burmese soldiers from Light Infantry Battalion 240 came and burned down the camp without warning. About 45 temporary shelters were destroyed, causing the IDPs to flee across the border into China.

The IDP camp leader, Mr. Gumhtang Tu, was arrested by the Burmese troops and ordered to lead them to find the KIA. Fortunately, he was able to escape when fighting occurred on the way, and he also fled to China.

Without legal documents or official protection, the more than 300 villagers who have fled into China to escape invading Burma Army troops are at extremely high risk of being exploited or trafficked.



Nowhere to go: Video scene showing Hpaikawng IDP camp burning. Photo credit - Jinghpaw Kasa

Trafficking before the war

Before the resurgence of conflict in Kachin State, trafficking was a serious and ongoing problem¹. Oppressive and destructive state policies resulted in extreme poverty for the majority of the population. Large-scale natural resource extraction projects, including mines, planned mega-dams, and massive commercial farms initiated by the military and government cronies forced local people from their lands and destroyed their livelihoods.

Revenues generated from these projects were mainly used to support military expenditures, while public services such as health and education were ignored. This egregious mismanagement of the national economy led to inflation and soaring unemployment rates. Landless and jobless, and facing spiraling costs, people migrated to China for work.

These trafficking problems were compounded by the Burmese government's failure to ensure the provision of citizen ID cards.

Therefore many migrant laborers from Kachin areas were unable to secure a border pass that would allow them to legally seek employment upon their arrival in China, which heightened their vulnerability to trafficking. Black market demands in China for brides, sex workers, and cheap labor made human trafficking highly profitable for brokers and traffickers, further driving the problem.

Today, the same factors contributing to the problem of trafficking remain, but are exacerbated by the presence of conflict and the massive displacement that has resulted from it.



Clear-cut destruction: Lands in the Hukawng Tiger Reserve in Kachin State, including small local farms, were confiscated and razed to make room for commercial sugarcane, tapioca, and jatropha plantations. Photo Credit: KDNG

Gender disparity in Kachin communities

Traditional Kachin society is male-dominated, with men holding leading positions in political and religious areas of village life. Village leaders and pastors in Kachin communities are all men.

Women are expected to marry and serve their husbands, performing all household tasks such as cooking, cleaning, and childcare. Though extreme poverty in Kachin State often pushes both husbands and wives to seek work outside the house to make ends meet, it is women who are expected to do all of the household work.

In addition, decades of civil war and rampant drug and alcohol addiction among men have left many women as the heads of households, creating further burdens for women as the sole breadwinners for their families.

Women's traditional role as caregivers within families creates a strong sense of duty for daughters to support their parents and siblings. In times of financial crisis, this has driven women and girls to migrate far afield in search of work, often without legal status, thereby becoming vulnerable to exploitation or trafficking. Women may also be coerced into marriage through offers of payment to their families.

Kachin women are expected to be chaste before marriage, and premarital sex is considered an act that brings shame on the whole community. Thus, trafficked women and girls returning to their communities often find they are subject to moral censure, irrespective of the circumstances under which they were trafficked.

¹For further details, please refer to KWAT reports *Driven Away* (2005) and *Eastward Bound* (2008).

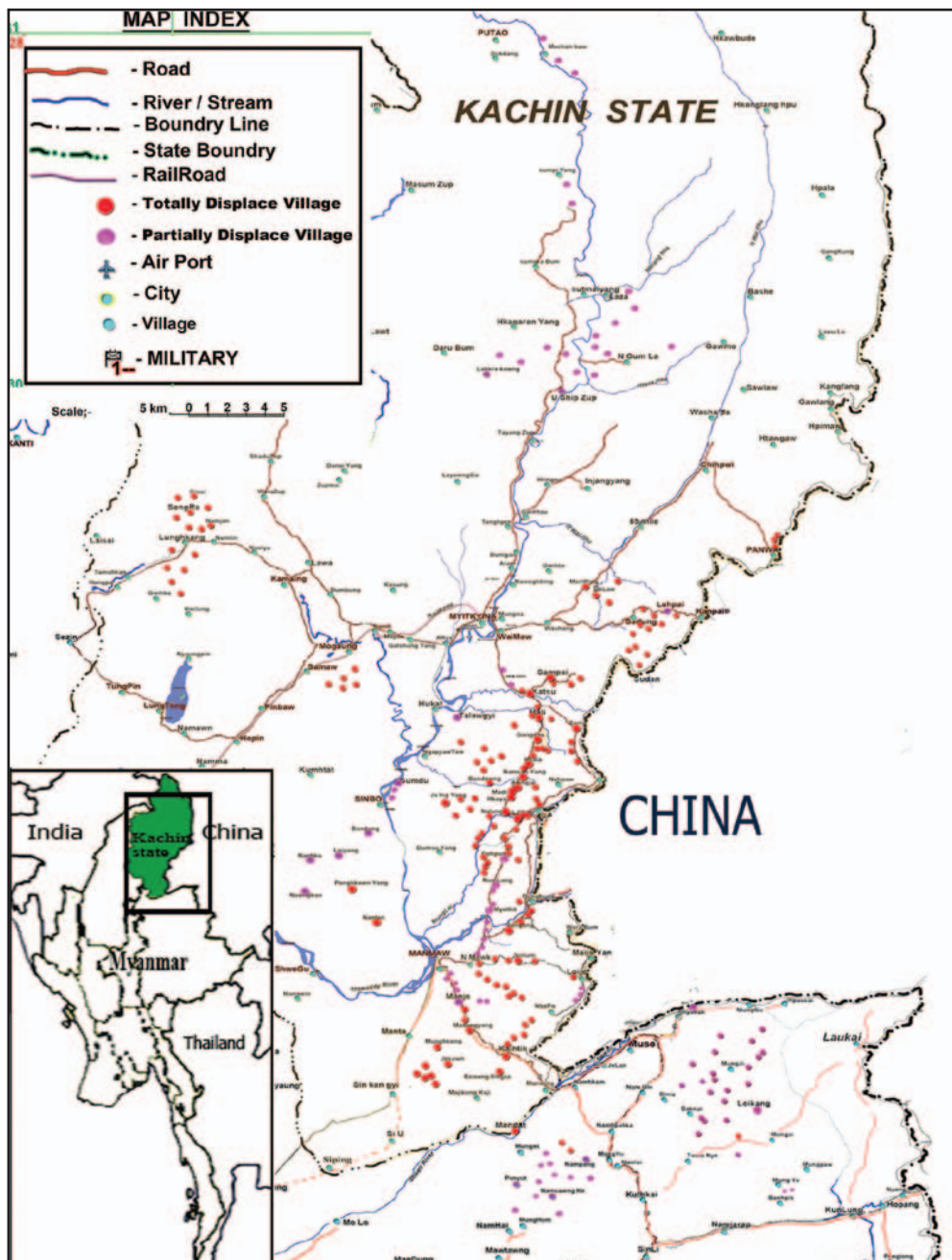
Escape to the border

Since June 2011, the Burma Army has been launching military operations against the Kachin Independence Army (KIA), breaking their 17-year ceasefire agreement. The military-dominated government had ordered the KIA to come under their control as a Border Guard Force, but the KIA had refused, maintaining their political demands for equality and equitable development.

The conflict and Burma Army abuses have forced over 100,000 civilians to leave their homes and escape into IDP camps, many of which lie on the China border. Though international aid agencies have been allowed to provide aid to camps in government-controlled areas, they have been restricted from accessing and assisting over 70,891 IDPs in Kachin-controlled areas.

Chinese authorities have refused to recognize those fleeing the conflict as refugees, and in August 2012, pushed back thousands of displaced people sheltering inside China. At the same time, they denied permission for Chinese citizens to have displaced relatives from Kachin State stay in their homes as guests.

Displaced Villages in Kachin state and Northern Shan state

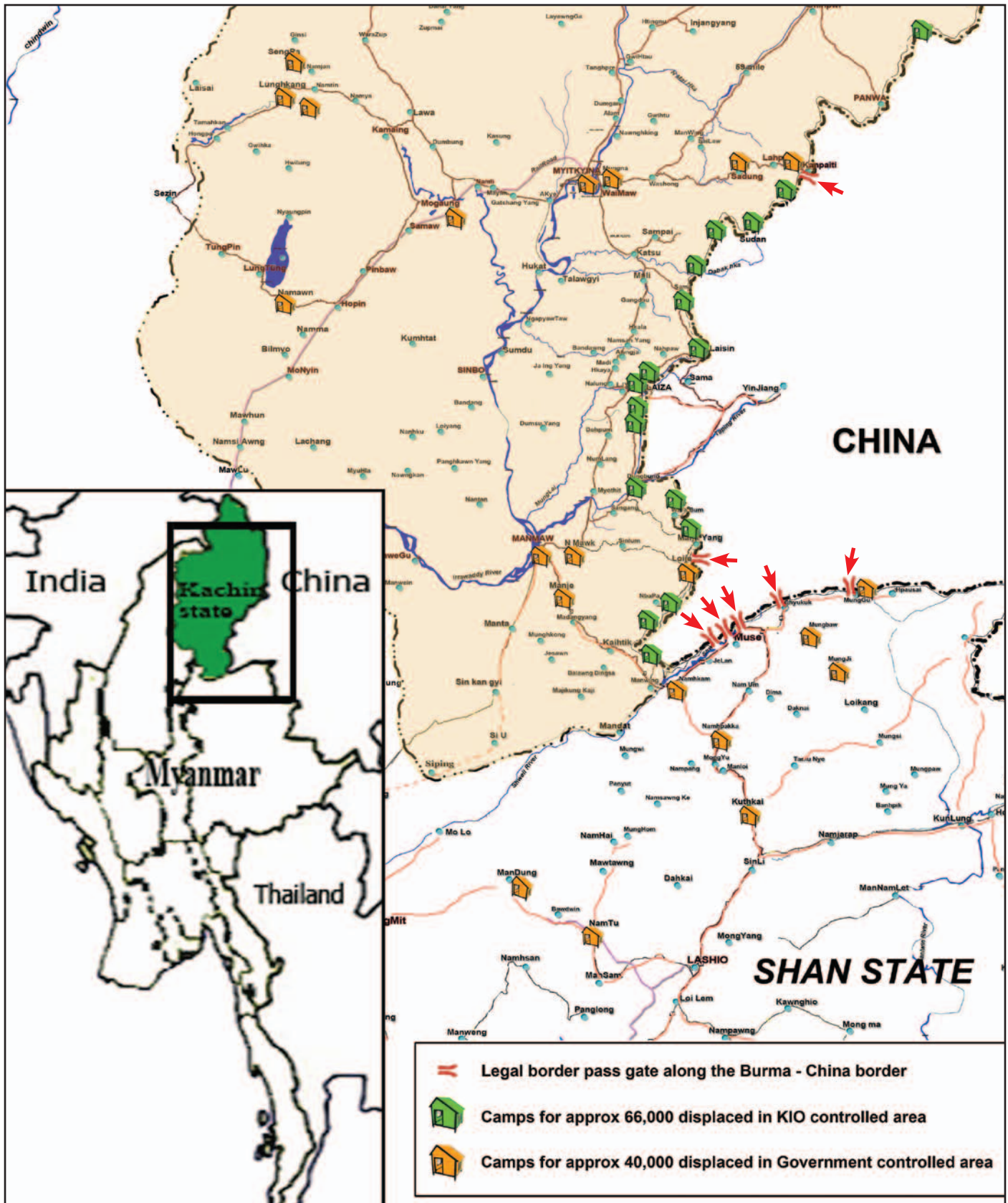


Why conflict and displacement are fuelling trafficking

The areas where villagers have recently been displaced are precisely the areas where KWAT has documented a rising incidence of trafficking during the past ten years. The villages from which women were trafficked have now moved en masse to the Chinese border, bringing them to the very doorstep of a country with multiple migration pull factors. Their dire humanitarian situation and failure of the international community to respond to this crisis are now pushing them across the border, into areas where established trafficking networks are ready to take advantage of their illegal status and desperation to survive.



Kachin IDP camps and current legal border crossings on the Burma-China border



Proximity to China

Most of the IDPs in Kachin controlled areas are sheltering in camps next to the China border. Whereas travelling from their original villages to the border would have taken a day or more by car, the IDP camps are only a short walk from China. Crossing over to China is thus relatively easy.

This not only means that IDPs are more likely to cross into China to find work, but are also easily persuaded to cross the border for casual visits.

An IDP mother, whose 11-year-old daughter went missing for 6 days in China, described how she couldn't stop the girl's older sister from crossing over to the Chinese side of the border.

“My children and I ran here since the fighting in June. We live in an IDP camp. My daughter L. does not obey me, and prefers to stay where she likes. Now she doesn't stay with us in the camp. She goes and stays with her friends on the China side.”

Another young IDP woman was asked by a male acquaintance to help carry things across the border, but was then tricked into travelling deeper inside China, where she was raped by one of his friends.

“When my mother went back to our village to fetch something, M. asked me to help him carry things from the China side. I followed him without knowing where he would take me. When we arrived at the border, he said that some money he was waiting for had not arrived, so we would have to go and stay at his room in the Chinese town of Yin Jiang.”

Lack of legal status

For people from Burma to travel legally to China, they must first obtain a border pass from Burmese government immigration offices. There are two different types of border passes; a green pass, which allows holders to travel to China for a week, and a red booklet, valid for a year, which allows the holder to apply for a Chinese stay permit. Though conditions of year-long border passes are very restrictive¹, these two options do provide some legal protection for migrant workers from Kachin State.

However, since the conflict started, border immigration offices close to areas with large numbers of IDPs, including Lajayang (near Laiza), remain officially closed. Those wanting to get a border pass must travel to Kanpaiti, Loiye or Muse, an impossible task for many due to closed roads and continued hostilities.

Additionally, anyone applying for a border pass must present a Burmese national ID card. Accessing ID cards has been a longstanding problem for many in rural areas of Kachin State, who have found the process both expensive and difficult to initiate. Prior to the 2010 elections, the Burmese authorities arranged with the KIO to issue temporary ID cards for those living in Kachin-controlled areas so that they could vote, but the process was not comprehensive. The resumption of conflict in 2011 ended this cooperation, and now IDPs in Kachin controlled areas that never had a Burmese ID or lost it when they fled their homes, have no means of obtaining one.

For example, in Pakahtawng, only 800 out of 2699 IDPs have ID cards. KWAT estimates that only 30% of the more than 70,000 IDPs have ID cards. This is because some IDPs were never issued an ID card, while others have been unable to renew them due to the conflict², and face fines if they try to use expired IDs.

The inability for most IDPs to access border passes to legally look for work in China is a major risk factor for human trafficking.



A stone's throw away: Informal border crossing from an IDP camp to China



Hard to pass: Border passes for legal travel are nearly impossible for IDPs to access

1 The red border pass booklet must be stamped at the border office every seven days in order to keep it valid. Failure to do so invalidates the document.

2 Identity cards are first issued at 10 years of age, and must be renewed at a government office at 18, 30, and 45 years of age.

Financial necessity/lack of aid

The IDPs have been forced to abandon their homes and livelihoods, and are now living in overcrowded camps, with irregular donations of international aid. With little or no access to cultivable land or to wage labor on the Kachin side of the border, the only way to earn money to purchase supplementary food or basic necessities for themselves or their families is to seek work in China.

Brokers have been taking advantage of this situation by luring IDPs with job offers in China, then arranging for them to be sold into bondage as workers or brides. A 54 year old woman, who was sold as a bride to an abusive drunkard, was originally offered farm work in China.

“After the war started, we fled to an IDP camp. A relative, W., married to a Chinese man, offered us a job picking herbs and corn in her farm in China for 50 Yuan a day.”

Displaced women or girls who have already found work in China are also approached by brokers, who persuade them with offers of better jobs elsewhere or marriage to Chinese men.

“We were staying in an IDP camp near Laiza when my (15-year-old) daughter was sold. She was studying at the school in the camp, but had taken three days off school to collect coffee on the China side. There she met Ma B., a Kachin woman living in China, who told her Chinese men liked her and wanted to marry her.”

Separation of families

After fleeing from their homes, many IDP families have needed to separate, with some members going to stay with relatives, some going to find work elsewhere, and some staying in the IDP camps. Sometimes parents in camps have temporarily left their children while going back to fetch possessions from their homes. This has given brokers a chance to persuade children to cross over into China.

The 17-year-old daughter of an IDP woman was persuaded by her uncle to travel to China while her mother returned back to her village. She ended up being sold as a bride to a Chinese man. Her mother described what happened:



The way across: A wooden bridge links a camp to China

“After one month staying in the IDP camp, I went back to the village to get things from our house. While I was away my brother-in-law and his wife, who live in Yin Jiang, China, deceived my daughter and brought her to China from the camp. I was told my daughter refused to go, but her uncle forced her to go. When I arrived back at the camp, my friends told me my daughter was afraid of her uncle.”

In another case, an 18-year-old woman was taken from her home by two men while her parents were out working and brought to Yin Jiang, where she was later sold to a Chinese family.

H.’s parents did not know who took their daughter. After four days, H. phoned to her parents and told them that she was in A.’s cousin’s house, and she had been raped by A. Now, H. is in Yunnan Province, and A. sold her for 36,000 Yuan to a Chinese family.

The conflict has also meant that KIA soldiers have been away at battle, separated from their families. A KIA soldier returning from the front line was horrified to find that his wife has been persuaded to sell his 4-year-old son, as well as his 16-year-old sister in China.

“My son and my youngest sister were sold to China in June 2011 after the war started. Their whereabouts are still unknown. My wife is now staying with a Chinese man in Yin Jiang, China. Only after I came back from the front line, I learned about this situation. I have unspeakable feelings to know that my wife herself sold my younger sister and son.”

Educational disruption

An estimated 45% of the IDPs are children aged 16 and younger who were forced to leave schools in their home villages. In most of the larger IDP settlements, Kachin authorities have arranged for new schools to be set up, but shortages of teachers and school facilities have meant that classes are crowded.

This has been a disincentive for children to attend school. According to the mother of the 11-year-old IDP girl who went missing on the China side:



Close quarters: IDP children gather for their studies

“She (the elder sister) comes and brings her young sister, L, who is still studying, to the other (China) side. I think L. is also not happy staying at the camp as here it is so crowded and she can’t study here.”

The crowded classrooms generally include students of all ages, which can be especially difficult for older students.

“...her mother asked her to attend a Kachin literacy training in an IDP camp. In the training, S. did not want to attend the course because all of her classmates are younger than her...[She] said to her parents that she will go back to [work at the] hotel.”

Migrants unable to return home

The presence of conflict in many Kachin areas has blocked people who had migrated to work in China from returning to their homes. Being forced to stay at the border, in IDP camps or unfamiliar areas, people need to rely on strangers for work and housing. This situation heightens people’s vulnerability to trafficking.

The mother of an 18 year-old woman who was trafficked to China spoke of how her daughter’s inability to get home led to her being tricked and sold across the border.

“[Before the war], M. worked as a housekeeper for a Chinese woman...Since the war started, M. was not able to return home and stayed at Lah Ying...the Chinese woman invited her to visit a place in China. No one could contact M. for two weeks. After two weeks, she made contact and reported that the sister of the Chinese woman had sold her in China.”

Responses to the trafficking problem

Local assistance mechanisms

KWAT is working together with local Kachin authorities and a network of community based organizations to deal with the trafficking issue, including the Kachin Women's Association (KWA) and the IDPs and Refugees Relief Committee (IRRC), formed since the outbreak of conflict. These groups are well acquainted with the complexities of the issue, and able to see firsthand who is involved. Their unique position as both members and supporters of the community is highly beneficial in gaining the community's trust and coordinating an appropriate response.

Community members facing trafficking-related crises consistently sought help from locally-based groups. The assistance process usually began with a phone call for help made from China to friends or family in Burma, followed by a report to a local organization.

"When I tried to use the phone, [the trafficker] grabbed my phone and didn't allow me to speak. I pretended to go to the toilet and I was able to call a friend from my village in Laiza. I told him that I was in trouble, and he went to report it to the KWA office."

When reports are made, local organizations work in collaboration to pass on information regarding people needing assistance.

"One of K's friends informed a KIO soldier by phone that a Chinese man had bought K. and was preparing for their wedding. The KIO soldier came to inform the KWA about what he heard."

Local organizations are often aware of known traffickers and their routes, enabling them to try and trace missing people. If traffickers are caught, they are punished according to customary laws, and generally face fines, imprisonment, or both.

"On the night of the 10th, Mr. M. called Ms. H. to watch a movie together. Ms. H. never came back home after that day. Four days later, Ms. H. called her father and said that she was sold by Mr. M...Mr. M. and his father-in-law were known to be traffickers...This case was already reported to the camp committee. The committee warned [the two traffickers] over the phone. However, they have not come back since and the mother of Ms. H. also asked the KWA to help with her daughter's case."

When people who have been trafficked are located, local groups ensure that they do not simply return home, but return to a safe environment that is acceptable to them. This is critically important for people who initially left because of negative circumstances, such as abuse or drug addiction in the home. Women and children who have been trafficked are offered counseling, shelter, and material support upon their return.

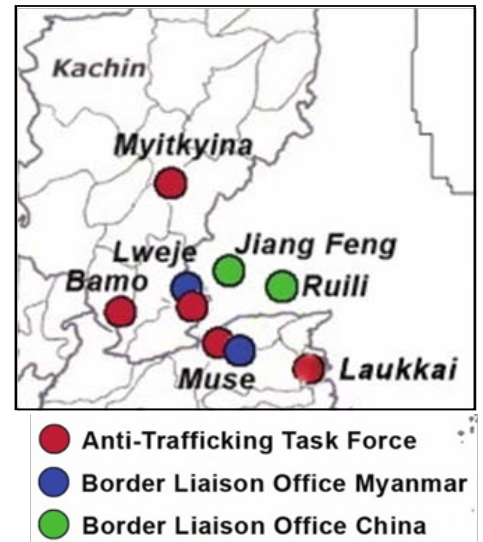
The KWA provided help to a 19 year old IDP woman who had been trafficked after fleeing with her baby from her abusive husband. She had been promised work in Zhang Feng, but ended up near Mangshi, where she was pressured to give away her child and remarry. Fortunately, her disappearance had been reported to the KWA, who traced the trafficker. With the help of KWA she was able to come back to the IDP camp and take shelter at the KWA office. Her husband was sent to a detention center as punishment for the abuse.

Local organizations also work to prevent trafficking by raising awareness within the community. KWAT has been a consistent provider of anti-trafficking trainings and workshops, working primarily in Kachin-controlled areas and IDP camps.

Burma government anti-trafficking services shunned

The Burmese government has highlighted their anti-trafficking task forces and border liaison offices as important components of their strategy to oppose trafficking. Their Central Body for Suppression of Trafficking in Persons shows three anti-trafficking task forces in Kachin State: two in the towns of Myitkyina and Bhamo, and one in the border sub-township of Loiye, where the only anti-trafficking border liaison office in Kachin State is located (see map).

However, in none of the trafficking cases documented by KWAT did anyone mention being assisted by any officials in Loiye, and residents of Loiye interviewed by KWAT said they had never heard of any anti-trafficking Border Liaison Office in their area.



Loiye is a Burma Army command post, and was the location of a heinous crime perpetrated in November 2011 by troops stationed there (*see following Case Study*). The complicity of the local commander in covering up the abduction, rape and disappearance of a local woman would be a strong disincentive for any local people to report or seek help with a trafficking case.

Case Study: Abduction of Kachin woman in Loiye, where Burma government claims to have an anti-trafficking border liaison office

On October 28, 2011, 28 year-old Kachin farmer and mother of one, Sumlut Roi Ja, was harvesting corn on her family farm near Mai Ja Yang in Loiye. Suddenly, she, her husband Maru Dau Lum, and her 70 year-old father-in-law Ze Dau, were surrounded and arrested by Burma Army soldiers, who forced them to carry corn to their camp at gunpoint. Her husband and father-in-law managed to escape, but Roi Ja was unable to break away and was taken to the Light Infantry Battalion (LIB) 321 Mu Bum military outpost.



Sumlut Roi Ja and her husband Maru Dau Lum on their wedding day.

Over the next few days, several witnesses saw Roi Ja inside the Burma Army camp, sometimes wearing her own clothes, and other times dressed in a Burma Army uniform. Porters who later escaped from the camp reported that she was repeatedly gang-raped. She was last seen on October 31, 2011 being dragged into a bunker by four Burma Army soldiers.

Her father-in-law repeatedly wrote letters appealing for her release to the LIB 321 camp commander, the Kachin State Minister, and the Bhamo District Governor, but received no reply. In January 2012, seeking justice for his wife, Dau Lum filed a case against LIB321 at the Supreme Court in Napyidaw. During the hearing, despite a number of witnesses being present, including Dau Lum, only a lieutenant from LIB321 was allowed to testify regarding the case. He denied any involvement, and claimed that Sumlut Roi Ja had never been at the camp. The case was dismissed by the court due to lack of evidence.

Though there is an operational Division for Suppression of Trafficking in Persons shelter¹ in Muse that handles trafficking cases, it does not send people who have been trafficked back to Kachin-controlled areas. One woman who had migrated to Yin Jiang with her family but was later trafficked to Tikhut, a small village in the eastern Chinese province of Fujian, described her difficulty getting home.

“...on 26 April, 2013 the police took me to Yunnan and sent me to the Muse Division trafficking shelter. When the staff from that office asked for my address, I answered that I am from Laiza because I was worried that if I told them Yin Jiang they will not send me there. The shelter officer said they could not send me to Laiza, therefore they sent me to the Muse Kachin Baptist church. On 1st May 2013, people from the church picked me up.”

One woman who had been trafficked did report an unknown government office in Ruili, which assisted her in returning home. It is presumed that this was the Ruili Border Liaison Office operated by the Burmese and Chinese authorities. She described the office's help in providing a legal travel document.

“On December 31st, I reached Ruili. Two Chinese policemen sent me to the Ruili government office. I do not know which office. A Kachin woman from the office treated me with food at a restaurant and she gave me 60 Chinese Yuan to go back home. She also gave me a border pass.”

Response of Chinese authorities

China's refusal to grant refugee status to civilians fleeing the conflict in Burma, and their pushback of thousands of refugees sheltering along the border are undoubtedly contributing factors to the problems of undocumented migration and trafficking.

However, Chinese authorities do appear to be adopting measures to provide prompt assistance to women trafficked from Burma. For example, a 21 year-old woman who was trafficked to a small village in Fujian and tricked into marrying a Chinese man was able to get help immediately after contacting local police.

“After three months, the Chinese family allowed me to use the phone so I phoned the police station. A few minutes later, some policemen came and took me to the police station.”

In another case, at a Chinese location two days journey beyond Kunming, a woman who had escaped from a Chinese family called for help to police from the roadside and was taken to a detention centre, where a Burmese woman was called in to be an interpreter.

The provision of an interpreter also enabled a 17 year old girl from Bhamo who had been drugged and was in the process of being trafficked to explain her situation to Chinese police and return home.

“When the policeman came to check for our IDs, I didn't have any ID and they took me to the police station. When they asked me questions, I was not able to understand Chinese. Then, they called someone who can speak Burmese. I told them that I was sold to the two Chinese men. They arrested the two Chinese men and got me a ticket back to Yin Jiang.”

In one case, Chinese authorities provided assistance to a former bonded laborer now married and living in China, who was trying to make a Burmese ID card for herself.

“Now, I want to have a child. But, I do not have an ID card. If I don't have an ID card, they won't provide a birth certificate, and the child won't be allowed to go to school. So, I came back to Burma to make an ID card, and the Chinese authorities also wrote a recommendation and support letters for me. The Chinese policemen helped me buy a ticket as far as Mangshi.”

¹ The Muse division for Suppression of Trafficking in Persons shelter opened in February 2011, and was sponsored by the Japanese government.

Significantly, despite the war, Chinese police have also helped women return to their homes in Kachin-controlled areas, even providing them with transportation costs. A 25 year-old woman who had been trafficked reported that police did not hesitate to send her back to Laiza.

“In Yin Jiang, I slept at the Chinese police station for one night. In the next morning, the Chinese police bought the ticket for me. On January 1st, 2013, I reached Laiza.”

Though some women were assisted in quickly returning to their homes, two cases revealed that the women were detained for two to three months in jail cells at the police station before being sent back. This obviously caused increased stress and suffering for the women.

“I was in the cell from September 10th to December 24th....They didn’t ask me to do anything. I was there for three months. I asked the officers to send me back home very often.”

International Accolades, but little IDP Aid

International aid agencies contacted by KWAT since the start of the conflict have expressed concern at the likely increase in trafficking due to displacement. However, this has not translated into strong international efforts either to pressure the Burmese government to stop launching offensives, or to initiate a large-scale relief operation to ensure that the humanitarian needs of the IDPs are fully met. Conversely, foreign governments and international groups have been commending Burma on its purported reforms while conflict rages and trafficking continues unabated.

Each year, the U.S. State Department releases an international Trafficking in Persons (TIP) report, which rates every country’s efforts to curb human trafficking using a four tier system. Since the report’s inception in 1996, Burma has consistently ranked in the lowest tier, “Tier 3,” along with other “countries whose governments do not fully comply with the minimum standards [of the Trafficking Victims Protection Act] and are not making significant efforts to do so.”

In June 2012, the U.S. State Department raised Burma’s ranking from a “Tier 3” to the next level, “Tier 2 Watch List,” implying that these governments “do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards.” The report is careful to state that the ranking is based on the government’s efforts to combat trafficking, rather than its actual success in mitigating trafficking.

What the report is acknowledging are several recent steps to adjust trafficking-related policy, such as opening an anti-trafficking hotline, signing a child soldier action plan with the U.N., and enacting a new law that criminalizes forced labor. However, many of the key political and economic root causes of human trafficking in Burma remain unchanged. Nowhere is this more evident than in Kachin State, where conflict and human rights abuses by the Burmese military have continued since the breakdown of the ceasefire.



Pursuing peace? In April 2013, the number of Burmese government troops increases in Kachin State (above) while Union Minister U Aung Min receives the ‘In Pursuit of Peace’ Award from the International Crisis Group on behalf of President U Thein Sein(below). Photo credits - Kachin News Group (above) and President’s Office of Myanmar (below)

This incremental increase in TIP ranking, however small, has opened the door for international institutions like the World Bank and the IMF to resume aid and business relations with Burma. In previous years, the World Bank consistently cited Burma's Tier 3 ranking in its decision to refuse lending to the country¹. Two months after the release of the 2012 report, the World Bank pledged \$85M USD in development grants and offered assistance in clearing Burma's arrears. Generally, these funds are used to support programs which are in line with the government's existing priorities. At this time, it is unclear if any of this assistance will go to conflict-ravaged areas.

Poor international agency coordination with community based groups

The United Nations Inter-Agency Project on Human Trafficking (UNIAP) has recently funded awareness trainings on reproductive health, trafficking and gender in three different IDP camps. Outside trainers were brought in to conduct the workshops between September 2012 and January 2013. There was no coordination with local women's organizations, including KWAT, who have been running similar trainings for IDPs. This failure to coordinate runs the risk of duplicating programs and wasting limited funding resources.

¹ Robinson, G. "Myanmar praised over trafficking efforts." Financial Times. 19 June 2012.

Selected Stories

Displaced, separated, and sold

Before the conflict, we lived in Nam San Yang village. We arrived at an IDP camp on the border after military troops came to our village at the end of June. After one month staying in the refugee camp, I went back to the village to get things from our house. While I was away, my brother-in-law, S., phoned to his daughter to bring my daughter J. to him in Yin Jiang.

At first my daughter refused, but finally she went to China. When I arrived back at the camp, friends told me that my daughter had gone because she was afraid of her uncle.

In early August, S. came and told me to go to Yin Jiang as several Chinese men had proposed to marry my daughter, so I followed him. In Yin Jiang, there were seven people – the broker and his relatives, a Chinese broker, who was a woman, as well as me.

I did not know that they had trapped my daughter and sold her. A Chinese man gave me money as a bride price. I did not know how much as I could not read Chinese notes. I had to lend 3,000 Yuan to the broker's brother from that money. I paid 100 Yuan each to the parents-in-law of the broker. Then I kept the remaining amount and returned.

On December 21, 2011, my daughter phoned me via her aunt's phone. The Chinese man who had bought her had taken her to the town saying he would provide her with an injection. But she did not get injected, as she refused and cried when she arrived at the town, so she was taken back home. She did not know why she was getting an injection. Later, she called and said she had been told she would be taken to a relative's place for a wedding ceremony, but actually they planned to sell her at another place. My daughter told me to come and take her back before they sold her again. She said she had been sold for 30,000 Yuan to the Chinese man. I did not know she was sold as I thought he liked her and had asked her to marry him. I had already spent the money they gave me as I thought it was for the bride price. They tricked me as I am illiterate.

I told the broker that my daughter had been sold, but he said that I misunderstood the situation because my daughter had married the man in accordance with Kachin tradition. I want to bring my daughter back.

Trafficked from Laiza

My house is in a village close to Myitkyina. My father has passed away. My mother does not do anything. She is just a housewife. Since I did not have any income, I depended on money sent from my brothers in Hpakant. I used to sell noodles in front of my house, but I was not able to sell much, so I stopped.

I decided to go to Laiza with a friend in January 2012 to try and sell things. However, we were not able to sell anything due to the constant fighting. Therefore, in Laiza, I did not have a job or income.

I became friends with a woman called L. She told me that I could work and earn 800 Yuan as a cook at a gold mining place in China. I got the job, but I could not speak Chinese or cook Chinese food. That's why I stopped working there after two weeks. They only gave me 100 Yuan. Then L. told me that there was a job at a pepper farm. They told me that I would get 600 Yuan and I went along with them. But there wasn't any stable job there, so I only stayed for one week and then I came back to Laiza.

After two weeks in Laiza, L. told me that there was work at a noodle shop. Since I wanted to work, I went with them.

I went with five other women, including a Burmese woman from Mogaung, and another Burmese woman from Moenyin. Even though she told us we'd be going to Ga Du (China), we continued to travel to Yin Jiang. When I asked why she was taking us to Yin Jiang, she told me that she would tell me when we got there.

When we got to Yin Jiang, two Chinese women came to pick us up. They locked us in a hotel room in Yin Jiang. When we arrived in Yin Jiang, we didn't see L. anymore. There were also two other Burmese women with me. When I tried to use the phone, it was grabbed from me and I wasn't allowed to speak.

I pretended to go to the toilet and I was able to call a friend from my village named G. in Laiza. I told him that I was in trouble, and he went to report it to the women's organization (KWA) office.

I stayed at the hotel for two weeks and then the two Chinese women transported us to Ruili. When we got to Ruili they divided our group. They sent the two Burmese women to another place. I didn't know where. They sent me to Kunming. From Kunming, I had to continue on a two day journey by bus.

When we got to a village, they sent me to a Chinese house. The Chinese people there gave me food to eat and locked me in a room. One night, a Chinese man came into the room to sleep with me. I tried to tell him to send me back home and to let me call home. Since he didn't do anything I said, I also locked the room from the inside.

Since nobody could come in the room now, they finally unlocked the door through various means. Since then, they never locked the room. I could also go outside. But they were always guarding me. They told me that they bought me with 6,000 Yuan. There were six people in the family.

The house was a three story house. The brother was the owner of the company. They sold cloth for designing flowers. I stayed there for two weeks and tried to run away. I always wore three to four pairs of underwear to prepare for my escape so that I would not need to carry a bag of clothes.

One evening, I hid the luggage in the rubbish bin. I pretended to go to throw away the rubbish and I ran away. I slept in a cemetery since I was worried that they would be looking for me. They tried to find me everywhere in the cemetery. I prayed hard since I was very afraid.

Since I was hiding at the high ground of the tomb, they could not find me. The next morning, I got to the highway and found a Chinese woman who helped me. With her help, I was able to call my friend, G. He told her to call the police office and she did.

Then three policemen came and took me to the police station. I slept there for one night and then they sent me to a police station in another town. I don't know which town. They left me at a detention center there. They took my photograph and a translator, who was from Yangon, came to ask me various things, and I told her everything.

I was held in the cell from September 10th to December 24th. While there, I was able to learn to speak some Chinese. They didn't ask me to do anything while I stayed there. I was there for three months, and I asked the officer to send me back home very often. On December 25th, two police officers came and took me out. I rode the train with them from the 26th to the 28th and I reached Kunming on the 30th.

On December 31st, I reached Ruili. The two policemen sent me to the Ruili government office. I do not know which office it was. A Kachin woman from the office treated me with food at a restaurant and she gave me 60 Chinese Yuan to go back home.

She also gave me a border pass and told the bus driver to send me to the police station. In Yin Jiang, I slept at the Chinese police station for one night. The next morning, the Chinese police bought the ticket for me. On the 1st of January, 2013, I reached Laiza. When I reached Laiza, I went to stay with an old friend. My friend G. told me about the women's organization office, and I came to report the case here.

Trafficked into marriage in Fujian

I was born in Myitkyina. After my mother passed away, my family migrated to Yin Jiang, China in 2008. In Yin Jiang, my father got married with a woman who is a trader. My father opened a computer game shop there. I worked at the game shop at night and I earned 1,500 Yuan per month. While I was working at that shop, I got to know two Kachin women who persuaded me to work in another province. They said that if I worked in another province I could earn 3,000 Yuan per month. Therefore I decided to go with them. However I did not tell my family because I was worried that they would not give me permission to go. The two women took me to Kunming, then to Fujian, and then Tikhut. It took two and a half days to reach there.

When we arrived there, those two women asked me to get married with a Chinese man and then sent me to one house in a village. While, I was staying there, people from that house did not allow me to go anywhere. I told them, I did not want to get married and I just wanted to go back home. They replied that if I wanted to return home, I had to pay back 40,000 Yuan. I did not have money to pay them back, but I also did not want to get married. After a few days, they said that if I did not want to get married, they will force me to stay with the dogs. Then they took me to see the dogs, which were very big and tall. I was afraid to stay with the dogs; therefore I agreed to get married. However we did not celebrate with a wedding ceremony; we just slept together. Even though I got married to that Chinese man, that family still did not allow me to contact my family. They did not give me a chance to phone my parents. The family's occupation was farming, so I had to work in the farm with them. After three months, the Chinese family allowed me to use a phone, so I phoned the police station. A few minutes later, policemen came and took me to the police station.

At the police station, the policemen put me in the jail. The police did not treat me very well, and they just gave me rice and soup for my meals. I stayed there for two months and on April 26, 2013 the police took me to Yunnan and sent me to the Muse division shelter for trafficking. When the staff from that office asked for my address, I answered that I was from Laiza because I was worried that if I told them Yin Jiang they will not send me there. The Muse division for Suppression of Trafficking in Persons said they could not send me to Laiza, therefore they sent me to the Muse Kachin Baptist church. On May 1, 2013, some people from the church picked me up.

Conclusion and Recommendations

The cases analyzed in this report clearly show that conflict and displacement are fuelling trafficking. Burma Army operations in areas already susceptible to trafficking are forcing more and more people to the China border, where the extreme hardships faced by the IDPs leave them with little choice but to migrate. With little or no ability to travel legally, these migrants are highly vulnerable to all forms of exploitation, including human trafficking.

The ongoing military offensives thus make a mockery of the Burmese government's claims to be responding effectively to trafficking problems. Trafficking continues unabated, and will persist as long as symptomatic rather than holistic responses are adopted.

It is absolutely critical to implement reforms dealing with the political and economic factors driving people beyond Burma's borders. Therefore, KWAT urgently recommends the following:

To the Burmese government

- End all military aggression, begin troop withdrawal from Kachin areas of Burma, and enter into political dialogue with the Kachin Independence Army
- Allow humanitarian aid agencies to freely access and provide aid to IDPs in Kachin-controlled areas
- Facilitate the provision of border passes for IDPs along the China-Burma border, including allowing IDPs to use alternative identifying documents to make the passes

To the Chinese government

- Give shelter and protection to refugees fleeing conflict in Burma
- Facilitate provision of aid to IDPs in Kachin-controlled areas along the China border

To the international community

- Re-impose targeted sanctions on Burma that have been suspended
- Immediately provide humanitarian aid through community based organizations (CBOs) working cross-border to assist IDPs in Kachin-controlled areas
- International humanitarian agencies must recognize and support local CBOs already providing services in Kachin IDP areas, and make efforts not to duplicate existing programs
- Anti-trafficking agencies should seek to address the trafficking problem in Burma holistically, and ensure that the Burmese government is doing the same.

Appendix

Trafficking cases from Kachin border areas since outbreak of conflict (actual or suspected)

No	Sex	Age	Date	Origin	Trafficking Destination	Summary of cases
1	F	54	June 2011	IDP camp near Laiza	Village in Yunnan	Forced to work without pay and become wife of Chinese drunkard
2	M	14	June 2011	IDP camp near Laiza	Village in Yunnan	Forced to work as cowherd.
3	F	16	June 2011	Laiza	n.a.	Sold by sister-in-law
4	M	4	June 2011	Laiza	n.a.	Sold by mother
5	F	25	After June 2011	Kutkhai	Village nr. Yin Jiang	Sold as wife to Chinese man; escaped after 2-3 months
6	F	19	August 2011	IDP camp near Maijay-ang	Mangshi	Broker tried to persuade her to sell her baby, and marry a Chinese man; she was rescued
7	F	20	September 2011	Zhang Feng	n.a.	Tricked, trafficked for sex work, asked to go back home, disappeared while being transported
8	F	17	August 2011	IDP camp near Laiza	Yin Jiang	Forced to cross to China by uncle, trapped and sold to a Chinese man for 30,000 Yuan. Mother tricked because she was illiterate
9	F	11	September 2011	IDP camp near Laiza	n.a.	Went missing for one week; was returned by sister
10	F	18	September 2011	Laiza	Teng Chong	Went to find work, disappeared
11	F	18	December 2011	IDP camp near Maijay-ang	n.a.	Offered work, tricked and trafficked, found by Chinese authorities and sent back
12	F	15	January 2012	IDP camp near Laiza	Beyond Ruili	Taken by trusted person, tricked into marrying a Chinese man, sold for 20,000 Yuan
13	F	27	January 2012	Laiza	Anhui	Sold as wife for 50,000 Yuan; escaped
14	F	17	February, 2012	Bhamo	Baoshan	Tricked, drugged, trafficked, but was caught by Chinese police and sent back to Yin Jiang
15	F	15	March 2012	IDP camp nr Laiza	Ruili	Taken by trusted person, tricked into marrying a Chinese man, sold for 20,000 Yuan
16	F	20	April 2012	IDP camp near Laiza	Yin Jiang	Tricked, raped
17	F	22	May 2012	IDP camp near Maijay-ang	Yin Jiang	Tricked into working for Chinese family; pressured to marry

No	Sex	Age	Date	Origin	Trafficking Destination	Summary of cases
18	F	31	June 2012	IDP camp near Maijay-ang	Shandong	Tricked into marrying a Chinese man; sold for 35,000 Yuan
19	F	25	August 2012	Laiza	2 days beyond Kunming	Offered work by friend, tricked, sold to Chinese man/family for 6,000 Yuan, was able to escape but was detained for 3 months in China before being allowed to return home
20	F	21	Late 2012	Yin Jiang (orig. from Myitkyina)	Fujian	Promised better paying job, forced to marry Chinese man, escaped
21	F	17	January 2013	IDP camp near Laiza	n.a.	Tricked by boyfriend and sold in China, disappeared
22	F	21	March 2013	IDP camp near Myitkyina	3 day bus journey beyond Paushan	Told there would be work in China, instead sold to a Chinese man for 27,000 Yuan
23	F	16	April 2013	IDP camp near Laiza	3 day bus journey beyond Kunming	Tricked by boyfriend and sold to a Chinese family for 30,000 Yuan
24	F	18	April 2013	IDP camp near Laiza	Tali town in Yunnan	Taken to China by two men while parents were out working, raped, sold to a Chinese family for 36,000 Yuan

Background of KWAT

Owing to the deteriorating political, economic, and social situation in Kachin State, many Kachin people, mainly young men and women, have left their homeland and scattered to foreign countries. The number of Kachin people coming to Thailand for various purposes is increasing year by year. Problems in the Kachin community have also increased accordingly. Recognizing the urgent need for women to organize themselves to solve their own problems, the Kachin Women's Association Thailand (KWAT) was formed in Chiang Mai on September 9, 1999.

KWAT liaises closely with the Kachin Women's Association. KWAT is a founding member of the umbrella organization, the Women's League of Burma, comprising 13 women's groups from Burma.

Goal

The empowerment and advancement of women in order to improve the lives of women and children

Objectives

1. Promoting women's rights, children's rights, and gender equality
2. Promoting women's participation in politics and in peace and reconciliation processes
3. Opposing all forms of violence against women, including human trafficking
4. Providing health education and health services
5. Promoting women's awareness of how to manage and protect the environment
6. Rescuing trafficked women in China