



**CHALLENGES FACED BY FEMALE SEX WORKERS IN  
MYANMAR: LEGAL BARRIERS AND RIGHTS PROTECTION  
(CASE STUDY IN YANGON)**

**BY:**

**AUNG NAING THU**

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE  
REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS  
(ASIA-PACIFIC STUDIES)**

**THAMMASAT INSTITUTE OF AREA STUDIES**

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was approved as a partial fulfillment of the requirements for  
the degree of Master of Arts (Asia-Pacific Studies)

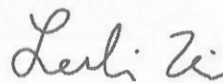
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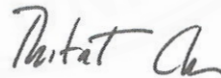
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Thesis Title	CHALLENGES FACED BY FEMALE SEX WORKERS IN MYANMAR: LEGAL BARRIERS AND RIGHTS PROTECTION (CASE STUDY IN YANGON)
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Degree	Master of Arts (Asia-Pacific Studies)
Major Field/Faculty/University	Asia-Pacific Studies Thammasat Institute of Area Studies Thammasat University
Thesis Advisor	Assoc. Prof. Dr. Lalin Kovudhikulrungsri
Academic Year	2024

## ABSTRACT

This research investigates the challenges faced by female sex workers in Yangon, Myanmar, focusing on legal barriers, violence, exploitation, and rights protection. The study aims to comprehensively examine these issues and evaluate the effectiveness of existing support services. Utilizing qualitative methods, in-depth interviews were conducted with five female sex workers, representatives from the SWIM NGO, police officers, and experts on the legal framework. Thematic analysis was employed to analyze the data.

The findings reveal that female sex workers in Myanmar endure significant hardships, exacerbated by inadequate education, poverty, and limited job opportunities. The Suppression of Prostitution Act of 1949 stands as a major legal obstacle, severely restricting their rights and perpetuating their marginalization. The study highlights the pervasive stigma and societal exclusion experienced by female sex workers, which further hinders their access to necessary resources and reintegration into society. The conservative cultural attitudes towards sex work contribute to their ongoing marginalization, making it difficult for them to achieve dignity and societal acceptance. In conclusion, the research underscores the urgent need for legal reforms to decriminalize sex work and enhance the rights and protections of female sex workers. It advocates for a robust legal framework that safeguards their rights and access to justice. Additionally,

it calls for developing comprehensive support services that address both immediate needs and long-term well-being, thereby fostering an environment that respects their human rights and promotes their health and safety.

**Keywords:** female sex workers, prostitutes, stigma, legal, prostitution, health, and Yangon



## ACKNOWLEDGEMENT

It is my great privilege to extend my deepest gratitude and appreciation to all those who supported the completion of this thesis. Their invaluable assistance made this successful conclusion possible.

First and foremost, I wish to express my profound gratitude to my esteemed advisor, Arjan, Assist. Professor Dr. Lalin Kovudhikulrungsri. Her guidance, encouragement, and expert advice were instrumental throughout the research process. I deeply appreciate her unwavering support, kind assistance, and insightful suggestions. I am also indebted to the committee members, Assist. Professor Dr. Thanapat Chitinakon and Assistant Professor Dr. Thitat Chavischinda, for their critical comments and valuable advice. Their input significantly enhanced the quality of this research.

I extend my sincere thanks to the Master of Arts in Asia-Pacific Studies (MAPS) Program at Thammasat University. I am especially grateful to Associate Professor Dr. Chanin Mephokee, Director of the Program, for awarding me the scholarship that allowed me to pursue this master's degree. My heartfelt appreciation also goes to Ms. Mutita and Ms. Apple, the program coordinators, whose unwavering support and kindness were vital from the beginning to the end of the program.

My sincere appreciation goes to the interviewees, particularly the courageous female sex workers in Yangon, who generously shared their stories and experiences. Without their participation and trust, this research would not have been possible. I also extend special thanks to the representatives of the SWIM NGO, the legal experts, and the law enforcement officers who provided essential insights and perspectives, greatly enriching this study.

Lastly, I would like to thank my parents and beloved friends for their constant encouragement and moral support throughout my life. Their unwavering belief in me has been a source of strength and motivation.

Aung Naing Thu

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## LIST OF ABBREVIATIONS

### **Symbols**

AIDS

CEDAW

FSWs

HIV

KTV

MOHA

MPF

NGOs

STDs

STI

SWIM

### **Terms**

Acquired Immunodeficiency Syndrome

The Convention on the Elimination of All Forms of Discrimination Against Women

Female Sex Workers

Human Immunodeficiency Virus

Karaoke Television

Ministry of Home Affairs

Myanmar Police Force

Non-Governmental Organizations

Sexually Transmitted Diseases

Sexually Transmitted Infections

Sex Workers in Myanmar

## **CHAPTER 1**

### **INTRODUCTION**

In our society, people are often evaluated based on their jobs. If your profession is not seen as respectable or in line with societal standards, you might not receive the respect you desire. For instance, a profession with lower respect levels is prostitution or sex work.

Among all occupations, prostitution has a long history. It is still one of the most contentious professions in today's society. To begin with, prostitution, commonly referred to as sex work, involves exchanging sexual services for money or similar forms of compensation (Harcourt & Donovan, 2005). Prostitution might be considered repressive to women or not. It would be incorrect to characterize a woman over 21 choosing to

support herself through prostitution after leaving school as oppressive. However, if a minor who is hungry is pushed into the job, this would be called tyranny or oppression. Some countries have made prostitution legal, while others have not. However, it is undeniable that prostitution is widespread around the world.

When a mature man decides to pay a mature woman in order to be intimate with her, this should not be considered a crime, as long as the act does not hurt other individuals. The two have complete control over their life.

#### **1.1 Background**

The term "Prostitute" or "Sex Worker" has many meanings by many scholars. Although there are many meanings, all the terms are the same. The term "sex worker" or "prostitute" encompasses all adults who engage in the sale or exchange of sexual services for money, goods, or services. This designation applies regardless of whether these individuals identify themselves as sex workers or perceive their activities as "work." The term includes transgender, male, and female individuals who willingly provide sexual services in return for compensation or products (Godwin, 2012a).

Sex work is typically categorized as either "indirect" (hidden, secretive, informal) or "direct" (open, formal) in Myanmar (Godwin, 2012a). Direct sex workers are sex workers who make income by selling sex. Typically, the sale of sex is not an indirect sex worker's primary source of income. They might also make a living as street vendors, beer promotion girls, massage therapists, waitresses, or hairdressers. They generally do not identify as sex workers.

Whether female prostitutes are directly involved in prostitution or are indirectly affiliated with it, prostitutes' lives are like living on the edge. Living on the edges for a sex worker means their life is tough and risky. They often deal with people judging them, legal problems, health dangers, and unsafe situations while they make a living. "Living on the edges" suggests they're on the outskirts of society, facing instability and being vulnerable because of their job (Options, 2014). This phrase highlights that many sex workers live in a tough and uncertain way, away from the main part of society.

Sex workers in Myanmar, which is a developing country, face many difficulties. Sex workers in Myanmar are not only just lives on the edge, but also lives in the dark (secret lives). And prostitutes made their profession illegal. The reason why prostitutes are like this is because of the suppression of the prostitution Act, 1949 (Ministry of Legal Affairs, 1949). Sex work is criminalized in Myanmar under the Suppression of the Prostitution Act of 1949. The Suppression of Prostitution Act, 1949, as amended in 1998, is a thorough legal framework in Myanmar that imposes penalties and imprisonment for a number of acts linked to doing sex work, arranging for others to perform sex work, and operating brothels. In Myanmar, clients of sex workers do not face any criminal charges. However, engaging in sex work itself is considered a criminal offense, carrying a punishment of up to three years in prison and fines (Hub, 2018).

Below is a brief summary of the crimes and punishments under the Suppression of the Prostitution Act, 1949 (Ministry of Legal Affairs, 1949).

Table (1.1)

*Sections of the Suppression of the Prostitution Act, 1949*

<b>Offense</b>	<b>Provision</b>	<b>Punishment</b>
Attracting clients for prostitution	Section 3(a) and (b)	A prison sentence ranging from one to three years, accompanied by hard labor, and potentially supplemented with a fine
Person who is dependent upon a prostitute	Section 5(1)	Imprisonment for a period ranging from one to five years, with the possibility of an additional fine.
Person who manage a brothel	Section 5(1)	A prison sentence ranges from a minimum of one year to a maximum of five years, potentially accompanied by a financial penalty.

*Source – Suppression of the Prostitution Act of 1949*

Due to the Suppression of the Prostitution Act, 1949 prostitutes in Myanmar are facing many difficulties and losing their discrimination rights issues. In Myanmar, there are numerous obstacles for female sex workers to overcome, from societal stigma, discrimination, violence, exploitation, health risks and police arrests. Although there are numerous townships in Yangon where brothels are present and frequently pass for karaoke or massage parlors, prostitution has long been prohibited in Myanmar. Additionally, sexual workers face everyday harassment and are widely stigmatized as an insult to Myanmar's culture and religion (SWE, 2022).

Enacting a law such as the Suppression of the Prostitution Act, 1949 makes them feel like a violation of their human right as discrimination. Prostitutes' rights do not exist (right to non-discrimination, right to dignity and personal security) in domestic law at all.



The Suppression of Prostitution Act of 1949 was established with the aim of eliminating prostitution.

The struggles faced by female sex workers in Myanmar are deeply rooted in widespread gender inequality and discrimination. Even though Myanmar ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1997, aiming to protect women's rights, including those of sex workers, these women still endure significant hardships. They are subjected to police harassment, societal stigma, and violence, which severely undermine their safety and rights (AP, 2017).

## **1.2 Problem Statements**

In Myanmar, people involved in sex work, whether they openly call themselves sex workers or not, lead very tough and dangerous lives. The female sex workers must deal with societal criticism, legal issues, health concerns, and dangerous conditions while earning a livelihood through sex work, which is frequently seen as a secret and informal industry. This painful reality gets worse with Myanmar's significant Suppression of Prostitution Act, 1949, which makes prostitution illegal. This legislation criminalizes various aspects of sex work, putting sex workers at risk of imprisonment and fines. And this law also blocks the rights that prostitutes should have as human beings.

There are four main problems facing in my research thesis. Firstly, female sex workers in Myanmar face the most human rights violations such as right to live and right to work etc. The majority of sexual, physical, and emotional abuse of female sex workers, according to international studies, is committed by law enforcement personnel (NSWP). The criminalization of sex work can take many different forms, the primary human rights abuses that sex workers experience are the cops and behind bars. The practice of confiscating condoms or other personal items as evidence of criminal activity not only discourages safe sex practices but also puts sex workers' health at risk. Detention, over either short or longer periods, puts sex workers at risk of violence and mandatory testing for HIV and sexually transmitted infections (STI). This violates not only the physical but also the mental status of female sex workers.

Secondly, commercial sex continues to be a vital income source for many women in low-income countries. However, the associated risks of violence present significant dangers. Economic violence, such as clients or employers withholding agreed-upon payments, and sexual violence, involving forced sexual acts, have various detrimental impacts on female sex workers (Kanayama et al., 2022).

Thirdly, female sex workers in Myanmar frequently encounter profound social stigma and discrimination owing to their profession. Historically, sex work has been condemned as sinful within religious narratives. This societal stigma manifests in acts of violence and discrimination, especially emotional violence, such as verbal abuse. Many female sex workers who seek medical care face harassment from healthcare providers, including nurses and doctors. This harassment includes verbal abuse, discrimination, denial of treatment, and the unauthorized disclosure of sensitive information, such as their HIV status (Bhattacharjya et al., 2015). Sex workers in Myanmar may encounter discrimination, marginalization, and push in access to healthcare, education, housing, and employment. Discrimination or Stigmatization can limit their opportunities and contribute to their economic and social vulnerability.

For the last, Suppression of the Prostitution Act of 1949 criminalize sex work often contribute to the difficulties faced by sex workers. This law make people think badly of and treat sex workers unfairly (Ministry of Legal Affairs, 1945, 1949). This causes big problems for their human rights. Prostitutes around the world use different words when they stand up against this unfair treatment (NSWP, 2014). Sex workers do not want oppressed laws that aim to ‘eliminate’ them, but rather demand that labor and industry standards are applied to sex work.

To tackle the issues faced by sex workers in Myanmar, a multifaceted strategy is crucial. This strategy should include overhauling existing laws to safeguard their rights, running awareness campaigns to address human rights abuses, using education and policies to fight stigma and discrimination, and creating safe environments and partnerships with law enforcement to tackle violence. This approach aims to create a protective framework for sex workers, safeguarding their rights and well-being.

### 1.3 Research Objective

The research aims to provide a detailed examination of the challenges faced by female sex workers in Yangon, Myanmar, particularly in terms of legal barriers, violence, exploitation, and rights protection. In addition, it also seeks to examine the effectiveness of support services and aimed at protecting the rights and to provide policy recommendations for enhancing the rights and protections of prostitutes in Myanmar.

### 1.4 Research Question

- What are the key legal barriers faced by female sex workers in Yangon, Myanmar, and how do these barriers impact their rights and well-being?
- What changes can be proposed to better protect the rights of female sex workers in Yangon, Myanmar?

In order to accurately answer these questions, this research will conduct a spotlight on prostitutes in Yangon, Myanmar.

### 1.5 Hypothesis

This research examines the challenges faced by female sex workers in Myanmar. The key hypothesis is proposed -

Female sex workers in Myanmar face significant legal barriers, including those imposed by the Suppression of Prostitution Act, 1949, which adversely impact their working conditions and access to basic human rights. Enhancing their legal rights and protections will improve their overall quality of life and well-being.

### 1.6 Organization of the Research

There are five chapters in this research. The first chapter contains the research background, problem statement, research objective, research question, and hypothesis.

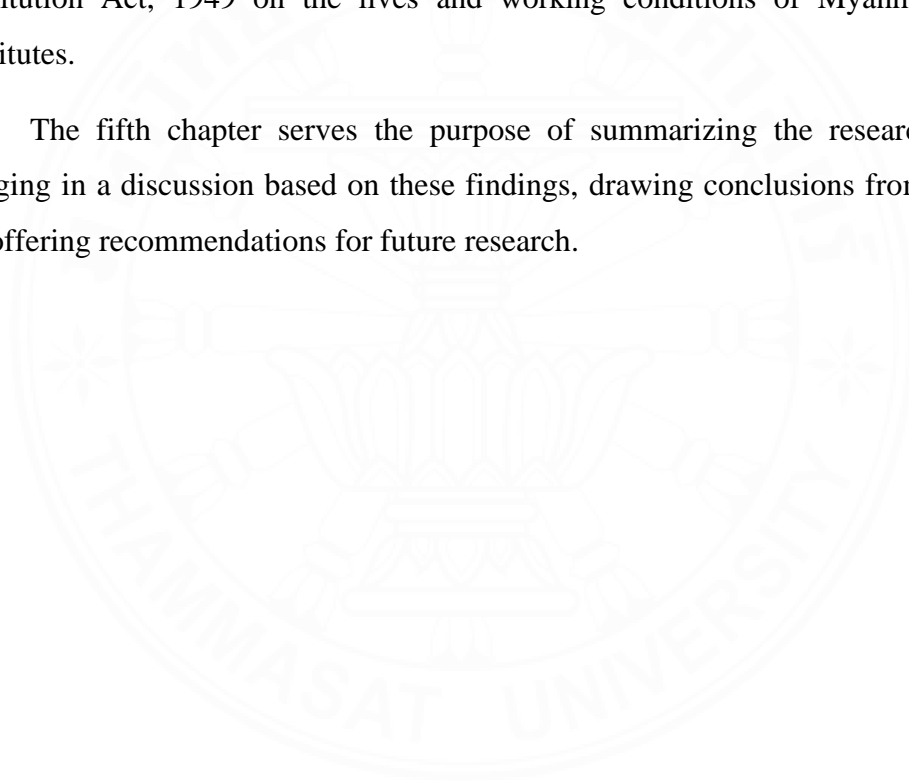
The second chapter structures literature review will provide a comprehensive overview of the challenges faced by female sex workers in Myanmar, with a specific focus on legal barriers and rights protection in Yangon. In this literature review, definition of sex work and types of prostitute, historical context, pathways to sex work, legal

framework, challenges faced by female sex workers in Myanmar, rights protection, case study in Yangon, sex and the law, and theoretical framework are also constituted.

The third chapter discusses methodology, which covers data collection processes, interview process and data analysis.

The fourth chapter is dedicated to an in-depth exploration and analysis of the research findings. This section delves into a comprehensive examination of the data collected during the study, presenting a detailed account of the difficulties faced by female sex workers in Myanmar, as well as the specific impact of the Suppression of the Prostitution Act, 1949 on the lives and working conditions of Myanmar's female prostitutes.

The fifth chapter serves the purpose of summarizing the research findings, engaging in a discussion based on these findings, drawing conclusions from the study, and offering recommendations for future research.



## **Chapter 2**

### **Literature Review**

#### **2.1 Introduction**

In this chapter, the researcher explores three key subjects. The researcher delves into the definition of sex workers or prostitutes and explores the various categories of female sex workers. Following these definitions, the subsequent section will analyze the different pathways that lead individuals to engage in sex work. Finally, the third section will provide an in-depth case study focusing on the circumstances faced by female sex workers in Myanmar, encompassing three distinct subsections.

#### **2.2 Definitions and Types**

##### **2.2.1 Sex Worker and Prostitution**

Sex work also known as prostitution, has been a part of human history for a very long time. Trading sexual services for money or other forms of compensation has been a practice throughout history. This practice has been present in various cultures and historical periods, from ancient civilizations to contemporary societies. The nature of sex work has changed over time, influenced by cultural, economic, and social factors. Even though societal views on sex work have changed, it has remained a consistent aspect of human societies throughout history.

In the 1500s, people started using the word "prostitute," which comes from Latin words meaning "before," "setup," and "place before." Back then, it began being used to talk about selling or offering sex in public. In different cultures, they had special words for those who traded sex for things like money or social status. For example, in ancient Greece, women were called "hetaera," and men were called "pornai." In India, there were the Devadasis, who were like "hand maidens or slaves of the God (Orchard, 2007).

Traditionally, prostitution has been a long-standing practice where women exchanged sexual services with men for money, a fact rooted in history and mentioned in

the Bible (Walkowitz, 1982). However, the term has shifted to "sex work," expanding to include a wide range of activities, both physical and virtual, with direct or indirect services.

Often, the terms 'sex work' and 'prostitution' are used interchangeably, both referring to the practice of trading sexual services for financial compensation, goods, or social advantages (Orchard, 2019). These exchanges can happen in various ways. Some individuals may choose to engage in sex work independently, deciding to offer sexual services in exchange for payment or other benefits. Others might have a third party, such as a manager or facilitator, assisting in arranging these transactions. Sex work and prostitution have been around as long as human society. It's important to recognize that sex work and prostitution are not limited to a specific gender or demographic. While they are commonly associated with women and girls, people of all ages, genders, races, abilities, and sexual orientations can be involved in these activities.

According to the (Weitzer, 2009), sex work refers to the exchange of sexual services, performances, or related products for money or other compensation. This can involve direct physical contact between individuals or activities where such contact is indirect, such as in pornography, stripping, phone sex, live sex shows, or erotic webcam performances. The term "sex industry" encompasses all individuals and entities involved in sexual commerce. This includes workers, managers, owners, agencies, clubs, trade associations, and marketing professionals, regardless of their legal or illegal activities.

A sex worker is someone who trades sexual activities for things they need. This could be done in different ways. For example, it might involve doing sexual acts for money, selling pictures or videos of themselves sexually, or performing at events with a sexual theme (Oso Casas, 2010). In simpler terms, (Jordan, 2005) suggests that the word "prostitute," it does not just describe what someone does for a living. It also has a powerful effect on how people see and think about that person. It gives them a specific social role and attaches a negative judgment or stigma to them because of that label.

According to (Harcourt & Donovan, 2005), A sex worker is someone who trades sexual services for something valuable. This means that they provide services involving sex in exchange for something in return. This exchange is versatile, involving transactions that may include monetary compensation, material goods, or other forms of

recompense. The motivations behind individuals entering the realm of sex work are complex and diverse, shaped by economic circumstances, personal choices, or a combination of various factors. The nature of this trade highlights the intricate interplay between financial necessity, individual decisions, and external influences. In addition, people who do sex work can be men, women, or transgender (Harcourt & Donovan, 2005). This means that different kinds of people with different gender identities may choose to do sex work for different reasons, like not having enough money, not finding other jobs, or wanting to express their sexuality and freedom.

In summary, the terms "sex work" and "prostitution" describe the exchange of sexual services for compensation, a practice present throughout human history. This diverse field involves individuals of various backgrounds and motivations, emphasizing the intricate interplay between financial necessity, personal decisions, and external influences. The inclusive nature of sex work recognizes its presence across genders and underscores the varied reasons individuals choose to participate in this profession.

### **2.2.2 Types of Female Prostitutes**

In Myanmar, there are different kinds of female prostitutes. Some work on the streets, asking people for sex in public places like streets, parks, or red-light areas. Others work in brothels, where they offer sex in more controlled places. Some work independently, finding clients on their own or online. Also, there are sex workers in places like bars, massage parlors, and nightclubs. Each type of worker has different working conditions. The prices they charge vary too. Street workers usually charge less than those in brothels or entertainment spots. Independent workers may negotiate prices with clients, while brothel workers might have set prices. These differences show how the sex work industry in Myanmar is influenced by money and social factors, and the challenges each type of worker faces.

In Myanmar, sex work is usually divided into two categories: "direct" and "indirect" (Godwin, 2012b). Direct sex workers are individuals whose main source of income comes from selling sex openly and formally. Alternatively, indirect sex workers engage in sex work more discreetly and informally. For them, selling sex is not their

primary means of earning a living; they may also work as street vendors, beer promotion girls, massage therapists, waitresses, or hairdressers. Interestingly, these individuals typically do not identify themselves as prostitutes.

Sex work encompasses a variety of roles, including direct involvement in brothels and various other indirect forms. This broad spectrum includes activities linked to the sex industry. Some individuals offer their services within brothel environments, whereas others engage in forms of sex work that are not tied to a specific location (World Health Organization, 2006).

According to (Yamada et al., 2020), it was revealed that sexual services are available in five locations in Yangon, Myanmar: brothels, streets, bars/online platforms, karaoke clubs (KTV), and massage parlors. The noteworthy finding is that the work locations of female sex workers (FSWs) have a substantial impact on the prices of their services. This discovery supports the concept of "place premiums," illustrating how the specific work setting influences the pricing strategies employed by FSWs. This understanding sheds light on the economic dynamics within the sex work industry. Furthermore, it emphasizes the importance of considering work locations when exploring the complexities of pricing strategies employed by female prostitutes in Yangon.

When female prostitutes offer their services to wealthier clients, these clients may be more open to paying higher prices. This means that FSWs operating in more affluent areas, where they have increased opportunities to serve wealthy clients, may find it easier to set higher prices for their services. While it might seem clear that the locations where FSWs work affect the prices they charge, research does not always support this notion. Some studies indicate that the influence of work locations on prices, referred to as "place premiums," is indeed substantial (Moffatt & Peters, 2004; Sohn, 2019). On the other hand, there are studies suggesting that this influence may not be as crucial as initially thought. In essence, the relationship between work locations and the prices charged by FSWs remains a topic of varied findings and interpretations within the research community (Elmes et al., 2014).

Notably, when the former scholar looks at different places where female sex workers (FSWs) operate, there are significant variations in the prices they charge for their services. For instance, FSWs who attract clients in bars or through online platforms



tend to charge notably higher prices specifically, a 92% increase compared to their counterparts working in brothels. On the other hand, those working in massage parlors charge prices that are 50% lower than the rates in brothels. Surprisingly, FSWs who find clients on the streets or in karaoke clubs (KTV) do not charge more than those in brothels (Yamada et al., 2020). This reveals a crucial pattern: the specific work setting, or worksite, of FSWs plays a crucial role in determining the prices of sexual services in Yangon. This finding highlights the importance of understanding how different environments impact the pricing strategies employed by FSWs in the city.

When female sex workers (FSWs) find clients in places where they do not have to give a part of their earnings as commissions like on the streets or in bars/online they tend to get more money from each transaction. Additionally, FSWs who are older, less educated, and may be considered less physically attractive find it challenging to ask for higher prices for their services. This difficulty is particularly evident for FSWs working on the streets, where they may face challenges charging higher prices despite not having to pay commissions. Moreover, when transactions involve vaginal sex, the price tends to go up (Yamada et al., 2020). As a result, the prices set by FSWs in massage parlors where vaginal sex is less common are lower compared to the prices charged by FSWs in brothels. It's clear that commissions, the characteristics of the sex workers, and the type of services offered are the key factors influencing the pricing differences in various work locations.

### **2.2.3 Factors Influencing Sexual Service Prices**

Several factors influence the pricing of sexual services for female prostitutes in Myanmar. Firstly, the location where they operate plays a significant role, as services rendered in different settings, such as streets, brothels, or entertainment venues, may command varying prices. Additionally, the physical appearance of the sex workers is a crucial factor, with attractiveness often influencing the rates they can charge. The willingness of female prostitutes to take risks, encompassing the nature of services provided and potential legal implications, also affects pricing. Furthermore, the habits and preferences of clients, such as their demands and expectations, contribute to determining the prices for sexual services.

There are primarily four factors that impact the pricing of sexual services: where female sex workers (FSWs) work, how they look, their willingness to take risks, and the habits of their clients (Yamada et al., 2020). The locations where female sex workers operate, their physical attributes, the level of risks they are willing to undertake, and the preferences of their clients all play significant roles in determining the prices for sexual services. Understanding these factors is essential for comprehending the nuances of the economic and social aspects that shape the pricing of sexual services in this specific setting.

To begin with, the locations where female sex workers (FSWs) operate greatly influence the rates they charge for sexual services (Yamada et al., 2020). For instance, street-based FSWs may not charge as much as those working in venues like KTV or bars. The place where they work can impact how much they can ask for their services. This difference suggests that the location of their work, whether on the street or in specific establishments, has a notable effect on the pricing of sexual services.

Furthermore, there is a noticeable link between the physical attractiveness of female sex workers (FSWs) and the rates they can command for their services. Put simply, more attractive FSWs often charge higher prices (Yamada et al., 2020). This indicates that clients are generally ready to pay more for services offered by FSWs who are considered attractive. In essence, the attractiveness of female sex workers has a positive impact on the pricing of the sexual services they provide.

Thirdly, the willingness of female sex workers (FSWs) to take risks is connected to the prices they charge for sexual services (Yamada, 2020). In simpler terms, if an FSW is more comfortable with taking risks, the cost of their services tends to be lower than that of an FSW who avoids risks. FSWs who are cautious about risks are more likely to ask for higher prices because they seek compensation for the significant dangers associated with their job, such as the risk of contracting sexually transmitted diseases (STDs), facing discrimination, or encountering violence from clients. So, services from risk-averse FSWs generally cost more than those provided by their risk-loving counterparts.

For the last, clients who regularly seek sexual services from the same female sex worker (FSW) tend to pay more for those services (Yamada et al., 2020). This

means that if someone values the experience of transactional sex with a specific FSW and becomes a regular client, they are willing to pay a higher price. The reason behind this is that in the market for sexual services, clients cannot easily judge the quality of the services before making a transaction. To ensure the quality of service, clients are often willing to pay more for services from female sex workers they trust. For instance, if a client consistently chooses the same female sex worker and builds a regular relationship, they might agree to a higher fee each time in exchange for the reassurance and trust gained from that established connection.

As mentioned earlier, the cost is affected by different things, like the features of female prostitutes such as age, education, and how they look, where do they work, as well as whether they use condoms. It also depends on the characteristics of the clients, like whether they are regular clients or not.

### **2.3 Historical Context of Female Sex Workers in Myanmar**

In the history of Myanmar, female prostitutes have been present for a long time. They have engaged in variety ways of sex work, reflecting the diversity within the industry. The role of female sex workers has evolved over different historical periods and cultural shifts, adapting to the changing socio-economic landscape of the country. Female sex workers in Myanmar have encountered various challenges and opportunities shaped by cultural, economic, and social factors. Historically, the experiences of these women can be traced back to the Buddhist era and ancient times. Additionally, historical records suggest the existence of female entertainers and performers in various cultural and religious festivities.

In the time when the Buddha lived, there was a well-known prostitute named “Srima”. This suggests that even during the Buddha's era, there were people involved in prostitution (Ngwe, 2022). It is interesting to note that the Buddha did not specifically address or comment on the existence of prostitution during his teachings. This historical context implies that the practice has roots that extend back to ancient times, and the Buddha, while addressing various aspects of life, did not offer a specific stance on the subject of prostitution.

Historically, individuals engaged in the sex industry played significant roles in society. They often acted as social intermediaries, helping to manage various social interactions, and were even employed in diplomatic contexts for important affairs. For instance, in some Jataka tales, wealthy women and princesses would hire sex workers to enhance the well-being of their husbands (Than, 2011). This happened when the wives wanted to do good things on special days when having intimate relations was not allowed. These stories show that sex workers were used in different ways, not just for pleasure, but also to handle social and religious customs in the olden day.

Although sex workers are frequently portrayed in a negative light as being unclean, in the context of Burmese high culture and religious practices, they played a vital role in the functioning of the state. This is illustrated by their prominent presence in the well-known Jataka tales (Ngwe, 2022). These stories are foundational to Buddhist teachings and moral lessons, similar to how the tales in 'One Thousand and One Nights' serve as a cultural touchstone for children in other traditions. In Burmese, the term for a sex worker is 'Pyi Dan Sa,' which means 'decoration' or 'jewel of the country' (Than, 2011). In this context, sex workers served as a short-term replacement for wives, helping to reduce conflicts that could emerge between marital duties and religious obligations. Prostitution played a practical role in maintaining the stability of families or social connections. High-status women valued this function, as sex workers helped them fulfill their roles as responsible homemakers and devout Buddhists. As a result, sex workers were regarded as valuable assets, often referred to as “Jewel”.

In summary, from ancient times through the Buddhist era, female sex workers have been integral to the socio-cultural fabric, playing multifaceted roles that extended beyond mere economic transactions. Their significance goes beyond a mere reflection of economic necessities; it intertwines with the very essence of societal norms and individual agency. This exploration into Myanmar's historical landscape highlights the multifarious roles these women undertook, contributing to the intricate mosaic of the country's past.

## 2.4 Pathways into Sex Work

In poorer nations, many women continue to rely on engaging in commercial sex as a crucial means of earning money. This practice plays a significant role in supporting their financial needs and livelihoods (Kanayama et al., 2022). In Myanmar, many women become sex workers due to various social problems and personal difficulties. They often turn to sex work as a means of earning income to support their families and help relatives with education expenses or debts. The reasons for entering this profession are typically a mix of factors, such as poverty (trying to support their families with limited education), a triggering event (like debt, medical expenses, or relationship issues), and a facilitating factor (like having a friend in sex work, being recruited by a broker, or family influence). These elements together push women into engaging in sex work.

It is obvious that there are many pathways into sex work. Some lack of education, struggle with poverty and debt, and they want support for their families as financial aid or other possible types. Some of the girls are from rural areas and they can't get adequate education. So, the broker or the person who is familiar with them introduces them to jobs. Buts, they had not said anything about this job related to prostitution.

Younger female sex workers (FSWs) are motivated by a wish to live on their own and support their families. The income needed to sustain themselves and assist their families is frequently not attainable through the low-paying jobs accessible to them outside of the sex industry. Many young people who become sex workers face tough financial situations, making it difficult for them to consider other job options. The idea of getting free housing and meals can be very tempting for those who are easily influenced by recruiters, making it seem like a good choice for them.

### 2.4.1 Recruiters

In Myanmar, a significant number of young women find themselves compelled to enter the sex industry due to the influence of recruiters. These recruiters guide them into jobs as female sex workers, often in places like KTVs or massage parlors. This shows a sad situation where girls are convinced to join the sex trade without knowing all the difficulties and dangers.

In many neighborhoods, there are informal networks where it's easy to find someone to help you get a job. People like professional recruiters, friends, neighbors, sponsors, and sometimes even mothers are mentioned as those who help women find their first job. These helpers, also known as brokers, are well-known in local areas. Unfortunately, the difficult realities of sex work, such as violence from customers, mistreatment by authorities, and social exclusion, are not often talked about. Instead, sex work is portrayed as an "easy" choice, and those who recruit often lie about the nature of the job. This kind of professional recruitment is consistent in places like restaurants, massage parlors, and KTVs, where people gather for entertainment (Options, 2014).

People often known as brokers lure women by promising lucrative employment opportunities in distant cities. A 2009 report by the U.S. Department of State highlighted a troubling trend in 2008, revealing significant trafficking of women and girls both internationally and within Myanmar for sexual exploitation. The report estimated that thousands of women and girls were trafficked, with many traffickers operating on a small scale and working in conjunction with these brokers (U. S. Department of State Bureau of Democracy, 2010).

Some are being prostitutes by recruiters and trafficking. Most of the sex workers did prostitutes because they want to get more money, live with more facilities, and they want to aid their families and their younger brothers or sisters (Lin, 2015). Thus, they were doing this prostitution and they cannot escape from this prostitution cycle.

### **2.4.2 Financial hardship**

Financial hardship is the main factor pushing women in Myanmar to engage in the sex industry. The necessity to financially support their family members is a significant driver propelling women towards sex work. A considerable number of female sex workers (FSWs) find themselves as the main source of income for their families, underlining the economic pressures that lead them into this profession. As a consequence, poverty not only compels these women into the sex industry but also positions them as crucial contributors to the economic well-being of their households.

In Myanmar, many women work in low-paid jobs like garment factories, and their salaries are not enough to support their families. Because of financial difficulties, they decide to enter sex work, thinking it can provide more money quickly.

Women end up working in the sex industry due to experiencing hardship or living in poverty. This is a widespread issue that highlights the intersection of economic struggles and the vulnerability of women in these situations. According to various studies, factors such as limited educational opportunities, lack of job prospects, and economic instability contribute significantly to the decision of many women to engage in sex work (Mon, 2018). According to the (Bhattacharjya, 2015), in Myanmar, most of the women who took part in the study shared that they started doing sex work to help themselves and their families financially. Many of them got into sex work because a friend or family member, whom they sought help from to find a job, introduced them to it.

Many women in Myanmar had worked in low-paying jobs before, like doing household chores or in a clothing or tea factory. Some of them mentioned that, considering the available job choices, sex work seemed more flexible and paid better. This suggests that these women often face limited options for employment, and economic conditions might lead them to choose sex work as a comparatively more lucrative and adaptable means of earning a living (Bhattacharjya, 2015). It is essential to understand the context of their choices and address the underlying issues that push individuals towards such professions, such as the need for better-paying and more stable employment opportunities.

When given a chance that could help them escape extreme poverty, many poor women in Myanmar often feel compelled to turn to sex work as a means of survival. This difficult decision stems from a lack of viable alternatives to improve their desperate circumstances. Limited access to education and employment opportunities, coupled with widespread economic hardships, leaves these women with few choices. The absence of a robust social support system further exacerbates their predicament (Minxi, 2020).

Poverty is a major cause of people taking out large loans, and the situation worsens as food prices rise, forcing many individuals to turn to predatory loan sharks to meet their basic living needs. Once they borrow money, they find themselves caught in a



never-ending cycle of debt. Unfortunately, some individuals mistakenly believe that engaging in sex work can be a profitable way to escape their financial struggles (Arnold, 2017). The combination of economic hardship, increasing living costs, and limited financial literacy creates a precarious situation for vulnerable individuals.

### **2.4.3 Insufficient Schooling**

In Myanmar, many women are turning to the sex industry because they lack education and job skills. Without proper resources, they struggle to find stable employment, leading them to resort to sex work for income. This highlights the importance of education in securing meaningful employment. When job options are limited, people may feel compelled to pursue undesirable paths. Therefore, improving education is crucial to helping women avoid such difficult circumstances in Myanmar.

In various communities, lots of women face challenges in finding jobs because they lack the necessary skills or education to work outside their homes. Once married, many women often depend on their husbands for financial support. Unfortunately, if these women go through a divorce, they frequently find themselves without any source of income. This highlights the difficulty they encounter when trying to support themselves independently after the end of a marriage (WCRP, 2009). These circumstances often force women into the sex industry as a means of financial survival.

The government of Burma (Myanmar) allocated only about 1.2% of its budget to education in 2005, which is a very small amount. This has led to schools being extremely expensive for numerous families in the country. Due to the high costs associated with education and the economic difficulties faced by families, many students find it difficult to continue attending school and end up dropping out. Unfortunately, this challenging situation has a significant impact on girls, who, in particular, are vulnerable to entering prostitution as a means of coping with financial hardships (Statistics, 2005).

According to the (Dandona et al., 2006), the question of why women get involved in transactional sex, despite the significant risks it poses, sparks debates. It is a topic worth discussing because young women facing a lack of formal education and enduring persistent poverty find themselves more inclined to resort to selling sex as a means to earn money. The absence of alternative job opportunities contributes to this



decision, making it a complex issue. These women, lacking educational opportunities, often grapple with financial hardships, pushing them towards engaging in transactional sex as a means of survival.

Furthermore, insufficient educational opportunities can push girls towards the sex industry. This issue is compounded by several challenges, including early marriages, becoming widowed at a young age, losing family support because of stigma surrounding premarital sex or divorce, and possessing limited educational qualifications, all of which restrict their ability to find alternative job opportunities. Girls who lack education often find themselves in difficult circumstances, making it harder for them to escape situations like early marriage or abusive relationships. Furthermore, the absence of educational opportunities limits their ability to explore other job options, leading some to turn to the sex industry as a means of survival (Bhattacharjya, 2015).

According to the case study (Maung, 2009) at Hlaing Tharyar Township, Yangon many individuals in the community face challenges such as being uneducated and economically disadvantaged. A significant number of them are involved in low-paying jobs or work as vendors due to the limited access to education and educational facilities. Despite the presence of some industry zones, the majority of people find it difficult to secure employment in these areas due to their lack of formal education. Consequently, faced with limited options to provide for their families, some young girls have made the difficult decision to enter into sex work as an alternative means of support.

## **2.5 Case Study**

Ma Zin Zin (UNFPA, 2016), a 26-year-old residing in Yangon, Myanmar, exemplifies the struggles and complexities experienced by numerous female sex workers in the area. Her narrative provides insight into the daily hardships and resilience of women in the sex industry, highlighting the socio-economic pressures that influence their choices and the barriers they confront in seeking livelihood opportunities.

Yangon, Myanmar's largest city, is a bustling center of economic activity, drawing in tourists and facilitating commerce. However, beneath its vibrant exterior lies a darker reality, particularly for marginalized groups like female sex workers. Limited

job opportunities and widespread poverty push many women, such as Ma Zin Zin, into sex work out of sheer necessity.

Ma Zin Zin's transition into sex work was not a matter of choice, but rather a response to dire circumstances. Raised in rural Myanmar amid financial struggles, she was spared from work and supported through education as the youngest in her family. However, after the death of her husband, she found herself without income or prospects, returning to her mother's home in Yangon. At just 17 years old, Ma Zin Zin fell into a relationship and subsequently married a bus driver. Their life together in a northern suburb was cut short when her husband passed away, leaving her widowed with a child. With no means to support herself and her family, she faced the harsh reality of urban survival.

Facing financial desperation, Ma Zin Zin accepted an offer from a friend for a job as a sex worker, viewing it as a pragmatic means of earning a living. Initially, she kept her new profession hidden from her family, but a run-in with the police exposed her secret. Forced to pay a hefty fine to avoid legal consequences, she found herself trapped in a cycle of exploitation and stigma.

Despite the shock and disappointment of her family upon learning the truth, Ma Zin Zin had no choice but to continue with sex work to survive. Stigmatized by society and vulnerable to police harassment, she navigates her existence with resilience and determination, knowing that her options are limited and the odds are stacked against her.

Ma Zin Zin's story is but one among many in the complex tapestry of female sex work in Myanmar. It underscores the harsh realities faced by marginalized women who are forced to navigate a precarious existence on the fringes of society. Researchers, policymakers, and advocates must prioritize listening to and amplifying the voices of women like Ma Zin Zin. Recognizing their agency, resilience, and humanity in the face of adversity is crucial.

### **2.5.1 Female Sex Workers in Yangon**

Across all areas in Myanmar, engaging in prostitution has been prohibited for a long time. However, there are brothels in many parts of Yangon, often pretending to be karaoke or massage places. Those involved in sex work face widespread

discrimination as their actions are seen as disrespectful to Myanmar's culture and religion. This leads to regular mistreatment and bias against them. These sex workers often find themselves in difficult situations due to the social stigma attached to their profession. The study aims to shed light on the difficulties they encounter and their experiences in the face of societal norms and legal constraints.

In the past, people in Myanmar (Formerly known as Burma) highly valued virginity. A tourist brochure in English from 1997 described Burma as “The Land of Virgins and the Restful Nights,” emphasizing the cultural significance placed on virginity. The brochure highlighted the “clear skin” of the renowned virgins, considering it as their distinctive feature. However, over time, societal norms have evolved, and the importance attached to virginity has undergone a transformation. In earlier times, virginity held significant value in Burmese culture, but contemporary shifts indicate a departure from this traditional perspective. The evolving societal attitudes suggest a changing perception towards the once highly prized virtue of virginity in Burma-Myanmar (NYT, 1997).

In Burma, individuals engaged in sex work are referred to by various terms. They are commonly known as “Pyi-Tan-Sar,” which translates to “state's jewel” and “APyar Mal,” meaning “blue mistress”. In informal language, alternative terms like “chicken”, “female pimp”, “Angel”, and “fragrant flowers of the night” are also used to describe sex workers. These expressions reflect the diversity of language employed to discuss the profession (WINE, 2008).

After Cyclone Nargis struck Yangon in 2008, the prostitution scene, locally known as Nya-Hmwe-Pan or “fragrant flowers of the night,” witnessed a less-than-romantic reality. Following the cyclone's devastation in the Irrawaddy delta, the number of these “fragrant flowers” proliferated in Rangoon, as families were torn apart, leaving desperate young women willing to exchange their bodies for a meager two or three dollars. This surge in the sex workers population further depressed prices in Rangoon, with the newcomers facing not only the challenges of police harassment but also the animosity of the established “old timers” (WINE, 2008). Karaoke places are sometimes used for illegal activities. In downtown Rangoon, especially during regular nights, KTV (Karaoke) is packed with men seeking more than just music. Young women

are also present, but their skills are not exactly related to singing. These women may be involved in sexual activities other than singing (Jay, 2005).

In Yangon, some hotels also work as places where prostitution happens. Massage parlors started appearing in 1995, mainly run by ethnic minority groups like the 'Wa'. These businesses can be found particularly in Yangon. Independent prostitutes often visit nightclubs in the city. The sex industry operates across the country, with activities taking place in restaurants, guesthouses pretending to be brothels, and nightclubs. This industry has various forms and locations, impacting different parts of Myanmar (Zaw, 2018).

Numerous women involved in sex work in Yangon face significant life challenges such as poverty, limited access to education, and coercion by recruiters. Consequently, they persist in engaging in sex work as a means of survival. It is crucial to recognize that sex work is illegal in Myanmar, placing these women in a vulnerable position. These individuals confront a myriad of difficulties and are subjected to violence on a regular basis, with a notable source of these challenges being the law enforcement authorities themselves (AIDS, 2018). This cyclical pattern exacerbates the already precarious circumstances faced by women involved in sex work, perpetuating a cycle of legal and social challenges that further marginalize and endanger their well-being.

In Myanmar, prostitution is a major industry, but the real beneficiaries are not the sex workers themselves. Instead, the financial gains are primarily enjoyed by pimps, brothel owners, and corrupt officials, including members of the Myanmar Police Force. Sadly, sex workers in Myanmar are subjected to severe discrimination and are among the most marginalized individuals in society. Due to the illegal status of prostitution, they are especially vulnerable to exploitation, both from their clients and from unscrupulous pimps and police officers. This vulnerability stems from the lack of legal protection for sex workers, making them easy targets for various forms of abuse and manipulation (Mon, 2018). The situation underscores the urgent need for addressing the legal status of prostitution in Myanmar and implementing measures to protect the rights and well-being of sex workers.

The law called the Suppression of Prostitution Act 1949 has strict rules against asking for or offering sex services. If someone breaks these rules, they could face

serious consequences. These consequences may involve being sent to jail for a period ranging from one to three years. Additionally, women who work in the sex industry might be held in a designated facility. This law aims to deter and punish those involved in prostitution-related activities, emphasizing imprisonment and confinement as possible outcomes for individuals found guilty of soliciting (Ministry of Legal Affairs, 1949).

In Myanmar, despite a longstanding prohibition on prostitution, the presence of brothels camouflaged as karaoke or massage establishments persists, particularly in Yangon. Sex workers in this industry face widespread discrimination due to cultural and religious perceptions, leading to mistreatment and bias. The societal stigma attached to their profession places them in difficult situations, with enduring challenges stemming from legal constraints and cultural norms. The research specifically focuses on the struggles of female sex workers in Yangon, aiming to illuminate their experiences within the complex interplay of societal expectations and legal realities. The pervasive issues underscore the need for comprehensive measures to address the legal status of prostitution in Myanmar, ensuring the protection of sex workers' rights and well-being.

## **2.6 Sex Work Within the Legal System**

The prohibition of sex work or prostitution in Myanmar is explicitly enshrined in the Suppression of Prostitution Act of 1949. This legal framework is designed with the overarching objective of eradicating the practice of sex work and all its associated activities. The Act establishes a clear and unequivocal stance against individuals engaging in prostitution, outlining specific measures and penalties aimed at deterring such activities. Its primary focus is on eliminating not only the act of prostitution itself but also any activities related to it, reflecting a comprehensive approach to curb the entire spectrum of the sex trade. The legislative intent is to create a legal deterrent, emphasizing the criminalization of sex work and the subsequent punishment for those involved, in alignment with the broader societal goal of eliminating the sex industry in Myanmar.

In Myanmar, doing any kind of sex work is against the law. This includes working alone, working in brothels, or being part of organized sex work, and even trying

to get money for sex. The Suppression of Prostitution Act was made in 1949, and it has severe punishments for those involved in sex work. The law is strictly enforced, meaning there is no tolerance for it (WHO, 2012). The law against prostitution, called the Suppression of Prostitution Act, is based on an old colonial rule. This law says that sex workers could go to jail for up to three years (Hlaing, 2018). So, the Suppression of Prostitution Act of 1949 work to make prostitution illegal and to manage such activities in Myanmar.

Imposing harsh laws against prostitution only continues to make life more difficult for women working in the sex industry, leading to their exclusion and unfair treatment. By criminalizing their work, these women are pushed to the fringes of society, making it harder for them to access basic rights, services, and support (Talikowski & Gillieatt, 2005).

Despite this, the act of buying and selling sex is remaining in Myanmar. The Law on the Suppression of Prostitution Act, established in 1949, has consistently been pinpointed as the root cause of stigmatization, discrimination, and marginalization faced by Female Sex Workers (FSWs). Consequently, these women encounter violence and abuse, frequently perpetrated by authorities, leaving them with no recourse to rely on due process or justice. Seeking justice itself becomes a perilous endeavor, as those who attempt it risk arrest or imprisonment solely based on their chosen profession (Options, 2014).

Instead of helping, the Suppression of the prostitution Act, 1949 make sex workers feel ashamed and treated unfairly. Sometimes, the police take away condoms or personal things from sex workers to use as proof of a crime. This is not good because it puts the health of sex workers in danger and invades their privacy. When sex workers are taken to court, they might get a criminal record. This can make it hard for them to find a place to live, get a job, go to school, or even vote. So, these laws do not really protect anyone; they just make life more difficult for sex workers (NSWP, 2014).

Strict anti-prostitution laws persist in deepening the marginalization and discrimination that women in the sex trade endure. These harsh regulations merely extend the difficulties and struggles faced by those in this line of work. Instead of addressing the fundamental problems within the sex industry, these severe measures only worsen the

vulnerabilities of the women affected (Talikowski & Gillieatt, 2005). It is crucial to reconsider these punitive approaches and explore alternative methods that prioritize the well-being and rights of sex workers, promoting a more inclusive and compassionate society.

### **2.6.1 Global Perspectives on Sex Work**

The problem of making rules and protecting the rights of female sex workers (FSWs) has become a big deal all around the world. This is because it involves many complicated factors like laws, society, and human rights. This review aims to explore at the different ways' countries handle this issue and how it affects the rights and health of FSWs.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) aims to eradicate all forms of discrimination against women. This comprehensive international treaty covers multiple dimensions of women's lives, such as political, economic, social, and cultural rights. States that ratify CEDAW commit to implementing measures that guarantee the full development and empowerment of women, ensuring they can fully exercise and enjoy human rights and fundamental freedoms on an equal footing with men. CEDAW serves as a crucial instrument for safeguarding the rights of female sex workers by focusing on the eradication of discrimination and the advancement of gender equality. Notably, Article 6 of CEDAW directly tackles the problems of trafficking and the exploitation of prostitution, calling on state parties to implement measures to eliminate all forms of exploitation against women (UNWOMEN, 2008).

This Article 6 of CEDAW provision calls on countries to not only criminalize trafficking and exploitation but also to provide protections and support for women who are victims of such exploitation (UNWOMEN, 1979). The focus is on eliminating all forms of exploitation against women, which includes creating supportive legal frameworks that protect the rights and well-being of sex workers.

In the context of Myanmar, the Suppression of Prostitution Act of 1949 contradicts the spirit of Article 6 of CEDAW. Instead of providing protection, it criminalizes sex work, thereby exacerbating the vulnerability of female sex workers to



violence, discrimination, and exploitation. This legal framework not only fails to protect sex workers but also perpetuates their marginalization by denying them access to basic human rights and legal protections (International, 2016).

International perspectives on sex work vary, with some countries adopting decriminalization or legalization models aimed at protecting sex workers' rights and improving their working conditions. Adopting a legal framework in line with CEDAW's Article 6 would require Myanmar to shift from a punitive approach to one that focuses on the protection and rights of sex workers. This would involve decriminalizing sex work, providing access to health services, ensuring safe working conditions, and protecting sex workers from violence and exploitation. Such changes would not only align Myanmar with international human rights standards but also significantly improve the lives of female sex workers by granting them the rights and protections they are currently denied.

## **2.6.2 Challenges Faced by Female Sex Workers in Myanmar**

Female sex workers face many problems and violence daily. They also deal with discrimination in health, public opinion, education, and jobs. They cannot enjoy their rights fully and struggle with unfair treatment, which affects their well-being and chances in life. Despite these challenges, it's important to keep working to make things fairer for them.

In Myanmar, female sex workers face significant marginalization, making it difficult to reach them due to a range of legal, political, cultural, and social barriers. These challenges create a situation where these women are isolated and hard to engage with. Legal restrictions, political dynamics, cultural norms, and societal factors collectively contribute to their marginalized status (Talikowski & Gillieatt, 2005).

### **2.6.2.1 Social Stigma and Discrimination**

In Myanmar, individuals engaged in sex work encounter numerous difficulties. These challenges span from the negative attitudes and prejudice they face, to instances of violence and even arrests by the police. The stigma associated with their profession contributes to a hostile environment, where sex workers often confront societal biases that can hinder their well-being and safety. Moreover, incidents of violence against them are not uncommon, adding a layer of danger to their daily lives.



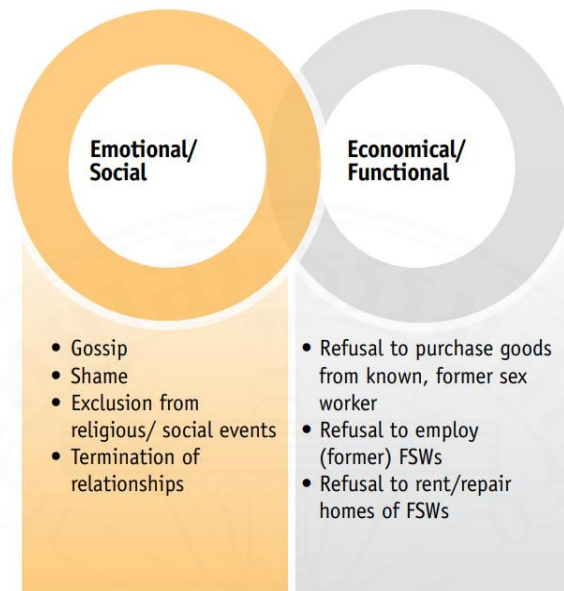
Female sex workers globally face substantial stigma and discrimination, manifesting in various harmful ways. These include severe violations of their human rights, restrictive laws and policies, acts of violence, inadequate access to appropriate health and social services, and broad societal exclusion. The stigma they experience is often worsened by perceptions of them as "unclean" and a threat to public health. This compounded stigma exacerbates the difficulties they encounter, reinforcing societal prejudices and undermining their overall well-being (NSWP, 2015).

In Myanmar, when female sex workers experience societal judgment, stigma, and discrimination away from public view, it adds to their emotional distress. These women are highly susceptible to mental health issues, with depression and anxiety being prevalent symptoms among them. As a result, the heightened stress and stigma these female sex workers face increase the likelihood of them contemplating suicide (Kanayama et al., 2022).

In more detail, the stigma faced by female sex workers within communities can have severe consequences for both the women themselves and their families. The discrimination they encounter can be categorized into two types: Emotional/Social and Functional/Economical. This discrimination is not isolated but permeates various levels, affecting the community as a whole, their families, and even the individuals involved. To shield themselves, many of these women choose to keep their professional lives hidden, opting to live far from their homes. Unfortunately, the mistreatment from community members is not subtle; it often takes the form of overt taunts and inflicts significant damage on the lives of these women (Options, 2014).

Figure 1

*Discrimination from community, family and individuals*



*Source: Living on the Edge (Sex workers' lives in Myanmar)*

In short, many Female Sex Workers (FSWs) choose to keep their jobs confidential due to the stigma associated with their profession. This secrecy leads to their exclusion from social gatherings and makes it challenging for them to secure housing. Additionally, their children and families may experience discrimination as a consequence of societal judgments. This occurs because if others, such as neighbors or relatives, become aware of their occupation, the FSWs and their families are often shunned from the broader social community.

### 2.6.2.2 Health Care and Discrimination

The experiences of female sex workers extend beyond the challenges they encounter in their profession. When these individuals seek healthcare, they often become victims of violence and discrimination. Health care settings, including clinics, are notable environments where these injustices unfold. Unfortunately, discrimination against these women is a common occurrence within these facilities.

Based on a study by (Bhattacharjya, 2015), People receiving medical care for injuries or seeking assistance with HIV and sexual health often encounter

discrimination and emotional or economic harm from healthcare providers, including doctors, nurses, attendants, and other staff. The research revealed that such mistreatment is prevalent across different healthcare environments, showing a troubling trend of negative experiences for patients who need help. In Myanmar, discrimination was particularly common in private healthcare facilities. This mistreatment included verbal abuse, biased treatment, refusal of care, and the unauthorized sharing of sensitive information, such as a person's HIV status, without their permission.

Healthcare workers sometimes harm female sex workers through various means, such as denying them services, displaying stigmatizing and shaming behaviors, and insisting on irrelevant testing or procedures unrelated to their health condition. This mistreatment can manifest in different ways and adversely affect the well-being of these individuals (Scorgie et al., 2013).

According to (AIDS, 2018), when individuals engaged in sex work seek healthcare services, they often encounter stigmatizing remarks, such as being told that their contracted diseases are a consequence of their occupation. The healthcare providers may express sentiments like, "Given your profession as a sex worker, it is not surprising you have these diseases – what did you expect?" Additionally, if a sex worker wishes to receive treatment for sexually transmitted infections (STIs), they are informed that both partners must undergo treatment. In the process, they are questioned about their past partners.

Finally, female sex workers often experience stigma and discrimination, which can make them avoid HIV/AIDS prevention and care services. This avoidance contributes to the higher prevalence of the disease among this group. The negative attitudes and judgments they encounter push them away from seeking the necessary support and healthcare, ultimately impacting their overall well-being (NSWP, 2017).

### **2.6.2.3 Violence and Mental Health Status**

In Myanmar, individuals engaged in sex work encounter numerous difficulties, including societal stigma, discrimination, violence, and arrests by the police. It is common for them to be subjected to threats, abuse, and violence, often

perpetrated by law enforcement. Female prostitutes, in particular, are vulnerable to incidents of gang rape and are sometimes compelled to provide free sexual services to brothel owners and the police. Additionally, these women also confront violence from clients. The challenges faced by female sex workers in Myanmar are multifaceted, involving various forms of mistreatment and danger in their daily lives.

People who engage in sex work face significant persecution in Myanmar. Since prostitution is against the law, they are at risk of exploitation and violence from their clients, as well as from pimps and dishonest police officers (Mon, 2018).

In Yangon, Myanmar, women working in the sex industry experience significant mistreatment and harsh treatment from the police. Reports indicate that these women often face non-payment for their services, coerced unprotected sex, physical violence, threats, and even group sexual assaults. According to their accounts, violence perpetrated by the police is among the most severe forms of abuse they encounter. Those working on the streets are particularly at risk of continuous and intense mistreatment, as they are more susceptible to targeting by authorities and lack the safety measures available to those working in regulated environments. (Options, 2014).

Women in the sex industry face many types of violence like rape, beatings, and embarrassment, both while working and outside of work. They were pressured into unwanted sex and harassed by police. Sometimes, they're forced into sex to avoid trouble or harm. They may not call it "rape," but it happens without their consent, especially when trying to avoid custody where violence is common. Police can use different types of violence, even sexual assault, misusing their power (Bhattacharjya, 2015).

As outlined by (Bhattacharjya, 2015), female sex workers in Myanmar shared that police officers frequently forced them into engaging in sexual activities by exploiting their position of authority. The participants specifically mentioned the extortion of vaginal sex. The prevalence of this form of sexual extortion was evident as individuals in one location had a distinct phrase, "fuck and steal," to describe it, and a term, "give a fee," to refer to the practice. This sheds light on the systemic issue of sexual extortion faced by female sex workers in the region.

Sex workers who experience mistreatment from their clients often face heightened feelings of worry and sadness compared to those who do not encounter such issues. Mistreatment, such as not receiving payment for services or being coerced into unwanted acts, contributes significantly to their anxiety and depression. When such mistreatment includes sexual violence by employers, it exacerbates their mental health struggles. This type of mistreatment, which includes both economic and sexual violence, has a varied impact on the mental well-being of sex workers. Economic violence occurs when clients or employers fail to pay for services as agreed (Kanayama et al., 2022).

Clients sometimes treated sex workers badly, using different types of violence like economic, emotional, physical, and sexual abuse. Many sex workers went through several kinds of mistreatment simultaneously. A significant number of female sex workers, more than one-third, shared their stories of being gang-raped by clients (Bhattacharjya, 2015). This violence happened in various places where sex work occurred, such as cars, guesthouses, and clients' homes, especially when the sex workers were providing services outside their usual location (known as outcall sex work).

A significant challenge among clients was their frequent failure to pay for sexual services. Moreover, various issues arose, such as a reluctance to use condoms, instances of gang rape, and physical beatings. Substance abuse, involving drugs and alcohol, was pervasive, contributing to an environment where almost all women had firsthand experience with violence, particularly of a sexual nature. Additionally, many women found themselves victims of gang rape and subjected to forced anal or oral sex (Options, 2014). This disturbing pattern extended to women working on the streets or providing sexual services via phone and in different venues, where violence became a regular and distressing part of their lives, perpetuating a constant state of anxiety.

According to the (BNI, 2019), Pimps are also exploit on the female sex worker in Myanmar. Pimp-controlled prostitution happens a lot, and it is the most usual type. Because the law considers sex work illegal, female sex workers face a lot of risks from the police, clients, and society. Pimps exploit this situation by knowing that the law is against sex work. These pimps frequently take a substantial portion often half

of the payment made by clients. This makes the situation even more difficult for sex workers.

To put it simply, female sex workers face challenges such as economic mistreatment by clients, as well as both sexual and economic exploitation by employers. Moreover, female sex workers often face threats of violence from their partners. These challenges contribute to heightened anxiety symptoms among them. Recognizing and comprehending the struggles that female sex workers face in their line of work is crucial.

### **2.6.3 Barriers to Leaving Sex Work**

Many women in Myanmar want to stop doing sex work, but they find it hard to take care of themselves and their families without it. Whenever the women talked about their goals, they also talked about the many challenges they faced in reaching those goals. Women with children want to give their families a better life, and this makes them stay in sex work.

According to the (Options, 2014), female sex workers seemed very unhappy about their current lives. They talked about wanting to quit sex work if they had other realistic ways to make a living. Some felt proud that the job allowed them to support themselves and their families. Younger women in KTVs mentioned that the work gave them a social status they would not have otherwise. Many hoped to find a long-term sponsor or husband for financial support, even though evidence suggests this is rare. Despite this, they were driven by the "dream" of finding the perfect sponsor.

According to the (Bindel et al., 2012), identified nine obstacles that make it difficult for individuals to leave sex work. Among the difficulties faced by those in the sex work industry are substance abuse issues, challenges with housing, physical and mental health concerns, and a history of childhood violence. The criminalization of sex work, financial struggles like debt or managing high disposable income, external pressures to remain in the profession, lack of qualifications or training, and entering the field at a young age all compound the complexity of leaving this line of work. These factors together illustrate the intricate nature of the obstacle's individuals encounter when trying to exit sex work

In Myanmar, women in sex work struggle to stop due to many problems. They face money troubles because other jobs do not pay much, and they often owe money. Seeking a job is hard because of paperwork issues and past arrests. Also, health problems like HIV/AIDS and discrimination against older workers make it tough for them to leave. All these things make it really difficult for female sex workers to quit in Myanmar (Options, 2014).

In summary, the main reasons that create obstacles for female sex workers and impede their efforts to leave the sex industry are insufficient financial resources and limited access to educational opportunities. Financial issues, such as limited earning potential in alternative employment and the burden of personal debts, create significant barriers for these women. Additionally, the absence of proper education further compounds their difficulties, limiting access to opportunities that could empower them to transition away from sex work.

## **2.7 Theoretical Framework**

In the intricate fabric of society, certain marginalized groups grapple with multifaceted challenges, often obscured by prevailing societal norms and structures. Among these groups, female prostitutes in Myanmar confront a myriad of obstacles that not only impede their well-being but also underscore broader issues of gender inequality, social exclusion, and systemic injustice. Understanding the nuanced dynamics of these challenges demands a theoretical framework that delves into the intersecting realms of feminism and social exclusion theory.

The feminist theory (Miriam, 2005) from the 1960s, where sex work gained attention in feminist discussions, connects closely with human rights perspectives on the challenges faced by female sex workers in Myanmar. Feminist theories, varied in forms, consistently highlight widespread gender inequality, positioning women as the inferior sex across social, political, and economic realms. This focus on gender inequality resonates with human rights issues, especially in Myanmar, where female sex workers might encounter discrimination and breaches of their fundamental rights. For example, if societal attitudes continue to view sex work as degrading to women, this can result in both legal and social marginalization, affecting the rights of sex workers. However,



feminist theory might have limitations, as it can sometimes depict sex work as inherently exploitative and oppressive, potentially framing every situation as a story of victimization.

Feminist theories, while diverse, consistently address the gender disparities that position women as inferior. According to (Davis, 1982), feminist views on sex work have changed over time. Instead of only seeing it as a situation where women are exploited, they now recognize that it involves a mix of choice, pressure, and unfair social structures. This detailed understanding matches the human rights issues in Myanmar, where negative attitudes and illegal status make female sex workers even more vulnerable (Schilt & Westbrook, 2009).

The social exclusion theory (Silver & Miller, 2003) highlights that certain individuals may be excluded from mainstream society due to factors such as their race, ethnicity, religion, sexual orientation, caste, gender, age, disability, HIV status, or geographic location. When individuals are very poor, not educated, and live in bad conditions, they can be pushed away from the center of society and not allowed to fully take part. This pushing away is called social exclusion. Sex workers, people who sell sex, often face being pushed to the edge by society and the government. Poor health, having no home, thoughts of suicide, and problems with children's education all these issues linked to sex work can affect the lives and well-being of sex workers. Violence may also become more likely.

According to (Wacquant, 2008), marginalized groups such as sex workers experience compounded forms of exclusion due to legal and social barriers. Wacquant's research demonstrates how punitive legal systems and societal stigma contribute to the marginalization of sex workers, reinforcing their exclusion from mainstream opportunities and protections. This framework delineates a comprehensive portrayal of the living conditions characterizing the lives of sex workers. Social exclusion theory often emphasizes the marginalization and isolation of certain groups within society. When applied to female sex workers, it may underscore their exclusion from mainstream social and economic opportunities.

This theoretical framework aims to illuminate the challenges faced by female sex workers in Myanmar through an intersectional lens, acknowledging the



interconnectedness of gender, class, ethnicity, and other axes of identity. By synthesizing the perspectives of feminist theory and social exclusion theory, this research seeks to unveil the intricate dynamics of power, oppression, and resistance shaping the lived experiences of female sex workers.



## Chapter 3

### Methodology

#### 3.1 Introduction

This research employs a qualitative method approach that research method to comprehensively investigate the challenges faced by female sex workers in Yangon, Myanmar, with a focus on legal barriers and rights protection.

The researcher will conduct thorough interviews to gather insights from key individuals. Specifically, the researcher intends to engage in in-depth interviews with female sex workers who have experience working in karaoke bars, massage parlors, street-based sex workers, etc. These female sex workers will be selected from Yangon, Myanmar. Additionally, interviews will be held with representatives from the Ministry of Home Affairs. Furthermore, the researcher will also conduct interviews with non-governmental organizations like SWIM (Sex Workers in Myanmar).

The primary research question guiding this study is "What are the key legal barriers faced by female sex workers in Yangon, Myanmar, and how do these barriers impact their rights and well-being?" To delve into this inquiry, the research will target on key stakeholders, specifically officials from the Myanmar Police Force under the Ministry of Home Affairs in Myanmar. The rationale behind seeking insights from these officials lies in their direct involvement in apprehending and prosecuting female sex workers. As pivotal actors in enforcing the law, the Myanmar Police Force significantly influences the legal landscape and challenges faced by female sex workers. Consequently, this research serves as a crucial step in the evaluative process, aiming to elucidate the multifaceted aspects of legal barriers, instances of violence, exploitation, and the protection of rights within this socio-legal context. The study aims to make a meaningful contribution by offering practical recommendations to enhance the rights and overall quality of life for female prostitutes in Myanmar. Its goal is to illuminate effective strategies for navigating the intricate relationship between the Suppression of the

Prostitution Act, 1949 and the lived experiences of individuals engaged in sex work. By doing so, the research seeks to provide insights that go beyond theoretical considerations, aiming to address the real-world challenges faced by female sex workers and proposing tangible improvements that can positively impact their lives.

To address the primary research question effectively, this study employs a qualitative approach, specifically utilizing a systematic structure of in-depth interviews with eight carefully selected participants. The remain sub-question is designed to provide a nuanced understanding of the main inquiry, and the in-depth interviews serve as the primary research method, offering a rich exploration of participants' perspectives and experiences. Complementing this primary research, documentary analysis and literature analysis are incorporated as secondary research methods. These methods are instrumental in acquiring important sources and providing a broader context for the primary findings. The combination of these qualitative approaches ensures a comprehensive and in-depth investigation, allowing the research to yield valuable outcomes that contribute significantly to addressing the research questions and advancing our understanding of the subject matter.

After the completion of the data collection phase, the research will proceed to conduct data management and analysis. Given the focus on understanding the challenges experienced by female sex workers in Myanmar, a qualitative case study approach has been chosen as the research methodology. This approach blends exploratory and descriptive methods, rooted in the specific context under investigation. Utilizing a combination of data collection techniques such as interviews, analysis of existing information, and a thorough presentation of findings, the research employs both primary and secondary research methods to comprehensively address the research question and shed light on the complexities faced by female sex workers in Myanmar.

For the quantitative method, the research will rely on other publications of foreign scholars, Myanmar scholars, and frameworks of NGOs. The researcher believes that it will be the best quantitative method for research. For the qualitative method, the researcher will use snowball sampling to approach and get the interviewee.

In this chapter, the organization is structured into three distinct sections: (1) Primary Research, (2) Secondary Research, (3) Scope of Study, and (4) Data Collection.

## **3.2 Primary Research**

The researcher will employ in-depth interviews to elicit comprehensive information from key individuals. The qualitative method (in-depth interview) approach is a core part of this research.

### **3.2.1 Qualitative Method (In-depth Interviews)**

The researcher is planning comprehensive interviews with female sex workers in Yangon, facilitated by the Sex Workers in Myanmar (SWIM) organization, covering individuals from diverse demographics, including those working in Karaoke bars, massage parlors, and street-based sex work. Additionally, interviews with a designated SWIM representative aim to explore regulations affecting female sex workers and understand SWIM's future goals for improving prostitutes' conditions. Simultaneously, the researcher will conduct interviews with government officials from the Myanmar Police Force, affiliated with the Ministry of Home Affairs and legal expert focusing on the legal framework, arrest procedures, and court proceedings related to female sex workers.

## **3.3 Secondary Research**

In the context of documentary research, data were gathered from both international and local organizations, where reports about female sex workers in Myanmar were archived. This study is centered on an investigation into the legal obstacles and the protection of the rights of female sex workers in Myanmar.

The research also incorporates data from secondary sources, including books, library archives, workshops, media, journals, online resources, public newspapers, and the Thammasat online database. Certain data can be derived from evaluations of reports produced by international non-governmental organizations, including entities such as the Global Network of Sex Projects. Furthermore, it encompasses reports on indigenous scholars and articles published in local journals in the Myanmar language.

### **3.3.1 Literature Analysis**

The literature analysis component stands as a cornerstone within this research, serving as a pivotal element upon which the entire study is built. It plays a dual role, forming the foundation of the theoretical framework and enhancing the contextualization of the research findings.

To fulfill these objectives, the literature analysis will involve a comprehensive review of a diverse range of sources, including academic journals, government reports, NGOs and advocacy group publications, books, and online resources. This extensive review will encompass global and Myanmar-specific perspectives on the challenges faced by female sex workers, legal barriers, and rights protection, contributing to a well-rounded understanding of the research context.

### **3.3.2 Documentary Analysis**

Documentary analysis delineates the characteristics and types of documents, elucidates the benefits and constraints inherent in document analysis, and provides concrete instances illustrating the utilization of documents within the research process (Bowen, 2009). This approach entails the gathering and analysis of primary research data through in-depth, structured interviews with selected participants. This methodology is employed to shed light on the challenges faced by female sex workers in Myanmar and the impact of the Suppression of the Prostitution Act, 1949 on their circumstances. Furthermore, this method aspires to contribute to the protection and well-being of all female sex workers in Myanmar, particularly those affected by their illegal status.

## **3.4 Scope of Study**

### **3.4.1 Field Selection**

Adhering to the principles of a qualitative approach, it is essential to carefully select a representative population or location to maximize the relevance and richness of outcomes and data resources related to the research topic. This ensures that the findings are not only applicable to the chosen population or location but also possess

the potential for broader applicability to other individuals or places, enhancing the generalizability of the study's results (Sandelowski, 1995).

In the case of female sex workers in Myanmar, the selection of Yangon as the research site is predicated upon the rationale that Yangon is the biggest city in Myanmar and an important economic center. It is like a small version that shows what's happening in the whole country. There are many female sex workers in this city, and studying them here helps us focus on their challenges. Yangon used to be the capital, and it has many different kinds of people, making it a good place to learn about the different experiences of female sex workers. By researching only in Yangon, the researcher will understand the special things that affect female sex workers here.

In organizing the interview questions, the researcher has categorized them into four distinct groups: female sex workers, NGOs, legal expert, and officer from the Myanmar Police Force. For female sex workers, the questions are systematically divided into seven key areas: Background and Personal Life, Challenges Faced, Work Dynamic, Safety and Legal Issues, Support Services, Social Stigma and Personal Aspirations. Questions for NGOs are strategically grouped into Organizational Information, Program and Initiatives, Advocacy and Policies Involvement, and Future Plans and Challenges. Similarly, questions for government officer and legal expert are categorized into Operational Aspects of Prostitution, Legal Procedures, and Perspectives on Prostitution Act, 1949. This systematic categorization ensures a targeted and comprehensive exploration of relevant aspects for each interviewee group.

### **3.4.2 Sampling Method**

Snowball sampling stands out as a widely utilized technique in qualitative research, characterized by its emphasis on networking and referrals. Typically, researchers initiate the process with a small number of initial contacts, known as "seeds," who meet the research criteria and are invited to participate. Once these participants agree, they are then requested to suggest additional contacts who meet the research criteria and might be willing participants. This chain continues as the recommended individuals, in turn, suggest more potential participants, creating a cascading effect in expanding the participant pool for the research (Parker et al., 2019).

For these female sex workers in Yangon, the researcher will conduct snowball sampling methods. Snowball sampling represents a frequently employed technique in qualitative research, particularly when investigating populations that are challenging to access. This sampling method is also used to study sensitive topics or topics that people may prefer not to discuss publicly.

### **3.4.3 Participants**

This research will be employed an official approach, involving the dispatch of formal letters from the author's university to the designated research locations. The researcher plans to conduct structured interviews with a diverse group of participants, encompassing five female sex workers in Myanmar, one government officer from the Myanmar Police Force, one speaker from legal field and one representative from SWIM NGOs in Myanmar.

It is essential to categorize the various forms of expansion and reduction when employing a comprehensive methodology (Sandelowski, 1995). To achieve this, the researcher will conduct structured interviews with a diverse group of participants. This participant pool is comprised of five female sex workers in Myanmar, one pivotal figure from the Myanmar Police Force, one legal expert and one representative from SWIM NGOs in Myanmar. These interviews will enable a nuanced exploration of the subject matter, encompassing a wide range of perspectives and experiences within the specified research context.

The selection of five female sex workers for this study is deliberate, aiming to capture diverse perspectives from various settings including online dating, karaoke bars, and street-based. This strategic sampling approach ensures a comprehensive understanding of the challenges and experiences faced by female sex workers across different work environments. By including participants from distinct locations, the research can uncover nuanced insights that contribute to a more holistic examination of the subject matter.

The researcher opted to interview one representative from an NGO specializing in female sex workers to gain insights into their support mechanisms and gather diverse perspectives. By engaging with these spokespersons, the researcher aims

to uncover specific programs or initiatives implemented by the organization to aid female sex workers. Furthermore, soliciting varied viewpoints from the representative is expected to yield a more comprehensive understanding of the challenges and strategies pertinent to female sex workers from the NGO's perspective.

The decision to interview one representative from the Myanmar Police Force under the Ministry of Home Affairs is driven by the researcher's intent to delve into the legal landscape surrounding female sex workers in Myanmar. By engaging with these spokespeople, the researcher seeks to gather information on the legal framework influencing the profession for prostitution, the procedures involved in the arrest of female sex workers, and the subsequent court proceedings. This focus on the Ministry of Home Affairs is crucial, given its pivotal role in the apprehension of female sex workers in Myanmar. Therefore, the choice to interview one from this ministry is strategic, aiming to obtain comprehensive insights into the legal aspects and enforcement procedures related to female sex work in the country.

The researcher chose to speak with a legal expert who focuses on supporting female sex workers. This decision was made to understand better the help available to them and to hear different viewpoints. By talking to this representative, the researcher hopes to learn about legal assistance and how it is used to defend female sex workers in court.

The interviews conducted as part of this research inquiry are integral to the research endeavor, serving as a cornerstone for obtaining diverse perspectives and experiences. Through these interviews, the research aims to capture a multifaceted view of the subject matter, enriching the study with nuanced insights and varied viewpoints. This inclusive approach allows for a holistic exploration of the research questions, providing depth and context to the analysis. In essence, the interviews play a pivotal role in shaping the comprehensive understanding sought in this academic investigation.

### **3.5 Data Collection**

In the process of collecting data, six key methods are primarily employed, notwithstanding the availability of numerous alternatives. These methods include documentation, archival records, interviews, direct observation, participant observation,



and physical artifacts. Qualitatively, interviews stand out as the primary means of data collection. Employing a diverse set of data collection techniques adheres to three fundamental principles: utilizing multiple sources of evidence, constructing a case study database, and maintaining a chain of evidence. These principles are crucial for enhancing the research's depth and reliability. This study employs structured interviews as the primary method for data collection, complemented by secondary methods such as documentary analysis, and literature analysis (Yin, 2009).

### **3.5.1 Data Analysis**

In this segment, the research involved engaging in interviews and dialogues with female sex workers in Myanmar, as well as government officials from the Ministry of Home Affairs (MOHA) and key informants representing SWIM (Sex Workers in Myanmar) NGOs. This research utilized a combination of primary and secondary sources, incorporating a comprehensive review of existing literature. Data were meticulously analyzed, drawing insights from interview outcomes and secondary research, focusing on female sex workers in Myanmar who have faced the erosion of their rights and encountered significant obstacles due to legal constraints. Additionally, the focus is mostly on discovering solutions for addressing the difficulties faced by Myanmar's female sex workers.

### **3.5.2 Analyzing Technique**

The APA PsychNET (Tuleya, 2007) defines, thematic analysis is a way to analyze data in research. Instead of using numbers and statistics (quantitative data), it focuses on descriptions and themes (qualitative data). Some researchers define qualitative research by the tools they use to collect data. These tools include methods like case studies or focus groups, which help gather detailed and non-numerical information. Usually, a researcher performing thematic analysis will use interview data and try to uncover themes through an inductive approach. They might identify all the themes in the data set or concentrate on a particular theme to explore it in greater depth.

According to the (Braun & Clarke, 2006), the analysis of qualitative data to ascending a staircase: beginning with the raw data, identifying pertinent text, spotting recurring ideas, and then categorizing then into themes. Once these themes are

identifying, theoretical construction can commence. In thematic analysis, this journey unfolds through specific stages: immersing in the data, creating initial codes, searching for themes, reviewing them and naming the themes, and finally compiling the reports.

### **3.5.3 Structured Interviews**

In the qualitative methodology employed for this research, the interviews conducted by the researcher take on an in-depth nature, particularly given the specific focus on individuals from Myanmar. The choice for in-depth interviews is driven by the necessity to gain a profound understanding of the interviewees' characteristics and experiences, emphasizing face-to-face interactions to unearth critical insights specific to the context (Marshall & Rossman, 2014). The utilization of structured interviews emerged as a valuable methodology, serving not only to attain meaningful and productive outcomes but also to foster a congenial atmosphere during in-person interactions. These interviews were instrumental in promoting a friendly connection, enhancing the quality of data gathered through personal engagement.

The primary focus of the interview questions centers on conducting a detailed exploration of the challenges confronted by female sex workers in Yangon, Myanmar. This examination specifically delves into aspects such as legal barriers, violence, exploitation, and protection of rights, including non-discrimination. Furthermore, the research aims to provide actionable recommendations geared towards improving the rights and overall quality of life for female sex workers within this particular context.

## **Chapter 4**

### **FINDINGS AND ANALYSIS**

#### **4.1 Introduction**

This study investigated the challenges faced by female sex workers in Myanmar, focusing on legal obstacles from restrictive laws and regulations. These barriers negatively impact their rights, physical and mental health, and social status. The research underscores the urgent need for policy reforms and support to improve their lives. The study found that the Suppression of Prostitution Act of 1949 causes the most significant challenges, including exploitation, sexual extortion, violence, and social stigma from their environment, pimps, police, and clients, leading to physical and mental insecurity.

A qualitative approach was used, involving semi-structured interviews with five female sex workers in Yangon. Open-ended questions allowed participants to discuss their experiences with legal obstacles in-depth. The data highlighted factors affecting their rights, such as safety, personal security, and dignity, under the Suppression of Prostitution Act of 1949. This chapter will detail the processes of recruitment, data collection, and data analysis, followed by a presentation of the study's findings. The main sections covered in this chapter are the backdrop of the study, demographic information of the participants, methods of data collection, steps in data analysis, results obtained, and a summary of the key findings.

#### **4.2 Backdrop**

The participants in this study were offered the flexibility to choose between Zoom or in-person interview modalities, thus accommodating their preferences and convenience. The interviews were meticulously scheduled to align with the participants' availability, ensuring minimal disruption to their routines. Before each interview session, the researcher diligently reconfirmed the appointment with the participants, reaffirming their willingness and suitability to engage at the agreed-upon time.

It is imperative to underscore that the participant's involvement in the study was entirely voluntary, free from any external pressures or inducements. Neither personal nor

organizational factors influenced their decision to participate, nor did they impact the interpretation of the study outcomes. The ethical integrity of the research process was upheld throughout, and there were no impediments encountered in acquiring the requisite interview data, thereby ensuring the robustness and comprehensiveness of the study's findings.

### 4.3 Demographics

In this study, interviews were conducted with a total of eight participants residing in various locations within Yangon, Myanmar. Among these participants, five were female sex workers currently engaged in prostitution. The selection of these individuals was based on their active involvement in the sex work industry. Additionally, interviews were conducted with representatives from the Sex Workers in Myanmar (SWIM) NGOs, a legal expert, and a police officer from the Myanmar Police Force (see Tables 4.1 and 4.2). These participants were chosen for their professional roles and their residency in Yangon, which is the primary focus area of this research.

In this study, pseudonyms are employed to maintain confidentiality and safeguard the identities and well-being of certain participants (Ghada K, 2018). This measure was taken to uphold ethical standards and maintain the participant's privacy. The diverse perspectives provided by these participants contributed to a comprehensive understanding of the issues examined in this research.

*Table (4.1)*  
*Female Sex Workers in Yangon*

No	Name	Type of work	Age	Service
1	Ms. May	Brothel	28	5 Years
2	Mrs. Pearl	Phone Dating	40	19 Years
3	Mrs. Pann	Online Dating	24	2 Years
4	Ms. Snow	Restaurant Singer	28	3 Years
5	Ms. Cindy	KTV Singer	25	4 Years

*Table (4.2)*  
*The diverse group of participants*

No	Name	Position	Department/Organization
1	Ms. Hnin Hnin Yu	Chairman	Sex Workers in Myanmar-SWIM
2	Ms. Su Su Hlaing	Advocate	Law Firm
3	Ms. Sue	Police Second Lieutenant	Myanmar Police Force

### 4.3.1 Justification for Sample Size

In this research, the researcher interviewed five female sex workers living in Yangon to understand their experiences under the Suppression of Prostitution Act, 1949. Though the sample size is small, it was chosen to allow for an in-depth qualitative analysis. These women were selected because they have faced significant legal obstacles due to this Act, providing us with rich, detailed accounts of their struggles.

Despite the limited number of participants, their testimonies offer a robust foundation for understanding the broader issues faced by female sex workers in Yangon. Each interviewee shared unique yet interconnected experiences, revealing common themes and patterns that likely reflect the challenges of many others in similar circumstances. By focusing on these detailed personal stories, the people can construct a nuanced understanding of how the 1949 Act impacts their lives.

The insights from these interviews highlight the urgent need for legal reforms. The participants' experiences illustrate how the Suppression of Prostitution Act of 1949 hinders access to basic human rights and exacerbates vulnerability to violence, exploitation, and health risks. These detailed testimonies provide a compelling basis for advocating for legislative changes that address the specific needs and challenges of female sex workers in Myanmar, aiming to improve their rights and overall quality of life.

## 4.4 Data Collection Process

Upon receiving approval from Thammasat University, Master of Asia Pacific Studies program (approval number 67.51.1/45) (see Appendix C), the researcher initiated

the data collection process. This involved conducting in-depth interviews with eight participants who met the established inclusion criteria. The primary goal was to achieve a comprehensive understanding of the participants' lived experiences, procedures, strategies, and perspectives. The recruitment process specifically targeted female sex workers. To identify and engage eligible participants, the researcher collaborated with partner organizations such as support groups and nonprofit organizations. These organizations were instrumental in disseminating the study's flyer, and a demographic questionnaire that included ethical approval details from Thammasat University to potential participants via email (see Appendix A and B).

To further broaden the participant pool, the researcher employed snowball sampling. This technique involved current participants referring other potential participants who met the study criteria. The data collection phase extended from February 2024 to May 2024, with the interviews conducted between March 2024 and April 2024. A notable contribution to the recruitment process was made by the organization Sex Workers in Myanmar (SWIM), which facilitated the participation of individuals preferring in-person interviews by contacting the researcher through personal email. Prospective participants were able to schedule their interviews at convenient times.

The researcher allocated specific time slots for interviewing each group of participants. Female sex workers were each given 20 minutes for their interviews. Key personnel from the Sex Workers in Myanmar (SWIM) NGOs were scheduled for 30-minute interviews. Legal expert and police officer were each allotted 45 minutes.

The researcher allocated a 20-minute time slot for each female sex worker to accommodate their limited availability. This consideration was crucial as the participants traveled from various distant locations to the SWIM NGO.

The researcher allocated a 30-minute interview slot for the chairman of SWIM NGOs to discuss matters related to female prostitutes and the organization's functions concerning this group. This duration was deemed appropriate by the researcher, considering the chairman's schedule and the depth of information required. The structured timeframe was intended to facilitate a comprehensive yet concise exchange, ensuring that the key topics could be thoroughly explored within the constraints of the NGO's busy agenda.

The researcher allocated 45 minutes for interviews with both the legal expert and the police officer. This duration was chosen to allow for the exploration of multiple perspectives on the subject of female sex workers. The extensive time enabled the researcher to delve into the nuanced views of each expert and to pose a series of follow-up questions based on their responses and insights. This approach facilitated a comprehensive understanding of the issues from legal and law enforcement standpoints.

To ensure the confidentiality of the participants' statements, the researcher implemented stringent privacy measures (see Ghada K, 2018). Interviews were recorded using a cell phone recorder, and these recordings were securely stored on a password-protected computer. The data collection process proceeded smoothly, with no unusual circumstances encountered.

This systematic and collaborative recruitment and data collection process ensured the acquisition of diverse and comprehensive data, enriching the study's findings on the lived experiences of female sex workers within the specific context. Additionally, the study highlights the crucial roles of NGOs in supporting female sex workers, the involvement of legal experts in court proceedings, and the procedures employed by police officers in the arrest of sex workers. These elements collectively contribute to a deeper understanding of the multifaceted challenges faced by female sex workers under the Suppression of Prostitution Act of 1949.

## **4.5 Data Analysis**

In this study, the researcher employed Colaizzi's method (Colaizzi, 1978) to conduct a thorough and detailed analysis, ensuring a systematic correlation of the data. This approach facilitated an in-depth exploration of participants' experiences, allowing for the extraction of significant themes and patterns that emerged from the data. Through Colaizzi's rigorous process, the researcher was able to validate and interpret the findings with a high degree of accuracy and reliability. Colaizzi's method of data analysis facilitated the extraction of meaningful insights from the eight conducted interviews. This approach involved systematically labeling and categorizing significant statements and themes pertinent to the research objectives. By employing this structured analytical

framework, the study was able to discern and organize key patterns and narratives that were essential for advancing the research inquiry.

In the initial stage of data analysis, the researcher transcribed the audio-recorded interviews immediately following each session to ensure the accuracy of the captured information. The transcription process involved meticulously converting the audio content into written form, with the researcher repeatedly replaying the recordings to verify the precision of the transcriptions. To become deeply familiar with the participants' responses, the researcher read and reread the transcribed interviews multiple times.

Subsequently, the researcher commenced the data analysis by systematically examining the responses, identifying, and interpreting recurring patterns and themes relevant to the research questions. This manual coding and categorizing process enhanced the researcher's understanding of the participants' experiences. The researcher compiled all responses that illustrated how participants experienced the phenomenon under investigation and noted commonalities and differences among their accounts.

Particular attention was given to the urgent expressions of struggle and difficulty faced by some participants, specifically female sex workers, who described experiences of violence, extortion, and discrimination. The researcher reflected on the emotional and psychological impacts these challenges may have had on the participants. The analysis concluded with an inductive thematic approach, involving the identification and definition of themes through open coding. This iterative process involved comparing existing codes with new data to identify emerging categories, as outlined by Esterberg (Esterberg, 2002). Through this rigorous process, the researcher ensured a thorough and nuanced understanding of the participants' lived experiences.

The researcher systematically categorized the responses obtained from the interview questions, identifying patterns and recurring themes (see Braun & Clarke, 2006). By grouping similar codes, three distinct and descriptive themes were identified, providing a clear understanding of the phenomenon under study. These themes were derived by meticulously highlighting and sorting the data based on the frequency of specific codes or phrases in each participant's responses (see figure 2). This approach ensured a robust thematic analysis that accurately reflected the participants' experiences.



The identified themes were utilized to construct both textural descriptions, which detail the participants' experiences, and structural descriptions, which explain the context and conditions of these experiences. By integrating these descriptions, the researcher was able to capture the essence of the phenomenon.



*Figure 2: The Six-Step Framework for Thematic Analysis by Braun and Clarke (2006)*

The thematic analysis revealed three primary themes: (a) the impact of legal criminalization and stigma, (b) the absence of adequate legal protection, and (c) pervasive fears and a sense of insecurity. These themes provide a nuanced understanding of the participants' lived experiences and the broader implications of the Suppression of Prostitution Act of 1949. By systematically categorizing and analyzing the data, the researcher was able to present a coherent and detailed depiction of the issues faced by the study's subjects.

## 4.6 Themes

Analysis of the data revealed three primary themes that corresponded with the research question: (a) the impact of legal criminalization and stigma, (b) the absence of adequate legal protection, and (c) pervasive fears and a sense of insecurity.

Each theme underscores significant aspects of the participants' experiences and highlights the multifaceted challenges they face. The first theme explores how criminalization laws and societal stigma profoundly affect their daily lives and well-being. The second theme addresses the critical gaps in legal safeguards, exposing participants to various forms of exploitation and abuse. The third theme delves into the constant state of fear and insecurity that permeates their existence, affecting their mental

and physical health. These themes collectively provide a comprehensive understanding of the legal and social obstacles encountered by the individuals studied.

#### **4.6.1 Theme 1: The Impact of Legal Criminalization and Stigma**

Throughout the study, some participants among female sex workers in Yangon recounted their experiences, highlighting the significant challenges posed by criminalization and societal stigma. These accounts provided valuable insights into the adverse impacts of legal and social marginalization on their daily lives.

Ms. May stated,

Female sex workers in Yangon, Myanmar, encounter a myriad of barriers and challenges in their daily lives. Many women, including myself, are driven into the sex industry by extreme poverty, widowhood, inadequate education, and the influence of peers who suggest that sex work is a viable means to earn a livelihood despite the lack of basic resources. The stigma attached to prostitution has led to my family disowning me, and I often endure disrespectful treatment from society. Moreover, there is a constant need to evade law enforcement, as the threat of police intervention is ever-present. Health concerns, particularly those affecting women, are a significant worry, although some non-governmental organizations (NGOs) provide essential healthcare services. The legal environment further exacerbates these difficulties; while I have personally avoided arrest, many of my peers have been detained by the police, highlighting the pervasive legal risks we face. These encounters with law enforcement contribute to the social stigma surrounding our work, severely limiting our ability to participate in social life and reinforcing our marginalization. The cumulative impact of these factors not only undermines our safety and well-being but also perpetuates a cycle of exclusion and vulnerability within the broader society.

In recounting her experiences, Mrs. Pearl articulated her perspective in detail. She provided a comprehensive narrative that shed light on the various challenges she faced,

which added depth to the understanding of the lived realities of individuals impacted by the Suppression of Prostitution Act of 1949.

Entering the profession of sex work in Yangon, Myanmar, was driven by severe financial struggles, widespread poverty, and the difficulties of being a widow. As a female sex worker, I faced intense social stigma and derogatory treatment from the community, including disrespectful interactions and physical assaults from men, which were worsened by my status as a widow. Additionally, I endured continuous sexual extortion by law enforcement officers. Initially, concerns about my health were a constant source of anxiety due to the risks associated with prostitution. However, these worries eased after connecting with UNICEF. Organizations like UNICEF provide crucial support, including regular medical checkups and blood tests, which have been vital for my well-being. For example, UNICEF offers free health examinations every six months, greatly contributing to my sense of security and health management. The Suppression of Prostitution Act of 1949 has had a severely negative impact on my life, forcing me to live in constant fear and compelling me to continuously evade law enforcement.

However, Participant No. 3, Ms. Cindy, presented a unique narrative that diverged from those of other participants, particularly in relation to the legal criminalization and associated stigma she has experienced.

Driven by my family's desperate financial situation, I entered prostitution. Coming from severe poverty, I initially worked as a KTV girl to support them. Luckily, I have managed to keep my involvement in prostitution hidden from my family. They believe I'm just a singer or waitress at the KTV. At first, my job was to entertain customers. However, I soon learned that many of my colleagues were also engaging in sexual activities with customers, which boosted their earnings significantly. They told me about the substantial financial benefits, so I decided to follow this path to earn more money. To this day, my family still thinks I am only working as a KTV entertainer and does not know I provide sexual services for extra

income. Despite my involvement in prostitution, I have not faced any legal issues or social stigma in my immediate environment. This allows me to maintain the appearance of a regular KTV employee while secretly working as a sex worker to support my family.

Two of the participants reported that they had not encountered criminalization or stigma related to their involvement in prostitution. This suggests that not all individuals in the sex work industry experience these barriers. The absence of such challenges for these participants may be attributed to their relatively limited experience in prostitution, which could result in less exposure to societal stigma and legal obstacles. Mrs. Pann expressly reported that,

My name is Mrs. Pann, and I am 24 years old. I have worked in the sex industry for two years, driven into this line of work by poverty and the absence of sufficient household income. Throughout my time in this field, I have not encountered legal criminalization or social stigma. Additionally, I have not experienced extortion by the police or other authorities, but my senior colleagues faced that event.

Furthermore, participant Ms. Snow corroborated these findings with her observations,

My name is Ms. Snow, and I am 28 years old. I was lured into the sex industry by brokers and recruiters who promised me well-paying jobs. They convinced me that working at a casino would open doors to better opportunities, enabling me to support my family more effectively. Trusting them, I followed their lead. Unfortunately, I was deceived and taken to the Myanmar-China border, where I was forced into prostitution. Currently, I work as a singer at a restaurant, maintaining the facade of a restaurant employee to keep my involvement in prostitution a secret. This dual identity helps me avoid legal issues and the societal stigma associated with sex work. Despite this, I still face significant, albeit hidden, challenges related to my profession. These difficulties affect my daily life and well-being.

#### 4.6.2 Theme 2: The Absence of Adequate Legal Protection

Within this theme, all prostitute participants explicitly reported experiencing violence, extortion, and various other challenges. Several participants noted that they frequently evade police and legal prosecution due to inadequate legal protections. This section presents the detailed experiences of sex workers in Yangon, Myanmar, highlighting the pervasive issues they encounter in their daily lives.

Ms. Snow articulated her perspective, emphasizing the critical impact of the legislation on the lives of female sex workers. She highlighted how the Suppression of Prostitution Act of 1949 exacerbates their vulnerability and systematically undermines their fundamental rights to safety, personal security, and dignity. Her testimony provides valuable firsthand insight into the daily challenges and systemic issues this marginalized group faces, illustrating the Act's profound and multifaceted consequences on their well-being.

##### Struggles as a Dual Worker

As a singer in restaurants, I encountered numerous struggles, barriers, and difficulties while also working as a prostitute. In Myanmar, openly engaging in prostitution is not feasible due to the Suppression of Prostitution Act of 1949, which targets and aims to eliminate prostitution. Consequently, after my performances at the restaurant, I would discreetly meet clients for overnight engagements.

During these encounters, I frequently faced verbal abuse from intoxicated customers and physical beatings. Some clients coerced me into drug use. On some occasions, clients deceived me by promising a private meeting but then involving multiple individuals, putting me in highly dangerous situations. Additionally, I experienced exploitation from my employer, who often withheld part of my wages or allowances. Despite these significant challenges, I found myself unable to report these issues to the authorities. Reporting to the police or other officials would invariably lead to my arrest due to my involvement in prostitution, as there is no legal

protection for individuals in my position. This lack of legal recourse exacerbates my vulnerability and exploitation.

Mrs. Pann provided a detailed account of her experiences, stating:

In Myanmar, prostitution is illegal, so I have to work discreetly through online dating platforms. Several times, when meeting clients in person after arranging online, I have had my personal belongings stolen, including my phone. Worse, I have been physically assaulted and beaten by clients. One particularly traumatic experience involved severe verbal abuse and sexual assault, leaving me terrified and unable to respond.

Despite these dangers, online dating has some benefits. It helps me avoid direct encounters with law enforcement, reducing the risk of arrest. As a result, I have not faced police raids that are common for street-based sex workers. Working independently online also frees me from the exploitation of pimps. However, the Suppression of Prostitution Act of 1949 makes me more vulnerable. When clients abuse or assault me, I can't report these incidents or seek protection, leaving me isolated and unsupported. This legal framework not only criminalizes my work but also creates an environment where my safety and rights are continuously at risk.

Ms. Cindy articulated her sentiments in the following manner:

I am employed at a KTV Karaoke establishment and have not encountered legal barriers or arrests by the police. However, I have experienced significant exploitation and sexual extortion. On several occasions, I have been compelled to provide sexual services to my employer's acquaintances without my consent. This practice is mandatory; any resistance or confusion on my part results in immediate dismissal from the KTV, a job that is my primary source of substantial income. Despite fulfilling my duties, I am subjected to exploitation, receiving only my base wages and being denied the additional percentages promised by my

employer. In such circumstances, I am left without a clear avenue to file complaints or seek redress for the withheld portions of my salary.

Ms. May shared her personal narratives regarding her experiences.

In my experience working in prostitution, I primarily engaged with clients through phone connections. I would share my phone number with potential clients, and upon receiving their call, I would visit their location to provide services. However, several issues arose during these encounters. Some clients refused to pay for the services rendered. There were instances where I was misled about the nature of the engagement, being told I would only be with one person but then being coerced into group sex with multiple individuals. Additionally, I often faced rude and disrespectful communication. Despite being human and deserving of fundamental rights, my colleagues and I frequently encountered violations of these rights. The lack of recognition of our humanity by clients subjected us to various forms of mistreatment and inhumane conditions. Due to the stigmatization and criminalization of our profession, we felt unable to report these abuses, as our position as sex workers left us vulnerable and without recourse to justice.

Mrs. Pearl describes how her life has been deeply affected by the obstacles and insufficient legal safeguards created by the Suppression of Prostitution Act of 1949. She shares her personal struggles, highlighting how the law has prevented her from accessing justice and protection.

As a sex worker under a pimp's control, I've faced immense challenges over my 19 years in the trade, particularly after becoming a widow. My experience has been marked by significant hardships, including being coerced into providing free sexual services to police officers, exploitation by my employer, and physical abuse from law enforcement. Financial exploitation was also common, with my pimp withholding part of my earnings, leaving me financially vulnerable. I have endured violent encounters with clients, from theft to sexual assault. One particularly traumatic incident involved a group of men who lured me to a secluded

port area called 'Dala.' Believing I was meeting one client, I was horrified to find three additional men. Trapped on a small boat and unable to swim, I was brutally raped despite my resistance, resulting in severe physical trauma.

Seeking justice has been nearly impossible due to a legal system that fails to protect and actively marginalizes individuals like me. The existing laws seem designed to eliminate us rather than offer protection, leaving me without support or recourse.

Despite lacking comprehensive legal protections, Sex Workers in Myanmar (SWIM) plays a crucial role in supporting and advocating for sex workers, helping them navigate the numerous challenges they face. Ms. Hnin Hnin Yu, Chairperson of SWIM, highlighted the organization's mission and impact with the following statement:

As the chairperson of the Sex Workers in Myanmar (SWIM), I lead an organization committed to protecting the rights and well-being of sex workers. Since our founding in 2009, SWIM has focused on Sex Workers Life Protection and Skills Training, tackling the complex challenges faced by sex workers in Myanmar over the past fifteen years. Before the political unrest, we worked closely with the Ministry of Home Affairs to push for progressive prostitution laws, advocating for sex workers' rights and trying to reduce the risk of arrest, particularly for possessing condoms. SWIM also offered legal aid and support to ensure sex workers could access justice.

Our work is supported by donor contributions, allowing us to provide essential services such as connecting sex workers with legal aid organizations, and ensuring access to HIV/AIDS prevention and treatment through PrEP and ART drugs. We have achieved notable success in securing favorable legal outcomes for sex workers, leveraging our network of legal experts and advocacy to advance their rights and dignity within the judicial system.



Beyond legal support, we strive to create a supportive environment where sex workers can find comfort and camaraderie. By addressing their basic needs and offering professional development opportunities, SWIM aims to empower sex workers to explore new career paths beyond the sex industry.

The study involved interviews with two female sex workers, specifically Ms. May and Mrs. Pearl's testimonies substantiated the assistance they received from SWIM NGOs. Ms. May and Mrs. Pearl elucidated their experiences, affirming the supportive role played by SWIM NGOs in their lives.

“Before we engaged with SWIM NGOs, we encountered myriad challenges and impediments in our circumstances. However, upon establishing contact with these non-governmental organizations, we experienced a transformative shift, wherein our sense of security and dignity was notably restored. SWIM NGOs not only provided essential financial support but also ensured our basic needs, including sustenance. Furthermore, the consistent attention and support extended by these NGOs underscored their steadfast commitment to safeguarding our well-being and fostering a sense of belonging within our community. This pivotal intervention not only alleviated immediate hardships but also laid the foundation for our sustained empowerment and resilience in the face of adversities.”

Ms. Cindy expressed her sentiments regarding the assistance provided by non-governmental organizations (NGOs).

“I have had the privilege of receiving health education from some NGOs, though regrettably, I can't recall their names at the moment. Through these informative sessions, I've gained invaluable insights into health matters previously unfamiliar to me. This newfound knowledge has proven especially beneficial, offering crucial awareness and understanding, particularly for individuals in vulnerable situations, such as those involved in sex work.”

Ms. Snow and Mrs. Pann has proudly highlighted the support she has received from the SWIM NGOs. She has shared the endorsements and assistance provided by these organizations, underscoring the strong network of backing that has bolstered her efforts.

“Initially, we had no understanding of sexual health, so we didn't undergo any tests. However, when we later connected with SWIM NGOs, they provided us with comprehensive health education and free medical check-ups. Additionally, SWIM consistently welcomes us warmly, making us feel like part of a second family. This sense of belonging with SWIM NGOs ensures that we feel safe and supported. Through their care and guidance, we have gained invaluable knowledge and a strong sense of security, knowing that we are not alone in our journey.”

Ms. Su Su Hlaing, a legal expert, highlighted the significant impact of inadequate legal protections on the daily lives of sex workers. She emphasized that the absence of comprehensive legal safeguards exacerbates the challenges and barriers these individuals face, making it difficult for them to navigate their personal and professional environments safely and with dignity. This lack of legal support contributes to a cycle of vulnerability and marginalization, further complicating their efforts to achieve basic human rights and protections.

“This 1949 Act is a clear violation of human rights for prostitutes. In some countries, prostitution is already recognized as a legitimate job. Take this for example: when prostitutes get arrested, they're forced to testify and then thrown in jail without even getting a court hearing. They suffer a lot because of this. According to Sections 101 and 102 of the Evidence Act, they should have the chance to prove their case. At the very least, I believe they have the right to make a statement in front of the court.”

#### **4.6.3 Theme 3: Pervasive fears and a sense of insecurity**

The last prominent theme that surfaced during the data collection phase was the widespread fear and profound sense of insecurity among the female sex worker participants. This pervasive anxiety was consistently highlighted across multiple

interviews and focus groups, underscoring the precarious nature of their daily lives and their constant exposure to potential harm and instability.

An officer from the Myanmar Police Force explicitly stated that,

Prostitution is illegal in Myanmar, forcing sex workers to operate covertly. As an officer in the Myanmar Police Force, I have been involved in the arrest of individuals engaged in prostitution. The Suppression of Prostitution Act of 1949 was enacted to facilitate the arrest and elimination of sex work. In early 2018, many arrests were made as part of a comprehensive crime prevention and suppression strategy targeting those involved in prostitution.

In my role as a Myanmar police officer, I often employ undercover operations, disguising myself as an informant to facilitate the arrest of sex workers. Upon arrest, a legal case is initiated under the relevant sections of the law. Following interrogation, these cases are prosecuted in the appropriate township court, where the court issues a ruling based on the findings of the investigation.

The practice of arresting prostitutes in Myanmar has been criticized as a violation of human rights. However, it is my position that prostitution should not be considered a human right. Given the political, religious, and ethnic landscape of Myanmar, I believe that the public promotion of prostitution is inappropriate. Additionally, prostitution poses significant health risks, including the spread of HIV/AIDS and other reproductive health issues. As an officer working within the boundaries of the legal system, it is my duty to enforce the law. Therefore, when mandated by the Myanmar Police Force, I must act accordingly.

Ms. Su Su Hlaing, a distinguished legal expert, presented a counterargument to the assertions made by the police officer. She articulated her stance clearly and concisely. Her response highlighted the discrepancies in the officer's statement, emphasizing the importance of adhering to legal principles and human rights considerations. Ms. Hlaing's

expertise provided a critical perspective that underscored the need for a more nuanced understanding of the legal implications involved.

As an advocate lawyer, I argue that the arrest of prostitutes under the Suppression of Prostitution Act of 1949 violates their human rights. With professional experience defending clients in prostitution-related cases, I've observed that prosecutions under Sections 5(1) and 6 of the 1949 Act don't allow for a strong defense in court. My goal is to lessen the severity of charges against my clients to reduce their life impact. According to Sections 101 and 102 of the Evidence Act, accused individuals, including prostitutes, should be able to present evidence and defend themselves. From a human rights perspective, these individuals deserve the right to live and work with autonomy and dignity.

In Myanmar's cultural context, prostitution is seen as inappropriate due to its predominantly Buddhist beliefs. However, prostitution has historical roots predating Buddha, with prostitutes historically regarded as valuable societal contributors, often called the 'treasure of the country' or 'state's jewel.' Given this deep-rooted presence, it is unlikely their role will vanish easily. Therefore, prostitutes should be granted the same human rights as anyone else, acknowledging their inherent dignity and right to an independent existence.

All participants, who were sex workers, articulated their pervasive fears and a profound sense of insecurity concerning the existing legal framework. Their testimonies highlighted the constant anxiety and vulnerability they experience due to the laws governing their profession, emphasizing the impact these regulations have on their daily lives and overall well-being.

“I really hope they change the Suppression of the Prostitution Act of 1949. You see, I got into prostitution because I didn’t have enough money and didn’t have much education. But I want to get out of this situation. I have dreams of opening a convenience store someday. More than that, I want to help others like me. I want to share health knowledge, work with organizations that support people in similar situations, and get involved in

legal matters to make a difference. It's really important to me to help others find a way out too." *Ms. May*

"I really hope that the Suppression of the Prostitution Act of 1949 gets changed. For instance, it would be great if prostitution could be recognized as a legitimate job. Many people, like me, can't escape this life because of poverty. If I continue working as a prostitute, at least I can survive and manage to live decently. But I don't want to stay in this situation forever. My dream is to get out of this and open a convenience store. I have two sons. When my husband passed away, they were only around five years old. I had no choice but to leave them with my in-laws because I needed to work as a prostitute to support us financially. Sadly, when I ended up in prison, I lost all contact with my sons. Now, whenever young men come to me for sex, I can't help but wonder if any of them could be my sons. I always ask them, hoping for a miracle. More than anything, I want to reunite with my two boys and be a part of their lives again." *Mrs. Pearl*

"You know, the Suppression of the Prostitution Act of 1949 really needs to be amended. Take my situation for example: people often get into prostitution because it is a way to make a lot of money quickly. But once you're in, it's incredibly hard to get out. I really want to escape this life and start a small business of my own. In the future, I dream of creating some kind of educational program to help prevent young women from entering the world of prostitution like I did. I want to use my experience to make a difference and give others a better chance at a different path."

*Ms. Cindy*

"I have been thinking a lot about the Suppression of Prostitution Act of 1949. I really hope to make some changes to it. For instance, I believe we should start defining prostitution as a legitimate profession and ensure there are protections in place for sex workers. You know, prostitution often feels like a comfort zone because it's a way to make money quickly and easily. But honestly, I am looking to break free from this situation.

One of my dreams is to open a convenience store. I think that would be a great step towards a more stable and fulfilling future. Plus, having a child has really made me think about the future differently. I want to raise my child in a safe and supportive environment, giving them the best possible opportunities for a brighter future.” *Mrs. Pann*

“I truly believe that every job deserves respect. It is important, especially for folks like us who rely on physical work, to have legal protection. Take me for example, I've been thinking a lot about the Suppression of the Prostitution Act from back in 1949. It is high time we amend it. Honestly, with my limited education, I don't see many other options that would pay as well as my current work. But it is not where I want to stay forever. I dream of opening up my own beauty salon one day. I want to feel passionate about whatever I do, you know?” *Ms. Snow*

## 4.7 Findings

The primary objective of this qualitative inquiry was to delve into the multifaceted challenges encountered by female sex workers operating in Yangon, Myanmar, a demographic grappling with an array of adversities and complexities. Employing a qualitative methodology, this study sought to illuminate the nuanced realities of sex workers as they navigate legal impediments. The theoretical framework was anchored in both feminist theory and Social exclusion theory, offering a lens through which to comprehend their lived experiences.

For the purpose of this investigation, the application of feminist theory and Social exclusion theory was instrumental in directing attention towards the intricate challenges confronted by female sex workers within the socio-legal landscape of Myanmar. Furthermore, these theoretical underpinnings shed light on the lived realities of female sex workers, elucidating the profound impact of legal frameworks and enforcement mechanisms on their overall well-being. By adopting this methodological and theoretical approach, this study endeavors to provide a comprehensive understanding of the intricate dynamics shaping the experiences of female sex workers in Yangon, Myanmar, thereby

contributing to the discourse on social justice and gender equality within the context of sex work.

The study was directed by the following research question to delineate its purpose:

1. What are the key legal barriers faced by female sex workers in Yangon, Myanmar, and how do these barriers impact their rights and well-being?
2. What changes can be proposed to better protect the rights of female sex workers in Yangon, Myanmar?

The findings drawn from this investigation stemmed from the identification of three overarching themes: (a) the impact of legal criminalization and stigma, (b) the absence of adequate legal protection, and (c) pervasive fears and a sense of insecurity.

These themes recurred consistently throughout the narratives provided by the study participants during the interviews, elucidating vivid accounts of their encounters with multifaceted challenges, legal impediments, and feelings of insecurity. In consolidating the principal insights derived from the interviews with female sex workers, it became evident that a dearth of legal safeguards, compounded by the suppressive measures of the 1949 Act, has perennially besieged their daily existence. Consequently, these individuals find themselves grappling with enduring hardships as they navigate their lives within the confines of societal and legal constraints.

The present study's delineated outcomes draw upon the responses elicited from a diverse array of participants, encompassing female sex workers residing in Yangon, a legal expert, a law enforcement officer, and representatives from non-governmental organizations dedicated to supporting sex workers (SWIM NGOs). These responses were meticulously obtained through structured interviews, meticulously tailored to address the research inquiries at hand. The inclusion of multiple stakeholders allows for a comprehensive exploration of the multifaceted dynamics surrounding the topic under investigation.

## 4.8 Interpretation of the Findings

This study's findings provided an in-depth understanding of the multifaceted challenges encountered by female sex workers in Yangon, Myanmar, particularly concerning legal obstacles and issues related to their rights.

Through this research, it became evident how the legal framework, especially the Suppression of Prostitution Act of 1949, impinges upon their daily lives and personal security. Furthermore, the analysis of these findings was contextualized within relevant theoretical frameworks, enhancing the comprehension of the broader implications of these challenges on the lives of these women.

## 4.9 Findings Related to Theories

### 4.9.1 Feminist Theory

The feminist theory, particularly as articulated by (Miriam, 2005) in the 1960s, establishes a critical connection between sex work and human rights issues. It highlights the pervasive gender inequality that perpetuates the perception of women as inferior within social, political, and economic spheres. This theoretical framework is instrumental in understanding the lived experiences of female sex workers, especially in contexts where gender discrimination is deeply entrenched.

In this study, feminist theory was employed to scrutinize the legal barriers faced by female sex workers in Yangon, Myanmar, and to assess how these barriers affect their rights and overall well-being. The participants conveyed a profound need to connect with others who had undergone similar experiences, reflecting the shared struggles and collective resilience within this community. This theoretical lens reveals the extent of discrimination and human rights violations that female sex workers in Yangon endure.

This theory can be applied to the experiences of female sex workers in Yangon, Myanmar, as described by Ms. May, Mrs. Pearl, and Ms. Cindy.

Ms. May highlighted the severe stigma and disrespect she faces from society due to her profession. This reflects the patriarchal structures that devalue and marginalize women in sex work. She stated, "The stigma attached to prostitution has led to my family disowning me, and I often endure disrespectful treatment from society."



Mrs. Pearl's experiences of sexual extortion by law enforcement and physical assaults by men further illustrate the gendered violence and oppression faced by female sex workers. She mentioned, "I endured ongoing sexual extortion by law enforcement officers."

Ms. Cindy's narrative of entering prostitution due to financial pressures and maintaining a dual identity to avoid stigma demonstrates how economic vulnerabilities intersect with gender oppression. She said, "My family still believes that I am employed solely as a KTV entertainer."

The findings indicate that female sex workers in Yangon are systematically marginalized, excluded from societal norms, and deprived of opportunities in political and economic realms. Gender inequality in Myanmar is particularly pronounced, and it serves as a mechanism of suppression for women, with female sex workers bearing the brunt of this inequity. These women encounter numerous challenges and adversities, exacerbated by the cultural stigmatization of prostitution within Myanmar society. The societal disdain for sex work, rooted in cultural attitudes, further compounds the difficulties faced by these women. This stigmatization not only isolates them socially but also reinforces the structural barriers that impede their access to justice and protection of their human rights. The feminist theory thus provides a crucial framework for understanding and addressing the multifaceted discrimination experienced by female sex workers in Yangon, advocating for their recognition and inclusion as equal members of society.

#### **4.9.2 Social Exclusion Theory**

The social exclusion theory, as elaborated by (Silver & Miller, 2003), underscores the multifaceted marginalization individuals face due to factors such as race, gender, and socioeconomic status, leading to their systematic exclusion from mainstream society. This theoretical framework is particularly pertinent to understanding the plight of female sex workers in Yangon, Myanmar, where these individuals encounter numerous legal barriers that impede their rights and well-being.

In this study, the social exclusion theory was employed to scrutinize the legal obstacles faced by female sex workers in Yangon and to assess how these barriers

affect their lives. The theory also underscores the necessity for enhanced protection of the rights of these women. The participants in the study included female sex workers, legal experts, NGOs, and police officers, all of whom conveyed their experiences and perspectives, shedding light on the profound impact of legal and societal exclusion on this marginalized group.

This theory can be applied to the experiences of the participants, highlighting how legal and social barriers contribute to their exclusion.

Ms. May discussed the impact of the Suppression of Prostitution Act of 1949 on her ability to engage in social life, stating, "These encounters with law enforcement contribute to the social stigma surrounding our work, severely limiting our ability to participate in social life."

Mrs. Pearl's account of living in constant fear due to the Suppression of Prostitution Act reflects how legal frameworks contribute to social exclusion. She noted, "The enactment of the Suppression of Prostitution Act in 1949 has had a profoundly negative impact on my life. This legislation has forced me to live in constant fear."

Ms. Snow's experience of maintaining a dual identity to avoid stigma and legal repercussions also aligns with social exclusion theory. She said, "My involvement in prostitution remains a secret, as my public persona is that of a restaurant worker."

From the standpoint of social exclusion theory, female sex workers in Yangon endure significant marginalization, which manifests in various detrimental outcomes. They face severe health issues, homelessness, suicidal tendencies, and educational barriers for their children. This marginalization not only deprives them of societal and economic opportunities but also heightens their vulnerability to violence and deteriorates their overall well-being. The study revealed that the existing legal frameworks in Myanmar are particularly unfavorable towards female sex workers, often leading to their arrest and further exacerbating their precarious situation. The findings vividly highlight the dire conditions under which these women live, emphasizing the urgent need for legal reforms and better protective measures to safeguard their rights and improve their quality of life.

In conclusion, the application of social exclusion theory in this study illuminates the extensive and severe impact of marginalization on female sex workers in Yangon. It calls for a concerted effort to address the legal and societal barriers that perpetuate their exclusion and to advocate for policies that enhance their protection and integration into society. Furthermore, in the context of female sex workers in Yangon, the Suppression of the Prostitution Act, 1949 serves as a significant legal barrier that exacerbates their social exclusion. This legislation not only criminalizes their livelihood but also subjects them to increased vulnerability, stigmatization, and limited access to social and legal protections. As a result, female sex workers face profound challenges in achieving social integration and improving their overall well-being.

Finally, the researcher emphasizes the importance of safeguarding the fundamental rights and addressing the legal barriers faced by female sex workers in Yangon. These individuals, being human beings, deserve to be treated with dignity and respect, free from societal, cultural, and legal marginalization. The study's findings reveal that female sex workers in Yangon, Myanmar, consistently endure significant discrimination, social exclusion, and degradation of their dignity. Such treatment not only violates their basic human rights but also poses severe risks to their mental and physical health. Therefore, it is imperative for the community and relevant authorities to adopt measures that protect these women, ensuring they are integrated into society with the full respect and legal protections afforded to all citizens.

#### **4.10 Conclusion**

This chapter offers a comprehensive overview of the methodologies and theoretical frameworks employed in the analysis of the data. It includes an examination of participant backgrounds and a detailed report on the groups and themes identified through the analysis. These themes were explored within the context of the theoretical framework, relevant literature, and the data provided by participants, with the aim of addressing both the central and subsidiary research questions. The analysis resulted in the identification of several key themes, which have been organized into three primary sections: (a) the impact of legal criminalization and stigma, (b) the absence of adequate legal protection, and (c) pervasive fears and a sense of insecurity.

Under the impact of legal criminalization and stigma, many female sex workers enter the profession due to lack of education, insufficient household income, and the influence of recruiters or brokers. They face significant challenges, such as verbal abuse, police arrests, and health issues, which restrict their social engagement and reinforce their marginalization. Constant evasion of legal authorities is a common experience, yet they find some support from NGOs that assist sex workers. Despite this support, participants expressed a sense of living on the fringes of society with an uncertain future. The study highlighted how legal barriers and societal stigma severely impact their well-being and daily lives. The diverse backgrounds and experiences of these women contribute to their constant fear and anxiety as they navigate their profession in a society that largely ostracizes them.

Due to the absence of adequate legal protection, female sex workers face continuous violence from clients, police, and employers. Participants in the study reported frequent sexual extortion by law enforcement, exploitation by bosses, and verbal abuse from clients. They unanimously expressed that the Suppression of Prostitution Act of 1949 worsened their vulnerabilities, stripping away legal protections and forcing them to hide their profession. This legal framework not only hampers their future prospects but also perpetuates stigma, affecting future generations. Participants indicated that they cannot seek legal recourse for violence or exploitation due to the illegal status of their work, leaving them marginalized and voiceless. NGOs like SWIM offer some support, helping sex workers with legal challenges, but a persistent sense of uncertainty about their future remains. The study highlights the urgent need for legal reforms to protect female sex workers' safety and dignity, as the current laws only serve to further suppress and marginalize them.

In an environment of pervasive fears and a sense of insecurity, female sex workers continually experience anxiety due to the actions of authorities. Law enforcement officials frequently target these women as part of crime prevention and suppression strategies, leading to their arrests. Once apprehended, sex workers are subjected to legal proceedings, often resulting in prolonged periods of custody or imprisonment. A legal expert specializing in prostitution cases noted the profound disadvantage these women face in the judicial system. They often lack the right to a proper defense and must adhere

strictly to judicial directives, without the opportunity to present their own perspectives. This lack of legal representation and voice underscores their vulnerability. All female sex worker participants in the study reported a persistent sense of insecurity and fear, exacerbated by Myanmar's culturally sensitive stance on prostitution. This pervasive fear not only impacts their present lives but also their future aspirations. Many expressed a strong desire to leave prostitution and pursue more stable and respectable professions, driven by their fears and hopes for a better future. This theme emphasizes the profound impact of systemic fear and insecurity on the lives of female sex workers, highlighting their need for a supportive and fair legal framework that acknowledges their rights and dignity.

The data collected from participants clearly indicate that the Suppression of Prostitution Act of 1949 has detrimental effects on the lives of female sex workers. It is also apparent that the existing legal system and framework are designed to target and eradicate prostitution, consequently stripping these individuals of their fundamental human rights. The act not only exacerbates their vulnerability to exploitation and violence but also perpetuates social stigmatization and marginalization. This legal approach undermines the basic human dignity and personal security of female sex workers, revealing significant flaws in the current legislative measures aimed at addressing prostitution.

## Chapter 5

### CONCLUSIONS AND RECOMMENDATIONS

#### 5.1 Current Situation of Female Sex Worker Lives

Myanmar's ongoing development challenges, including income disparities, limited education, and restricted job opportunities, contribute to significant social and economic inequalities. These conditions often drive individuals into sex work as a means of survival. Female sex workers in Myanmar face a multitude of difficulties, exacerbated by inadequate education and pervasive poverty. They experience marginalization and exclusion from society, compounded by the restrictive Suppression of Prostitution Act of 1949. This legislation severely impacts their rights to dignity, personal security, and non-discrimination, perpetuating their vulnerability and marginalization.

Despite efforts from organizations like SWIM, which provide legal assistance, medical care, and support services, the relief offered is insufficient to fully address the challenges faced by sex workers. The conservative societal views in Myanmar regard prostitution as morally corrupt, leading to severe stigma that affects both current and former sex workers. This stigma further hinders their reintegration into society and healing process.

The research findings reveal that female sex workers in Myanmar grapple with significant stigma, discrimination, and legal barriers. Societal perceptions of prostitution as undignified and the association with HIV and AIDS exacerbate their marginalization. Interviews with a police officer, the Chairman of SWIM, and an advocate lawyer underscore the detrimental impact of the Suppression of Prostitution Act. The Act is criticized for its outdated nature and its failure to protect the rights of sex workers. Calls for reform include issuing business licenses to sex workers, ensuring regular health check-ups, and improving their living conditions and access to education.

In summary, female sex workers in Myanmar face severe inequalities, human rights abuses, and social exclusion. The Suppression of Prostitution Act of 1949 is deemed antiquated and unsuitable for contemporary society, highlighting the urgent need

for legislative reform. Ensuring that sex workers are afforded basic rights and protections is crucial for improving their well-being and integrating them into society. The research emphasizes the necessity for comprehensive policy changes to address the pervasive stigma and legal challenges that continue to affect sex workers in Myanmar.

## **5.2 Policy Recommendation**

Drawing on the research findings, the investigator aims to offer policy recommendations to tackle the challenges encountered by female sex workers in Myanmar, with a particular emphasis on legal obstacles and the protection of their rights. To improve legal and rights protections for female sex workers, the Myanmar government must prioritize the implementation of the following recommendations.

The Suppression of Prostitution Act, 1949, has been a central piece of legislation governing sex work in Myanmar. This law criminalizes various activities related to sex work, imposing severe penalties on sex workers and those associated with them. The act's punitive nature not only exacerbates the vulnerability of female sex workers but also perpetuates a cycle of discrimination and abuse. This law not only fails to protect sex workers but also exacerbates their vulnerability to violence, abuse, and health risks by pushing the industry underground. Legal analysis of this Act reveals its inherent contradictions with international human rights standards, particularly those outlined in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which Myanmar is a party to. The Act must be repealed and replaced with regulations that prioritize the health, safety, and welfare of sex workers, focusing on harm reduction rather than punitive measures.

First of all, a comprehensive legal reform is necessary to decriminalize sex work and establish a clear legal framework that protects the rights and safety of sex workers. This legal framework should be developed in consultation with sex workers, human rights organizations, and other relevant stakeholders to ensure that it is inclusive and effective. It is crucial to repeal existing punitive laws that criminalize sex work and replace them with regulations that focus on the health, safety, and welfare of sex workers.

Moreover, the government should establish specialized support services for female sex workers, including legal aid, healthcare, and social services, to ensure they



have access to necessary resources without fear of discrimination or arrest. These services should be tailored to address the unique needs of sex workers, such as mental health support, STI prevention and treatment, and protection against violence and exploitation. Additionally, it is important to implement educational and awareness programs to reduce stigma and discrimination against sex workers within the community and among law enforcement officials. These programs should promote the understanding that sex work is a legitimate form of labor and that sex workers deserve the same rights and protections as other workers.

Furthermore, the government should ensure that sex workers have the right to organize and advocate for their rights. This includes recognizing and supporting sex worker-led organizations and allowing them to participate in policy discussions and decision-making processes. Such involvement is essential to ensure that the voices of sex workers are heard and that policies are developed in their best interests.

All in all, the Myanmar government should prioritize legal reforms and the implementation of supportive measures to protect the rights and improve the well-being of female sex workers. By adopting these recommendations, the government can contribute to reducing the legal and social challenges faced by sex workers, ensuring their dignity, safety, and rights are upheld.

### **5.3 Conclusion**

Drawing on the research findings and aligning with feminist theory by (Miriam, 2005) and social exclusion theory by (Silver & Miller, 2003), as well as the obligations under CEDAW, the following policy recommendations are proposed to address the challenges faced by female sex workers in Myanmar, with a focus on legal obstacles and the protection of their rights.

In accordance with feminist theory, which highlights the systemic oppression of women, it is essential to decriminalize sex work and establish a legal framework that upholds the rights and safety of sex workers. The Suppression of Prostitution Act of 1949, which currently exacerbates the vulnerability of female sex workers, should be repealed. Replacing punitive laws with regulations that prioritize health, safety, and welfare will address the systemic gender-based violence and discrimination described by participants



such as Ms. May, Mrs. Pann and Mrs. Pearl. Legal reforms should be developed through consultations with sex workers, human rights organizations, and other stakeholders to ensure an inclusive and effective approach.

To align with CEDAW obligations, which mandate the protection of women's rights and access to essential services, the government should establish specialized support services for female sex workers. This includes legal aid, healthcare, and social services designed to address their unique needs. Services should focus on mental health support, STI prevention and treatment, and protection against violence and exploitation. This recommendation is supported by Mrs. Pearl's experience with UNICEF providing vital health services, highlighting the need for structured support systems.

In line with social exclusion theory, which emphasizes the need to counteract systemic marginalization, the government should implement educational and awareness programs to reduce stigma and discrimination. These programs should aim to educate the public and law enforcement about the legitimacy of sex work as a form of labor and the rights of sex workers. Reducing stigma and promoting understanding can help integrate sex workers into the broader community and improve their social inclusion.

Feminist theory underscores the importance of empowering marginalized groups. Thus, it is crucial to support sex worker-led organizations and allow them to participate in policy discussions and decision-making processes. Recognizing and facilitating the role of these organizations ensures that the voices of sex workers are heard and that policies are developed with their best interests in mind, reinforcing their rights and agency.

To comply with CEDAW obligations and address the systemic issues identified through feminist and social exclusion theories, the Myanmar government should prioritize legal reforms and supportive measures. Policy recommendations must emphasize the decriminalization of sex work and the development of targeted support services. By adopting a human rights-based approach, policymakers can create an environment that respects the dignity and rights of female sex workers, thereby promoting their safety, health, and well-being. Enhancing the legal protections and support systems for female sex workers in Myanmar is not only a matter of social justice but also a critical step toward ensuring their fundamental human rights.

## **5.5 Recommendations for Further Research**

This study has examined the multifaceted challenges faced by female sex workers in Myanmar, with a particular focus on legal obstacles and the safeguarding of their rights. The insights derived from this research offer a foundation for future inquiries in several key areas. Firstly, the results can be instrumental in guiding policy development aimed at protecting the rights and welfare of sex workers, ensuring their access to essential health services, legal assistance, and social support. Furthermore, this research underscores the need for comparative analyses to evaluate the effectiveness of various legal frameworks and their impact on the lives of sex workers, potentially informing legal reforms within Myanmar. Although the current study emphasizes legal challenges and rights protections, subsequent research should also address the socio-economic determinants of sex work and the diverse experiences of sex workers across different regions in Myanmar. Additionally, exploring the role of civil society organizations and international bodies in advocating for sex workers' rights is crucial, as is understanding how their efforts can be supported and expanded. Ultimately, this research highlights the importance of a comprehensive approach that incorporates education, awareness initiatives, and community engagement to address stigma and discrimination against sex workers, thereby fostering a more inclusive and equitable society.

## REFERENCES

- AIDS, F. (2018). *MA NWE'S STORY: RECOGNISING SEX WORKER RIGHTS IN MYANMAR*. Frontline AIDS. <https://frontlineaids.org/recognising-sex-worker-rights-in-myanmar-ma-nwes-story/>
- AP, I. W. s. R. A. W. A. P.-I. (2017). *Framework on Rights of Sex Workers & CEDAW*. <https://www.iwraw-ap.org/wp-content/uploads/2018/04/Framework-on-Rights-of-Sex-Workers-CEDAW-1.pdf>
- Arnold, K. (2017). *The girls being sold into sex work in Myanmar*. <https://www.aljazeera.com/features/2017/5/30/the-girls-being-sold-into-sex-work-in-myanmar>
- Bhattacharjya, M. (2015). *SEX WORK, VIOLENCE AND HIV IN ASIA (A MULTI-COUNTRY QUALITATIVE STUDY)*.
- Bhattacharjya, M., Fulu, E., Murthy, L., Seshu, M. S., Cabassi, J., & Vallejo-Mestres, M. (2015). The right (s) evidence: sex work, violence and HIV in Asia: a multi-country qualitative study. *Bangkok: United Nations Populatoin Fund, United Nations Development Fund, Asia Pacific Network of Sex Workers, and Centre for Advocacy on Stigma and Marginalization*. <https://www.aidsdatahub.org/sites/default/files/resource/rights-evidence-sex-work-violence-hiv-asia-multi-country-qualitative-study-summary.pdf>
- Bindel, J., Brown, L., Easton, H., Matthews, R., & Reynolds, L. (2012). Breaking down the barriers: A study of how women exit prostitution. *London: Eaves*.
- BNI. (2019). *Prostitution law - the root of discrimination and exploitation*. Burma News International <https://www.bnionline.net/en/news/prostitution-law-root-discrimination-and-exploitation>
- Bowen, G. A. (2009). Document analysis as a qualitative research method. *Qualitative research journal*, 9(2), 27-40.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), 77-101.
- Colaizzi, P. F. (1978). Psychological research as the phenomenologist views it.
- Dandona, R., Dandona, L., Kumar, G. A., Gutierrez, J. P., McPherson, S., Samuels, F., Bertozzi, S. M., & com, A. F. S. T. r. d. h. (2006). Demography and sex work

- characteristics of female sex workers in India. *BMC international health and human rights*, 6, 1-10.
- Davis, A. (1982). Women, race and class: An activist perspective. *Women's Studies Quarterly*, 10(4), 5.
- Elmes, J., Nhongo, K., Ward, H., Hallett, T., Nyamukapa, C., White, P. J., & Gregson, S. (2014). The price of sex: condom use and the determinants of the price of sex among female sex workers in eastern Zimbabwe. *The Journal of infectious diseases*, 210(suppl\_2), S569-S578.
- Esterberg, K. G. (2002). *Qualitative methods in social research*. McGraw-Hill Book Co Inc.
- Ghada K, A. T. (2018). Ethical treatment of participants in public health research. *Journal of Public Health and Emergency* 2.1.
- Godwin, J. (2012a). Sex work and the law in Asia and the Pacific: Laws, HIV and human rights in the context of sex work.
- Godwin, J. (2012b). Sex work and the law in Asia and the Pacific: Laws, HIV and human rights in the context of sex work. (*No Title*).
- Harcourt, C., & Donovan, B. (2005). The many faces of sex work. *Sexually transmitted infections*, 81(3), 201-206.
- Hlaing, T. (2018). *Lawmakers Work to Amend the Suppression of Prostitution Act*. The Irrawaddy. <https://www.irrawaddy.com/in-person/lawmakers-work-amend-suppression-prostitution-act.html>
- Hub, A. D. (2018). *A LEGAL REVIEW OF DETENTION CENTERS FOR SEX WORKERS IN CAMBODIA, MYANMAR, THAILAND, AND VIETNAM*. A. C. a. C. R. V. C. f. I. Justice. <https://www.aidsdatahub.org/sites/default/files/resource/legal-review-detention-centers-sex-workers-khm-mmr-tha-vnm.pdf>
- International, A. (2016). *The Human Cost of crushing the Market: Criminalization of Sex Work in Norway*. Amnesty International.
- Jay, K. (2005, May). Karaoke Nights. *The Irrawaddy*. [https://www2.irrawaddy.com/article.php?art\\_id=4648](https://www2.irrawaddy.com/article.php?art_id=4648)
- Jordan, J. (2005). *The sex industry in New Zealand: A literature review*. Ministry of Justice Wellington.

- Kanayama, Y., Yamada, H., Yoshikawa, K., & Aung, K. W. (2022). Mental health status of female sex workers exposed to violence in Yangon, Myanmar. *Asia Pacific Journal of Public Health*, 34(4), 354-361.
- Lin, H. K. (2015). Poverty drives Myanmar girls into underage sex work. *Kuwait Times*, 14.
- Marshall, C., & Rossman, G. B. (2014). *Designing qualitative research*. Sage publications.
- Maung, N. N. L. (2009). *HIV/AIDS and female sex workers in Myanmar: a case study of Hlaing Thar Yar township*, Yangon Asian Institute of Technology].
- The Police Act, (1945). [https://myanmar-law-library.org/IMG/pdf/the\\_police\\_act\\_1945.pdf](https://myanmar-law-library.org/IMG/pdf/the_police_act_1945.pdf)
- THE SUPPRESSION OF THE PROSTITUTION ACT, 1949, (1949).
- Minxi, Z. (2020). *Poverty traps Myanmar women in a life of sexual exploitation* <https://news.cgtn.com/news/2020-09-21/Poverty-traps-Myanmar-women-in-a-life-of-sexual-exploitation--TXFobg5H9K/index.html>
- Miriam, K. (2005). Stopping the traffic in women: Power, agency and abolition in feminist debates over sex-trafficking. *Journal of social philosophy*, 36(1), 1-17.
- Moffatt, P. G., & Peters, S. A. (2004). Pricing personal services: An empirical study of earnings in the UK prostitution industry. *Scottish Journal of Political Economy*, 51(5), 675-690.
- Mon, S. M. (2018). *Prostitution, exploitation and the need for change*. Frontier Myanmar. <https://www.frontiermyanmar.net/en/prostitution-exploitation-and-the-need-for-change/>
- Ngwe, D. U. S. (2022). *An arm's length from Nirvana camp* (နိဗ္ဗာန်စခန်း လက်တစ်ကမ်း). Myanmar heritage.
- NSWP. *The Impact of Criminalization on Sex Workers' Vulnerability to HIV and Violence*. NSWP. [https://www.nswp.org/sites/nswp.org/files/impact\\_of\\_criminalisation\\_pb\\_prf01.pdf](https://www.nswp.org/sites/nswp.org/files/impact_of_criminalisation_pb_prf01.pdf)
- NSWP. (2014). Sex Work And The Law: Understanding Legal Frameworks and the Struggle for Sex Work Law Reforms. *Global Network of Sex Work Projects*, 07, 17.

<https://www.nswp.org/sites/default/files/Sex%20Work%20%26%20The%20Law.pdf>

- NSWP. (2015). *Stigma and Discrimination Experienced by Sex Workers Living with HIV*. G. N. o. S. W. Projects.
- NSWP. (2017). *The Impact of Criminalisation on Sex Workers' Vulnerability to HIV and Violence* [Policy Paper]. G. N. o. S. W. Projects.
- NYT, N. Y. T. (1997, SUNDAY, JUNE 29). SEE MYANMAR'S VIRGINS. *New York Times Magazine*, 6013.  
<https://www.nytimes.com/search?query=SUNDAY%2C+JUNE+29%2C+1997++SEE+MYANMAR%27S+VIRGINS%21>
- Options. (2014). Sex workers' lives in Myanmar. In *Living on The Edge* (pp. 34). Options Orchard, T. (2019). Sex Work and Prostitution. *ResearchGate*.
- Orchard, T. R. (2007). Girl, woman, lover, mother: Towards a new understanding of child prostitution among young Devadasis in rural Karnataka, India. *Social science & medicine*, 64(12), 2379-2390.
- Oso Casas, L. (2010). Money, sex, love and the family: Economic and affective strategies of Latin American sex workers in Spain. *Journal of ethnic and Migration studies*, 36(1), 47-65.
- Parker, C., Scott, S., & Geddes, A. (2019). Snowball sampling. *SAGE research methods foundations*.
- Sandelowski, M. (1995). Sample size in qualitative research. *Research in nursing & health*, 18(2), 179-183.
- Schilt, K., & Westbrook, L. (2009). Doing Gender, Doing Heteronormativity: "Gender Normals," Transgender People, and the Social Maintenance of Heterosexuality. *Gender & society*, 23(4), 440-464.
- Scorgie, F., Nakato, D., Harper, E., Richter, M., Maseko, S., Nare, P., Smit, J., & Chersich, M. (2013). 'We are despised in the hospitals': sex workers' experiences of accessing health care in four African countries. *Culture, health & sexuality*, 15(4), 450-465.
- Silver, H., & Miller, S. M. (2003). Social exclusion. *Indicators*, 2(2), 5-21.
- Sohn, K. (2019). More educated sex workers Earn more in Indonesia. *Feminist Economics*, 25(3), 201-223.

- Statistics, U. I. f. (2005). *Comparing Education Statistics Across the World*. UNESCO.  
[https://uis.unesco.org/sites/default/files/documents/global-education-digest-2005-comparing-education-statistics-across-the-world-en\\_0.pdf](https://uis.unesco.org/sites/default/files/documents/global-education-digest-2005-comparing-education-statistics-across-the-world-en_0.pdf)
- SWE, M. T. D. (2022). *Yangon sex workers risk violence to feed their families*. FRONTIER. <https://www.frontiermyanmar.net/en/yangon-sex-workers-risk-violence-to-feed-their-families/>
- Talikowski, L., & Gillieatt, S. (2005). Female sex work in Yangon, Myanmar. *Sexual Health*, 2(3), 193-202.
- Than, T. (2011). Understanding prostitutes and prostitution in democratic Burma, 1942–62: State jewels or victims of modernity? *South East Asia Research*, 19(3), 537-565.
- Tuleya, L. G. E. (2007). *Thesaurus of psychological index terms*. American Psychological Association.
- U. S. Department of State Bureau of Democracy, H. R., and Labor. (2010). *2009 Country Reports on Human Rights Practices*. <https://2009-2017.state.gov/j/drl/rls/hrrpt/2009/eap/135987.htm>
- UNFPA. (2016). *The Story of A HIV Positive Sex Worker*. <https://myanmar.unfpa.org/en/news/story-hiv-positive-sex-worker>
- UNWOMEN. (1979). Convention on the elimination of all forms of discrimination against women. *diakses melalui*: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>, pada, 12.
- UNWOMEN. (2008). *The Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW). <https://www.un.org/womenwatch/daw/cedaw/cedaw.htm>
- Wacquant, L. (2008). *Urban outcasts: A comparative sociology of advanced marginality*. Polity.
- Walkowitz, J. R. (1982). *Prostitution and Victorian society: Women, class, and the state*. Cambridge University Press.
- WCRP. (2009). *Why Burmese Women Become Sex Workers*. <https://www.burmalibrary.org/docs08/WCRP2009-09.pdf>
- Weitzer, R. (2009). *Sex for sale: Prostitution, pornography, and the sex industry*. Routledge.



- WHO, U. (2012). UNAIDS/WHO Working Group on Global HIV/AIDS and STI Surveillance. *When and how to use assays for recent infection to estimate HIV incidence at a population level*.
- WINE, A. T. (2008, July). Sex and the (Burmese) City. *The Irrawaddy*, 16. [https://www2.irrawaddy.com/article.php?art\\_id=13190](https://www2.irrawaddy.com/article.php?art_id=13190)
- World Health Organization, W. (2006). *Review of the Myanmar national AIDS programme 2006* (9290222832).
- Yamada, H. (2020). Risk attitude, risky behaviour and price determination in the sex market: A case study of Yangon, Myanmar. *Keio-IES Discussion Paper Series*.
- Yamada, H., Kanayama, Y., Yoshikawa, K., & Aung, K. (2020). Place premiums: analysis of place-based characteristics of prostitutes in Yangon, Myanmar. *Myanmar* (December 23, 2020).
- Yin, R. K. (2009). *Case study research: Design and methods* (Vol. 5). sage.
- Zaw, A. (2018). No Sex Please- We're Burmese. *Irrawaddy*. <https://www.irrawaddy.com/from-the-archive/no-sex-please-burmese.html>



## APPENDIX A: INTERVIEW QUESTIONS

Guidance: Should you consent to participate in this interview and acknowledge your understanding of the informed consent process, please be aware that you may discontinue your participation at any time without any negative consequences. Furthermore, you are free to decline to answer any questions that cause discomfort. If you agree to take part in this study, I would appreciate the opportunity to begin the interview.

May I have your permission to audio record this interview? Thank you. We will begin shortly.

### Interview Questions to Myanmar female sex workers are as follows:

#### Ms. May

1. Can you tell me a little bit about yourself?

Ms. May, 28 years old, South Dagon Township, Hindu/Buddhist

2. How long have you been in prostitution?

5 years

3. Why did you choose this prostitution job as your profession?

I have entered prostitution due to a lack of education, friends, and poverty.

4. Can you describe the conditions and environments in which you work?

Connect by phone and do prostitution.

5. What are some of the difficulties that you faced in your work (prostitution)?

Some customers did not pay the money; Saying that you will only have sex with one person, but in reality, having sex with 2-3 people (Group Sex), and rude communication.

6. Are there any legal or social challenges that you face as a sex worker in Myanmar?

I was abandoned by my family because of prostitution and disrespectful communication from the environment. In addition, I always hide from the police.

7. What kind of support, if any, do you receive from organizations or communities?

SWIM gives me a salary as well as food.

8. Are there specific health and medical concerns you have as a sex worker, and how do you address them?  
Concerned about women's health issues. However, some NGOs help when it comes to health.
9. Have you ever been discriminated against by healthcare workers (doctors or nurses)?  
No.
10. Did you do it alone? Or working with a team (under a pimp or brothel)?  
Working alone (Freelance).
11. Are you receiving your full paycheck from your owner?  
-
12. Have you ever been physically abused by your clients? If yes, tell me.  
I did not experience any physical abuse.
13. Have you ever been arrested by the police for prostitution? If yes, tell me.  
Never been arrested. I have experienced asking for money.
14. What kind of violence did you experience from the police? (extortion, sexual exploitation)  
I did not experience any violence from the police.
15. Are there any instances where you felt mistreated or faced violence, and how do you deal with such situations?  
I have only experienced discrimination from my family because of prostitution.
16. Do you want to escape from this job? If Yes, what will you do after?  
I want to escape from this situation and I also want to open a convenience store.
17. What do you want to say about this law against prostitution?  
I hope that the Suppression of the Prostitution Act of 1949 will be amended.
18. What are your personal goals and aspirations for the future?  
I would like to give health knowledge to people who are like me, cooperate with organizations, and participate in legal matters.
19. What are the barriers to getting out of prostitution?  
I think it is a lack of money and lack of education.

**Mrs. Pearl**

1. Can you tell me a little bit about yourself?  
Mrs. Peral, 40 years old, Hlaing Tharyar Township, Myanmar /Buddhist
2. How long have you been in prostitution?  
19 years
3. Why did you choose this prostitution job as your profession?  
I have entered prostitution due to poverty, need for household income, and widowhood.
4. Did you do it alone? Or working with a team (under a pimp or brothel)?  
Working under the pimp.
5. What are some of the difficulties that you faced in your work (prostitution)?  
Giving free sex to the police, exploitation by the employer (pimp), and torture by the police
6. Are there any legal or social challenges that you face as a sex worker in Myanmar?  
Disrespectful communication from the environment due to prostitution, and being physically assaulted by other men due to widowhood. And I always suffered sexual extortion by the police.
7. What kind of support, if any, do you receive from organizations or communities?  
SWIM gives me a salary as well as food.
8. Are there specific health and medical concerns you have as a sex worker, and how do you address them?  
Organizations like UNICEF help with medical checkups and blood tests.  
Example: Free health checkup every 6 months
9. Have you ever been discriminated against by healthcare workers (doctors or nurses)?  
No.
10. Are you receiving your full paycheck from your owner?  
I do not receive my full salary from the pimp. Being exploited.
11. Have you ever been physically abused by your clients? If yes, tell me.

A group of men took me to a deserted place, raped me, and did not give me money.

I have had customers steal my phone and money from me.

12. Have you ever been arrested by the police for prostitution?

Yes, I have.

13. What kind of violence did you experience from the police? (extortion, sexual exploitation)

I was arrested by the police and slapped and abused.

14. Are there any instances where you felt mistreated or faced violence, and how do you deal with such situations?

In the past, when faced with such a situation, I would not do anything alone. Now that I am connected to the SWIM organization if I encounter any problems, the organization will help me.

15. Do you want to escape from this job? If Yes, what will you do after?

I want to escape from this situation and I also want to open a convenience store.

16. What do you want to say about this law against prostitution?

I hope that the Suppression of the Prostitution Act of 1949 will be amended. For example, to define prostitution as a job.

17. What are your personal goals and aspirations for the future?

I have 2 sons. When my husband died and they were around 5 years old, I had to leave my sons at my in-laws' house because I had to work as a prostitute for financial needs. Later, when I went to prison, I lost contact with my sons. When I meet young men who come to me for sex, I always ask if they are my sons. I desire to be with my two sons.

18. What are the barriers to getting out of prostitution?

Being unable to get out because of poverty. If I am working as a prostitute, I can living well.

**Ms. Cindy**

1. Can you tell me a little bit about yourself?

Ms. Cindy, 25 years old, Mingalardon Township, Mon /Buddhist

2. How long have you been in prostitution?

4 years

3. Why did you choose this prostitution job as your profession?

I have entered prostitution due to poverty and, the need for household income.

4. Did you do it alone? Or working with a team (under a pimp or brothel)?

Working under the KTV Boss (pimp).

5. What are some of the difficulties that you faced in your work (prostitution)?

Giving free sex to Boss's acquaintances.

6. Are there any legal or social challenges that you face as a sex worker in Myanmar?

Because I worked in KTV, I never felt like I was a sex worker because no one knew me.

7. What kind of support, if any, do you receive from organizations or communities?

I have received health education from an NGO.

8. Are there specific health and medical concerns you have as a sex worker, and how do you address them?

A health check-up is done at the clinic.

9. Have you ever been discriminated against by healthcare workers (doctors or nurses)?

No.

10. Are you receiving your full paycheck from your owner?

Being exploited. I receive my full wages and do not receive my percentages.

11. Have you ever been physically abused by your clients? If yes, tell me.

No

12. Have you ever been arrested by the police for prostitution?

No.

13. What kind of violence did you experience from the police? (extortion, sexual exploitation)

No.

14. Are there any instances where you felt mistreated or faced violence, and how do you deal with such situations?

I have never experienced it.

15. Do you want to escape from this job? If Yes, what will you do after?

I want to escape from this situation and I also want to do a small business.

16. What do you want to say about this law against prostitution?

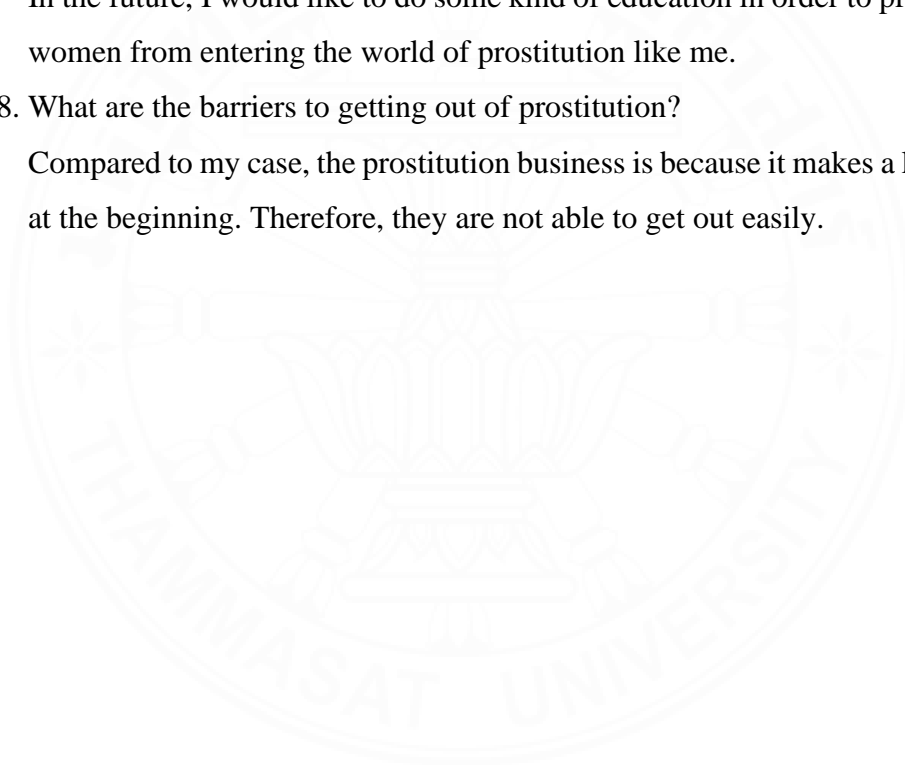
The Suppression of the Prostitution Act of 1949 is an Act that should be amended.

17. What are your personal goals and aspirations for the future?

In the future, I would like to do some kind of education in order to prevent young women from entering the world of prostitution like me.

18. What are the barriers to getting out of prostitution?

Compared to my case, the prostitution business is because it makes a lot of money at the beginning. Therefore, they are not able to get out easily.



**Mrs. Pann**

1. Can you tell me a little bit about yourself?

Mrs. Pann, 24 years old, Hlaingtharyar Township, Myanmar /Buddhist

2. How long have you been in prostitution?

2 years

3. Why did you choose this prostitution job as your profession?

I have entered prostitution due to poverty, and the need for household income.

4. Did you do it alone? Or working with a team (under a pimp or brothel)?

Freelancer. I am doing it alone via online dating.

5. What are some of the difficulties that you faced in your work (prostitution)?

Because I work online, it's dangerous when going outside for a client appointment. Also, sometimes phones and items are stolen.

6. Are there any legal or social challenges that you face as a sex worker in Myanmar?

I have never experienced it.

7. What kind of support, if any, do you receive from organizations or communities?

I have received health education and free medical check-up from SWIM.

8. Are there specific health and medical concerns you have as a sex worker, and how do you address them?

Due to the lack of education, I did not know how to get a health check.

9. Have you ever been discriminated against by healthcare workers (doctors or nurses)?

No.

10. Are you receiving your full paycheck from your owner?

I have never experienced it.

11. Have you ever been physically abused by your clients? If yes, tell me.

Yes, I have. For instance, bleeding from the vagina due to rough sex by clients and sometimes they beat me.

12. Have you ever been arrested by the police for prostitution?

No.

13. What kind of violence did you experience from the police? (extortion, sexual exploitation)

No.

14. Are there any instances where you felt mistreated or faced violence, and how do you deal with such situations?

I have been verbally abused and sexually assaulted by customers. In that situation, I knew nothing because I was fear at this moment.

15. Do you want to escape from this job? If Yes, what will you do after?

I want to escape from this situation and I also want to do open a convenience store.

16. What do you want to say about this law against prostitution?

I want to amend the Suppression of the Prostitution Act of 1949. For example, to define prostitution as a profession and to protect prostitutes.

17. What are your personal goals and aspirations for the future?

Since I have a child, I wants to raise the child for a better future.

18. What are the barriers to getting out of prostitution?

Prostitution is like a comfort zone because it makes easy money.



**Ms. Snow**

1. Can you tell me a little bit about yourself?

Ms. Snow, 28 years old, South Dagon Township, Myanmar /Buddhist

2. How long have you been in prostitution?

3 years

3. Why did you choose this prostitution job as your profession?

It is because the recruiters lied about getting a good job at a casino on the Myanmar border.

4. Did you do it alone? Or working with a team (under a pimp or brothel)?

I work as a singer in a restaurant. After singing at the restaurant, I went to spend the night with the customers.

5. What are some of the difficulties that you faced in your work (prostitution)?

Sometimes I get verbal abuse from drunk customers.

6. Are there any legal or social challenges that you face as a sex worker in Myanmar?

I have never experienced it.

7. What kind of support, if any, do you receive from organizations or communities?

I have received health education and free medical check-up from SWIM.

8. Are there specific health and medical concerns you have as a sex worker, and how do you address them?

I had no sexual knowledge, so I did not get tested.

9. Have you ever been discriminated against by healthcare workers (doctors or nurses)?

No.

10. Are you receiving your full paycheck from your owner?

Sometimes not fully available.

11. Have you ever been physically abused by your clients? If yes, tell me.

Yes, I have. For example, beatings and being forced to use drugs by clients.

12. Have you ever been arrested by the police for prostitution?

No.

13. What kind of violence did you experience from the police? (extortion, sexual exploitation)

No.

14. Are there any instances where you felt mistreated or faced violence, and how do you deal with such situations?

Some clients took me in saying they would have sex alone and then ran away as there was a group.

15. Do you want to escape from this job? If Yes, what will you do after?

I want to escape from this situation and I also want to open a beauty salon.

16. What do you want to say about this law against prostitution?

Every job has dignity. Legal protection should be given especially to people like us who have to work with their bodies. I want to amend the Suppression of the Prostitution Act of 1949.

17. What are your personal goals and aspirations for the future?

I want to be passionate about any profession.

18. What are the barriers to getting out of prostitution?

Because of my lack of education, if I didn't work as a prostitute, I wouldn't have any other job that paid much.

**Interview Questions to NGOs are as follows:**

**Ms. Hnin Hnin Yu, SWIM**

1. What is your name and position in this Organization?

Ms. Hnin Hnin Yu, Chairman, SWIM (Taw Win Khayay Network)

2. What are the characteristics of your NGO?

Sex workers Life Protection and Skills training.

3. How long has your NGO been running?

It has been 15 years since it was established in 2009.

4. How to protect sex workers from violence?

Before the coup, we worked with the Ministry of Home Affairs to come up with a new law on prostitution. In addition, prostitutes were provided with assistance to avoid arrest if they were carrying condoms and to release them if they were arrested. However, after the coup, if prostitutes are subjected to violence, it will not be easy to assist.

5. What are the primary challenges that female sex workers in Myanmar face, and how does your organization address them?

For issues such as experiencing economic problems after the coup, having to work shifts in the daytime due to the curfew, and experiencing harassment and violence. SWIM collected donations from donors and provided support, connected with legal support groups, and provided legal assistance.

6. How do you address the specific health and medical needs of female sex workers in Myanmar, including issues related to sexual health and infectious diseases?

SWIM helps to get Prep and ART drugs, treatment, providing consultation and advice. In addition, death benefits were provided for prostitutes who died of HIV AIDS.

7. Can you describe any successful programs or initiatives your organization has implemented to improve the well-being and rights of female sex workers?

SWIM conducted HIV/AIDS and reproductive health awareness programs. In addition, we also assisted prostitutes in obtaining medical treatment and health check-ups at government health centers.

8. Are there specific advocacy efforts or policy changes your organization is involved in to improve the rights and protections of female sex workers in Myanmar?

Due to SWIM's support, we have achieved good results in cases that have been won in the legal sector.

9. What do you think about the law against prostitution?

The Suppression of the Prostitution Act of 1949 is a very harmful Act from the point of view of human rights. The Act is already several years old and should be amended as it is not suitable for nowadays. It is also a barrier to prostitutes.

10. Prostitutes are not protected by law, so how can an NGO protect the lives of prostitutes?

SWIM receives donations from international donors for prostitution, such as UNAIDS, Global Funds, UNODC, UN WOMEN, and provides financial support, awareness programs, and legal assistance.

11. What future plans and projects does your organization have for supporting female sex workers, and what changes or developments do you anticipate in the field?

SWIM will work hard in anticipation of a new and better law for prostitutes. In addition, SWIM is expected to provide warmth as a family-like second home for them.

12. Can you share any challenges or obstacles your organization has encountered while working with female sex workers, and how have you overcome them?

On the issues of discrimination against prostitutes, HIV/AIDS, and other health issues and violence, SWIM has been able to provide prostitutes with psychological and physical support, health assistance, and legal assistance. Prostitutes see the prostitution industry as a comfort zone, so they can't easily get out of work, so SWIM looked at their basic needs and sent them a vocational education.

**Interview Questions to the Ministry of Government in Myanmar are as follows:**

**Anonymous (Myanmar Police Force)**

1. What is your name and position in this Department?

Anonymous, Police Second Lieutenant, Myanmar Police Force

2. Prostitution businesses are no longer allowed to operate legally in Myanmar.

How do they operate?

Prostitution is not legal in Myanmar. They are working in secret because they are not legally allowed to do so.

3. Have you personally participated in arresting prostitutes?

Yes.

4. Have you ever arrested prostitutes under the Police Act? Are there other laws that can be used to arrest prostitutes besides the Suppression of the Prostitution Act of 1949? If so, please let me know.

Prostitutes are not arrested for smuggling and there are no other laws that can be enforced. They are only arrested under the Suppression of the Prostitution Act of 1949.

5. Are there arrests of prostitutes under the special plan?

It was mostly done in the early part of 2018 as a crime prevention and suppression plan for people working in prostitution. No more after that.

6. Could you explain the typical procedures followed when a police officer arrests a person suspected of engaging in prostitution under this Act?

As a Myanmar police officer, when arresting prostitutes, he disguises himself as an informant and makes arrests.

7. Can you describe the process that a person arrested for prostitution goes through, from arrest to potential legal actions?

When a prostitute is arrested, a case will be opened by the relevant law section, and after being interrogated, the prosecution will be filed in the relevant township court. Then, according to the findings of the investigation, the court will issue an order.

8. Prostitution is prohibited by law. What do you think about that?

In my opinion, prostitution cannot be called a human right. Because of the politics, religion, and race of Myanmar, I think that prostitution should not be widely publicized. In addition, HIV/AIDS and reproductive problems may also occur as negative consequences of working in prostitution. As I am a person who is working within the legal framework, if this work is against the law, I must take action. Therefore, an education period should be set for the section of the Suppression of the Prostitution Act of 1949, and effective education activities should also be carried out.

**Interview Questions to the Legal Expert in Myanmar are as follows:**

**Ms. Su Su Haling, Advocate lawyer**

1. What is your name and position?

Ms. Su Su Hlaing, Advocate

2. What challenges does the Suppression of Prostitution Act, 1949 pose to prostitutes? What are the obstacles?

This Act is a violation of human rights for prostitutes. For example, prostitution is already defined as a job in some countries.

3. Have you ever been involved in a prostitution case?

Yes.

4. What are the charges against prostitutes?

Section 5 (1) and 6 of the Suppression of Prostitution Act.

5. How do you support your client in court?

The nature of the cases filed with the Court is not a form of defense at trial. Even though the case is obvious, I defend them so that their crimes are reduced and their lives are not affected. Because prostitution is prohibited by law.

6. In the case of prostitution, I have heard that once the prostitutes are arrested, they are asked to testify and then put in jail without being sent to court. Is there anything you would like to say about that?

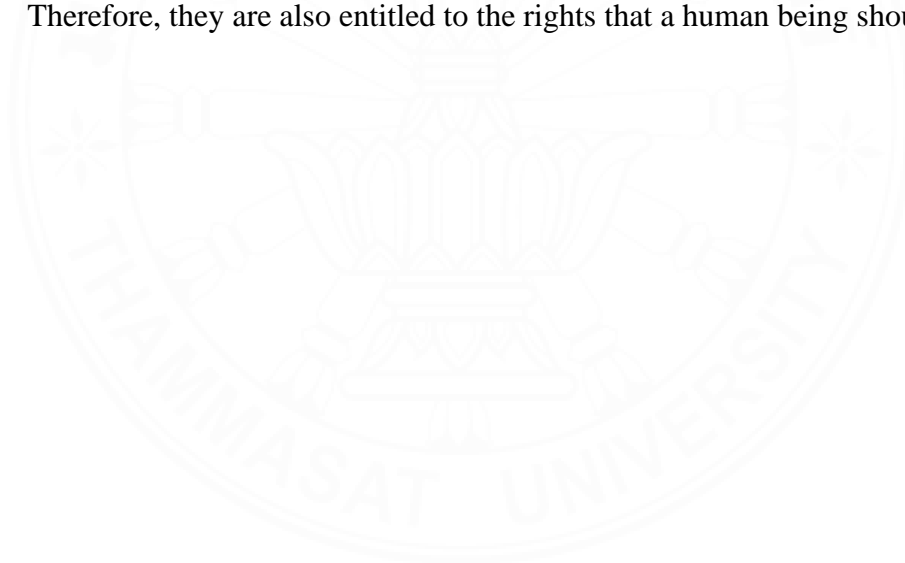
If I were to say that incident, the prostitutes suffered a lot. According to Sections 101 and 102 of the Evidence Act, prostitutes should also have the opportunity to prove.

7. In your experience, what do you think needs to be done to ensure the rights and legal protection of prostitutes?

Business licenses should be issued to prostitutes, and they should be given health check-ups, improved living standards, and sex education. Also, I think the Suppression of the Prostitution Act of 1949 should be repealed.

8. What do you think about banning prostitution from the perspective of human rights and Burmese cultural systems?

From a human rights point of view, prostitutes should also have the right to live and work independently. If we look at Burmese cultural systems, Myanmar is a Buddhist country, and prostitution is inappropriate if measured by cultural standards, but the existence of prostitutes even before the time of the Buddha is also a historical fact. Prostitutes, who have been called the treasure of the country or state's jewel, have been around for ages, so their role will not disappear easily. Therefore, they are also entitled to the rights that a human being should have.



## APPENDIX B: INTERVIEW FLYER

### **Challenges Faced by Female Sex Workers in Myanmar: Legal Barriers and Rights Protection**

**(Case Study in Yangon)**

I am conducting a study on the challenges encountered by female sex workers in Myanmar, focusing on legal barriers and rights protection, specifically in Yangon.

I am seeking volunteer participants for this research. If you are a female sex worker residing in Yangon, you are invited to participate.

Participation is entirely voluntary and will remain confidential.

Interviews will last approximately 20 minutes and will consist of a question-and-answer format. Follow-up interviews may be requested to clarify the information provided. These interviews will be conducted and recorded via Zoom (audio) or in person.

Aung Naing Thu, Master Student, Thammasat University, Thailand

*Thank you for being so interested!*



## APPENDIX C: UNIVERSITY LETTER



Office of the Director  
No.67.51.1/45

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22 December 2023

To whom it may concern,

Dear Sir/Madam,

**Subject:** Requesting for Data on "Challenges Faced by Female Sex Workers in Myanmar: Legal Barriers and Rights Protection (Case Study in Yangon)."

This letter is to certify that Mr. Aung Naing Thu is enrolled as a full-time student pursuing a master's degree program in the Master of Arts in Asia-Pacific Studies (MAPS) Program at Thammasat University. He is currently in good standing and is in the thesis stage of his studies.

Mr. Aung Naing Thu is now in the process of data collection for his graduate thesis entitled Thesis topic on "Challenges Faced by Female Sex Workers in Myanmar: Legal Barriers and Rights Protection (Case Study in Yangon)."

To collect valuable data for this study, Mr. Aung Naing Thu has employed an Interview method through in person. Your input is crucial to the success of this research, and he specifically invited interviewees from Myanmar to contribute their perspectives.

Such information will help his research greatly. Therefore, the Master of Arts in Asia-Pacific Studies Program requests your respected institution's cooperation in providing data to facilitate his study. We hope this letter will stand on our behalf to facilitate the process and forward this letter to the related concern in central and local authorities.

To that end, we would like to express our appreciation for your cooperation. If you encounter any problems, do not hesitate to contact us at Tel. (66)2 -656-6605, Mobile, (66)-81-487-3334, or email us at maps.thammasat@gmail.com Your kind assistance in this matter is greatly appreciated.

Sincerely Yours,

Dr. Thanyaporn Soontornthum  
Director

Master of Arts in Asia-Pacific Studies Program  
Thammasat Institute of Area Studies (TIARA), Thammasat University  
Thammasat University

## BIOGRAPHY

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