

Gendered Labour Exploitation in Myanmar's Garment Sector

Capitalist Employer and Junta
Military Involvement

The
Gender
Equity
Initiative



Hsu Myat Myint Lwin
Intern report, November
2024



Acknowledgement of Country

The University of Melbourne acknowledges the Traditional Owners of the unceded land on which we work, learn and live: the Wurundjeri Woi-wurrung and Bunurong peoples (Burnley, Fishermans Bend, Parkville, Southbank and Werribee campuses), the Yorta Yorta Nation (Dookie and Shepparton campuses), and the Dja Dja Wurrung people (Creswick campus).

The University also acknowledges and is grateful to the Traditional Owners, Elders and Knowledge Holders of all Indigenous nations and clans who have been instrumental in our reconciliation journey.

We recognise the unique place held by Aboriginal and Torres Strait Islander peoples as the original owners and custodians of the lands and waterways across the Australian continent, with histories of continuous connection dating back more than 60,000 years. We also acknowledge their enduring cultural practices of caring for Country.

We pay respect to Elders past, present and future, and acknowledge the importance of Indigenous knowledge in the Academy. As a community of researchers, teachers, professional staff and students we are privileged to work and learn every day with Indigenous colleagues and partners.

Acknowledgements

This report was written as part of The Gender Equity Initiative 2024 Internship Program.

The Gender Equity Initiative hosts talented University of Melbourne Master's student interns who lead projects across a range of gender equity issues. The interns produce reports covering pressing and timely topics in this area.

This report was written by: Hsu Myat Myint Lwin (lwinh@student.unimelb.edu.au).

The opinions in this report are those of the authors and do not necessarily represent the views of The University of Melbourne or The Gender Equity Initiative. The authors are responsible for any omissions or errors.

Contents

Abbreviations	1
Executive Summary	2
1. Introduction	6
2. Research Question and Methodology	7
3. Literature review	7
3.1 Background of Myanmar Garment Industry	8
3.2 Gendered Structures and Intersectionality	9
3.3 Gendered Structural Marginalization in the Neoliberal Agenda	10
4. Challenges of Myanmar Garment Workers in the Post-Coup Context.....	11
4.1 Inadequate Wages and Rising Costs of Living	11
4.2 State Repression and Employer's Exploitation Amid Political Instability	12
4.3 Forced Labour through Unreasonable Production Targets and Exploitation.....	13
4.4 Temporary and Casual Labour Exploitation	14
4.5 Gender-based Challenges: Physical and Sexual Violence against Female Garment Workers	14
5. Conclusion	16
6. Recommendations	17
6.1 International Organizations and Humanitarian Actors.....	17
6.2 Garment Brands.....	18
6.3 Consumer-led Change.....	18
7. References.....	20

Abbreviations

CMP	Cut-Make-Pack (garment manufacturing system)
COVID-19	Coronavirus Disease 2019
EMREF	Enlightened Myanmar Research Foundation
EU	European Union
GEN	Gender Equality Network
IDRC	International Development Research Centre
ILO	International Labour Organisation
MCCT	Maternal and Child Cash Transfer
MCRB	Myanmar Centre for Responsible Business
MGMA	Myanmar Garment Manufacturers Association
MMK	Myanmar Kyat
NGO	Non-Governmental Organization
SRH	Sexual and Reproductive Health
STUM	Solidarity Trade Union of Myanmar
TAF	The Asia Foundation
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNGP	United Nations Guiding Principles on Business and Human Rights
UNICEF	United Nations International Children's Emergency Fund
US	United States
USD	United States Dollar
WTO	World Trade Organization

Executive Summary

This report explores the intensified exploitation and systemic marginalisation of women garment workers in Myanmar's post-coup garment sector. Although the growth of the garment sector contributes to the economic growth of the country and employment opportunities for millions of women, this expansion has also been associated with intensified labour exploitation under neoliberal policy reforms. This situation worsened significantly following the military coup in 2021, exacerbating an already challenging environment for women workers when factory owners took advantage of political instability and suppressed workers' rights with the backing of the military regime. By illustrating the exacerbating impact of the military coup on these women and their livelihood, the report outlines the need for support for the garment workers during this crisis by providing recommendations to NGOs, humanitarian organisations, garment brands as well as consumers to better support these workers.

The report employs the intersectionality feminist lens in the analysis of the challenges faced by garment workers in Myanmar. This perspective helps to analyse how various forms of discrimination and oppression, with the intersection of different social and political identities of a person, impact individuals differently and create unique vulnerabilities (Samarakoon et al., 2022). This report reveals that the exploitation of garment workers by capitalist employers and the military government is linked to intersecting axes of oppression, which are shaped not just by gender but also by power relations, age, marital status, region, class and socioeconomic background. These intersecting identities reinforce them to be targets of systematic marginalisation, such as capitalist exploitation and the military government's repression, where employers prioritise profit over the workers' rights, and the military's autocratic rule further suppresses any forms of resistance of the workforce.

In the context of Myanmar, women workers, particularly those from rural areas and low-income backgrounds, face inadequate wages, unsafe working conditions, forced labour, and gender-based violence. These challenges become more severe when the state supports exploitative practices and, thus, creates a cycle of marginalisation. Through this intersectional feminist lens, the report reveals that the challenges are not simply about gender but are caused by the intersecting of multiple social, economic and political factors, demanding nuanced and targeted approaches. This draws on secondary data, including reports from labour organisations, scholarly articles, and media coverage, to examine the intersecting forces of neoliberal economic policies and state repression, which collectively undermine the rights and well-being of women garment workers.

The report identifies five main challenges for garment workers in Myanmar's post-coup context:

- **Inadequate wages and rising costs of living:** There has been a significant rise in wage theft and underpayment, forced overtime, and poor working conditions in the post-coup context, affecting at least 82,000 workers, with documented cases increasing from 17 to 100 cases within one year after the coup. The minimum wage of 6,800 MMK (about 1.11 USD at the time) per 8-hour workday is insufficient to meet basic living costs and to remit money back to their family. This has worsened workers' financial situation when commodity prices dramatically rise because of inflation associated with high political instability.
- **State repression and employer exploitation:** Workers are unable to demand wage raises, fair rights and better work condition due to threats of dismissal and risk of being arrested by the junta forces. Factory owners, with the backing of the military suppress worker rights, using threats and intimidation to silence protests and prevent collective bargaining. In 2023, at least 12 workers, including union members, were arrested for demanding better pay and labour rights, charged under repressive legal articles (Article 505(A) and Article 17(1)).
- **Forced labour through unreasonable production targets:** Workers are coerced to meet the unrealistic targets with an increased production targets and the imposition of uncompensated overtime. Production targets have increased from 45 pieces per hour in 2021 to 60 pieces per hour in 2022, and workers face fines or uncompensated overtime if they fail to achieve these targets. This pressure of meeting unreasonable production targets has led to excessively long working hours. In many cases, workers have to work over 10 hours per day or working for up to 35 consecutive days without a day off to meet the targets. Some workers report being forced to work 15 hours per day with limited breaks and mandatory unpaid overtime.
- **Temporary and casual labour exploitation:** The increasing use of temporary or casual labour is a significant challenge for workers, as casual workers receive only 75% of the minimum wage. However, casual workers are not able to complain due to the threat of being fired. This practice of hiring as casual labour denies workers' access to essential employment benefits such as maternity leave, and paid sick days, further entrenching their job security and economic vulnerability.
- **Gender-based challenges:** Women are particularly vulnerable to gender-based violence, including physical and sexual abuse, especially when working night shifts. They face heightened risks of gender-based violence, including sexual harassment and rape, during their commutes due to military checkpoints and martial law in certain townships. They also experience physical and verbal abuses from supervisors and managers when they fail to meet

production targets. Pregnant women face abusive working hours, miscarriages, and denial of maternity leave, with employers dismissing them after childbirth to avoid responsibility.

The following recommendations are proposed to address the systemic exploitation of women garment workers in Myanmar, calling for the following actions:

1. **International Organisations and Humanitarian Actors:** International organisations such as ILO, UN Women, UNICEF and NGOs such as CARE International and Oxfam are recommended not only to advocate for the protection of garment workers but also to promote guidelines in addressing sexual harassment and gender-based violence in the workplace as well as awareness raising on Sexual and Reproductive Health (SRH). In partnership with local organisations such as the Myanmar Centre for Responsible Business (MCRB), Solidarity Trade Union of Myanmar (STUM), and Gender Equality Network (GEN), these entities are recommended to urge global brands to follow international labour standards and gender equality measures. Furthermore, it is recommended that UNICEF expend social assistance programs like the Maternal and Child Cash Transfer (MCCT) to mitigate economic challenges for pregnant women and mothers and empower them. Additionally, further research is recommended to assess the intersection of political instability and its effects on women workers, including unpaid care work and its connection to economic and political instability.
2. **Garment Brands:** Garment brands, including Zara, Sinsay, H&M, PRIMARK, esmara, and RESERVED, that are sourcing from Myanmar should conduct human rights due diligence, following the United Nations Guiding Principles (UNGP). By following UNGP, brands must prevent, mitigate, and address human rights impacts, and if they decide to halt their sourcing, they need to exit responsibly from Myanmar. Brands should make sure that they are not directly or indirectly contributing to human rights abuses, whether or not directly sourcing from Myanmar. They are encouraged to provide skills training, including life skills and financial literacy training, to workers to help mitigate risks imposed by their potential exit.
3. **Consumer-Led Change:** Consumers are encouraged to hold garment brands accountable for ethical labour practices through collective action, such as social media movements, awareness-raising initiatives, and signing petitions. Through social media advocacy campaigns like #PayUp, consumers can pressure brands that are sourcing from Myanmar to maintain responsible and fair supply chains. Local and international influencers who actively advocate

women's rights and gender equality can mobilise consumers to demand accountability from brands, promoting fair treatment and protection for garment workers.

1. Introduction

The garment industry in Myanmar is one of the sectors that has been fundamental to the country's economic transformation over the past decade. It also provides employment and livelihood opportunities for the population, especially young and single internal migrant women migrating from rural to urban areas in Myanmar. Myanmar's transition towards market-oriented economy was supported by trade openness, foreign direct investment (FDI) and free market access, mainly to the European Union (EU) and the United States (US), accounting for nearly 30% of Myanmar's export products (UNDP, 2022). Consequently, the industry was able to employ more than 1.1 million workers in 2018, which rose from 0.3 million in 2016 (UNDP, 2022), representing 23% of all employment in the manufacturing sector (MGMA, 2022). Due to the working nature of being less physically demanding compared with traditional agricultural labour, employment in this sector offers regular income and an indoor work environment among the familiar faces from the same local community, often from the same village (MGMA, 2022; Tödt & CARE International, 2022). This sense of a safe community with better opportunities to improve social and economic standards makes it the best option for women workers with limited education (MGMA, 2022).

While this sector is important to the economics of the country and the social and economic improvements for women, it offers both opportunities and challenges; the export-oriented business model of the industry supported by the neoliberal policies has created the structural vulnerability of women. Even during Myanmar's transition period under a civilian government, with state-led regulations and policy reforms, workers continued to face exploitative conditions (Campbell, 2023; Cho Hlaing, 2024). After the 2021 military coup, the political repression of the military government further worsened the already poor working conditions of garment factory workers and intensified their exploitation (Tödt & CARE International, 2022; UNDP, 2022). This report explores that, in the post-coup context, the joint effect of market-driven economic exploitation of garment employers and state repression makes garment workers more vulnerable and marginalised in regard to gender-based challenges, including sexual harassment, the risk of rape and incident of rape, physical and verbal abuses, violence by military forces, pregnancy-related discrimination. By using the intersectional feminist lens, this study explores the challenges and special needs of the women garment workers in the oppressive system, examining how employers prioritise profit over labour rights in the militarised state's repression of workers' movements and created an environment that systematically marginalised women workers.

This report is divided into five parts: The first section provides the key research question that guides the report, outlining the methodology that is applied to explore the question. The second section reviews the literature on the background and situational analysis of the Myanmar garment industry, as well as its market-based exploitation of labour, the role of state repression in the subordination of women and how the intersectional lens can be applied to understand these challenges are driven by overlapping oppressive structures and power relation. This analysis draws on Acker's concept of *gendered substructures*, highlighting how organisational processes are inherently gendered, continually producing and reinforcing gender inequalities (Acker, 2012; Samarakoon et al., 2022). The third section presents the key findings on the challenges and exploitation of women workers due to market and state forces. Then, the report findings will be summarised in the fourth section, the conclusion section, while the final section provides recommendations, urging collaboration among international organisations, garment brands, and consumer-driven collective actions to address the structural inequalities in Myanmar's garment sector.

2. Research Question and Methodology

The report will identify the key research question of “How do the existing gendered labour exploitation, driven by the neoliberal market, the post-coup situation in Myanmar with the intersection of state repression.” To address this, the report utilises secondary data information, which includes recent reports, scholarly articles, media coverage, and policy studies. The sources covered in the report are mainly focusing on the post-coup labour context in the Myanmar garment sector to highlight the issues of workers' rights violations, gender-based challenges and gender-based violence. Through synthesizing data from labour rights organisations, international agencies, academic institutions and news agencies, the report provides a contemporary analysis of the challenges faced by women workers. Finally, this report uses an intersectional lens to assess how gender, class, and rurality intersect and shape different challenges for women.

3. Literature review

The global rise of fast fashion, which is driven by the capitalist system, has led companies to seek cheap labour markets in the Global South to maximise their profit with a minimum cost of production. This expansion is fueled by neoliberal trade policies with multilateral agreements and regulations enforced by international institutions like WTO, which promotes free-market principles such as trade liberalisation, reduced government intervention and deregulation (Bressán, 2020). In regions where weak or unenforced labour laws, these policies often facilitate the exploitation of garment workers,

mostly women, through low wages, unsafe working conditions, long working hours, and sometimes forced labour and child labour (Bressán, 2020). Within the framework of capitalism “shaking hands with patriarchy,” both of which control women (Prasad, 2018, p. 13), the fast fashion industry accelerated this trend, which is to produce cheap and affordable clothing to meet the demand of consumers while prioritising the maximum profit at the cost of workers’ rights (Bressán, 2020). The existing literature on women garment workers in the Global South, applying intersectional perspectives to examine the exploitation and inequalities, has demonstrated how gender, class, location, ethnicity, and other social and economic characteristics interdepend in the determination of how female labour in the Global South is subjugated (Samarakoon et al., 2022). In Myanmar, the persistence of these gender-based challenges is amplified in the aftermath of two consecutive events, the global COVID-19 pandemic and the 2021 military coup.

3.1 Background of Myanmar Garment Industry

The development of Myanmar’s garment industry, which is an export-orient sector, shares similarities with other countries in the Global South in terms of adopting market-oriented policies, which include foreign trade policy, export policies, trade liberalisation policies, and being a frontier for foreign trade and investment. As mentioned earlier, Myanmar experienced economic and political shifts with the opening of its economy in the early 2010s, with reforms of the quasi-civilian government after several decades of economic isolation under military rule (Campbell, 2023; Cho Hlaing, 2024). This shift has also marked the transition from a state-controlled economy to market-driven policies, fuelling the rapid growth of the garment industry by the lifting of economic sanctions and the restoration of the EU’s Generalized Scheme of Preferences (GSP) status, providing Myanmar with favorable access to European markets (UNDP, 2022). Many foreign investors set up factories with joint ventures or totally foreign-owned firms and businesses with foreign investment from other countries like China, South Korea and Japan.

The Myanmar Garment Industry (MGI) operates on a Cut-Make-Pack (CMP) system, with the dependence on the import of raw materials and exports to Europe, Japan, and Korea (MGMA, 2022). In terms of business location, the garment sector is heavily concentrated in three regions: Yangon (302,100 workers), Mandalay (152,500 workers), and Sagaing (87,100 workers), most of which constitute over 80% of the garment sector workforce aged 19-27, the majority of whom have migrated from Ayeyarwaddy, Bago regions, and Rakhine state (MGMA, 2022; Tödt & CARE International, 2022; UNDP, 2022). The growth of the garment industry provides employment opportunities, especially for rural migrant women from low-income and agricultural households, migrating to urban areas for economic advancement for

themselves and their families (MGMA, 2022; UNDP, 2022). Although this sector provides employment opportunities for women; it has also become a place of market-driven exploitation, where gender, class, and rural origin shape the experiences of women workers.

The 2021 military coup has brought reinforcement of sanctions on Myanmar's garment sector and the removal of benefits and access to the EU market, aiming to pressure the military regime (UNDP, 2022). According to the UNDP Myanmar (2022) report, there are two distinct reactions to this; on one side, there are some trade unions that urge foreign garment firms and governments to impose severe trade ties, while the other side criticises that the sanctions cause more devastation on the garment sector and put the women workers at risks with job losses and working in worse working conditions (UNDP, 2022). In fact, after the military takeover, estimates suggest that over 200,000 jobs were lost in the garment sector, approximately 20 percent of the total employment in the industry (Myanmar Now, 2021; UNDP, 2022).

3.2 Gendered Structures and Intersectionality

Historically, feminist scholars and researchers have sought to address how gender processes and relations produce and reproduce inequalities in organisations (Acker, 2004, 2012; Samarakoon et al., 2022). Gender wage gaps, gender division of labour and hierarchical positions in organisations are the most common forms of inequalities, which differ significantly across time and place (Samarakoon et al., 2022). According to Acker (2012), the theory of the gendered substructure of the organisation is an answer to those inequalities, explaining that gendered notions of women and men, femininity and masculinity are embedded and continuously produce and reproduce gender inequalities (Acker, 2004). However, feminist scholars have critiqued that this gender analysis is inadequate because it overlooks the crucial components, including class, location, race, sexuality, and ethnicity, in the reproduction of inequalities and subordination of women (Acker, 2004; Crenshaw, 1991; Samarakoon et al., 2022).

In fact, producing and reproducing inequalities and marginalisation of labour in organisational structures are deeply connected to gender identities which intersect with race, class (including rurality and poverty), ethnicity and other identity categories. This is seen in the notion of intersectionality, coined by Crenshaw (1991) in the case of women of colour. Crenshaw (1991) argues that rather than studying gender and race separately, it is crucial to understand the life experience of Black women through the intersectionality of gender and race (Crenshaw, 1991). Therefore, in feminist studies, the life experience of marginalised women labourers in the organisational context cannot be fully comprehended by focusing on gender or gendered processes alone since they are shaped and influenced by other identity factors such as race, class, and other social and economic categories (Acker,

2004). Similarly, in this report, the challenges faced by women garment workers are analysed through their multiple identities and social hierarchies.

3.3 Gendered Structural Marginalization in the Neoliberal Agenda

In the structural organisation of Myanmar's labour regime, the forces of authoritarianism, democratisation and economic liberalisation are the primary forces that shape the system and lead to the upsurge of labour market formalisation, especially in the garment sector during the transition of a quasi-civilian government in 2010 (Campbell, 2023). However, this transition was a top-down formalisation process, which was highly influenced by military generals, elites, chronicles, and capitalists who maintained control over the economy (Campbell, 2023; Cho Hlaing, 2024). This transition resulted in a "hegemonic labor market formalization", which seemed to be led by the quasi-civilian government but operated under the powerful influence of the military and its allies to protect their economic interest (Cho Hlaing, 2024, Section Real layer). Hegemonic labour market formalisation, according to Campbell (2019), refers to the selective and strategic formation and implementation of labour laws that portray the image of reform and modernisation by the civilian government; however, this process retains the control and interest of the political and economic elites in Myanmar, especially military-affiliated entities (Campbell, 2019). Therefore, even though there was a transition in Myanmar, the political reforms during that democratic transition offered limited benefits to the workforce but favoured the hegemonic political and economic elites.

Moreover, when the neoliberal economic agenda of the government intersects with patriarchal structures under the military regime, it has deepened the exploitation of the garment sector. The neo-liberal government favours local and international capitalists in strengthening the authoritarian power and largely ignores the protection of workers or the improvement of labour rights (Cho Hlaing, 2024). The state-led reforms in the neo-liberal framework prioritised attracting foreign trade investment to protect capital accumulation rather than the rights of workers (Cho Hlaing, 2024). Since the military rule between 1962 and 2011, women have been systematically excluded from decision-making roles and leadership positions and faced economic marginalisation, which fostered a gender inequality culture (Nixon, 2021). This militarised patriarchy and authoritarianism strengthen the patriarchal gender norms, not only in subjugating women as an aspect of military ideology but also in exploiting them in the workplace and society and creating a labour regime that systematically exploits women (Cho Hlaing, 2024; Nixon, 2021; Radhakrishnan, 2024). Under this system, women workers face low wages, long working hours, and unsafe conditions, with limited union activism, especially when it comes to advocating to reform gender-sensitive or transformative policies (Cho Hlaing, 2024). Feminists also

critique this neoliberal agenda for promoting profit maximisation by “cutting social spending cost-effectiveness, and promoting individual responsibility like sharing household tasks” (Cho Hlaing, 2024, Section Real layer).

After the 2021 military coup, the inequalities and exploitation that garment workers faced, worsened in the global garment industry, with demand for cheap labour combined with patriarchal power structures and class-based oppression (Business & Human Rights Resource Centre, 2023). This dynamic leaves women vulnerable to double exploitation as a worker in the capitalist economy and as a caregiver in families with little support from the state. In the post-coup context, the absence of the rule of law heightens the violations of labour rights, and women workers are disproportionately affected by patriarchal ideologies upheld by the military (Cho Hlaing, 2024). Reverting back to military rule, workers have little or no legal choice against the exploitation, unfair treatment and discrimination of the factory owners. The association between the military’s repressive rule and the factory owners’ intention of profit-maximisation, suppresses labour protests and deepens gendered inequalities, making women more vulnerable to economic and political repression.

Amidst the oppression of the military regime, Myanmar women workers continue to resist the military government in every way possible. Women workers in Myanmar are actively participating in labour movements for equality, better working conditions, and the end of military rule (Frontier, 2022). Despite various forms of oppression, the agency of women is demonstrated in their pro-democratic mobilisation and their activism for gender equality. This report acknowledges the practice of women’s agencies and their struggle for justice and equality in the workplace and also in society.

4. Challenges of Myanmar Garment Workers in the Post-Coup Context

4.1 Inadequate Wages and Rising Costs of Living

Low wages, wage reduction and wage theft, including non-payment or underpayment of wages in the industry, are significant violations of garment workers’ rights. These violations have dramatically increased since the 2021 Military coup, affecting at least 82,000 workers (Nguyen & Swan, 2023). The number of documented cases increased from 17 to 100 cases within the first year of the coup, between Feb 2021 to Feb 2022 (Nguyen & Swan, 2023). Workers face exploitative and indecent wages, along with the harsh working conditions of long working hours, forced overtime, and absence of social benefits, in

addition to workplace harassment and strict time allocation to go to restrooms and have lunch (Cho Hlaing, 2024).

Although garment factories in Myanmar follow the minimum wage laws, the statutory minimum wage is so low it does not meet the basic needs of workers and their families. Since 2018, the minimum wage for an 8-hour workday has been set as 4,800 MMK (approximately 2.3 USD at that time) (Mizzima, 2024). Workers demand an increase in the minimum wage every Labour Day (1st of May); however, this has been neglected for over two years since the COVID-19 period (Mizzima, 2024). In 2023, the military government announced a 1,000 MMK extra allowance, increasing to a total of 5,800 MMK (1.45 USD at the time) (Bissinger, 2024; Mizzima, 2024). In 2024, this allowance was increased by another 1,000 MMK, reaching 6,800 MMK (about 1.11 USD at the time) (Bissinger, 2024; Mizzima, 2024). Nyunt et al. (2024) critique this increase, which was as an allowance instead of increasing the minimum wage, by claiming that it was to avoid the corresponding adjustment in overtime pay, professional fees and other allowances, which are calculated on the minimum wage (Nyunt et al., 2024). Although there have been slight increases in the minimum wage, the dramatic rise of commodity prices after the coup is far higher than those adjustments to cover their basic living costs and to send money back to their family (Mizzima, 2024).

4.2 State Repression and Employer's Exploitation Amid Political Instability

Although workers are subject to minimum wage, they cannot demand a wage raise due to the threat from factory owners and supervisors of being dismissed or arrested by the military for political reasons. After the military coup, most of the remaining factories are Chinese national-owned factories and are protected by the military, violating the human rights of the workers (DVB, 2024). Since the coup, it has become common for garment factory management to call in the junta's troops when disputes with workers arise; the troops then use threats and intimidation to pressure workers into ending protests or withdrawing demands for collective bargaining (Zan, 2023). In 2023, at least 12 garment workers, including union members, were arrested for demanding a 17% pay raise to 2.7 USD per day and calling for better pay and violating labour rights (Business & Human Rights Resource Centre, 2023). Those workers were charged under Article 505 (A), criminalizing "fake news" and "incitement" against the military, and the union members were charged under Article 17 (1) for membership or association to an unlawful association (Business & Human Rights Resource Centre, 2023). Under the military regime, the rights of marginalized workers are violated and arrested for demonstrating and demanding fair rights by the junta, while the oppressive employers are protected by the junta.

4.3 Forced Labour through Unreasonable Production Targets and Exploitation

Taking advantage of the coup and political instability, factories impose enormous pressures on workers by forcing them to hit high production targets, resembling forced labour with abusive work rates by cutting workers' wages. One report states that the production targets increase from 45 pieces per hour in 2021 to 60 pieces per hour in 2022 (Due Diligence Design, 2022). Workers have even given fines and are coerced into uncompensated overtime if they fail to meet unreasonable production targets (Nyunt et al., 2024). Workers are forced to take responsibility for missing targets and work additional hours without pay (Nyunt et al., 2024). Even when workers meet their production targets, their overtime compensation is much lower than the legally required amount. While the legal rate for overtime pay is 1,200 MMK (0.39 USD) per hour, workers typically receive only 600 MMK (0.19 USD) (Nyunt et al., 2024). Workers reported that if they are absent for one day, they are fined between 10,000 and 50,000 MMK, which equals to 1-5 days' worth of income or up to 20% of their monthly salary (Due Diligence Design, 2022). In addition to the financial penalty, the worker's overall productivity will be considered as if they were absent for two days, meaning they will not only lose more than just one day's wage but also affect their productivity rating, which could result in negative consequences in their employment (Myanmar Labour News, 2023a). Employees, therefore, are unable to refuse overtime because the overtime hours depend upon their daily productivity targets, and they also face penalties or dismissal for taking time off or being sick and missing work.

Increasing production targets for the workers has also resulted in excessively long working hours and overtime, and many workers are forced to work beyond the legal limit of working hours. However, workers cannot refuse unreasonable demands due to discrimination and threats of termination for those who refuse to work overtime (Due Diligence Design, 2022). According to Due Diligence Design (2022), amongst 2,606 survey participants, 15.4% (401 workers) reported working over 10 hours per day on average in the past three months. Additionally, 20% (521 workers) worked for 13 or more consecutive days without a day off, with some working up to 35 consecutive days, and 18.4% (481 workers) stated that their average working hours had increased since 2021 (Due Diligence Design, 2022). Myanmar Labour News (2023) reports that garment workers have to work 15 hours per day, with very limited time to sleep. They are also forced to work continuously without breaks and mandatory overtime without pay (Myanmar Labour News, 2023b). In some cases, these extra hours are counted as substitutes for holidays or off days (Myanmar Labour News, 2024). This problem of violation of labour rights through

coerced and excessive overtime highlights the need for stronger labour protections in the Myanmar garment sector.

4.4 Temporary and Casual Labour Exploitation

The increasing use of temporary labour or casual labour is also a significant challenge for women workers, which adds to further exploitation by refusing their entitlements and income and exacerbating livelihood insecurity for them and their families. The employment situation in Myanmar's garment industry remains challenging and insecure, as factories increasingly use casual or daily labour with irregular working hours (ILO, 2022; Nyunt et al., 2024). Factories dismiss permanent workers and replace them, in some cases rehiring them on a daily basis, which is a method to reduce workers' wages (Business & Human Rights Resource Centre, 2022). Unlike permanent employees, daily laborers without formal contracts are entitled to receive only 75% of the minimum wage, equivalent to less than 2 USD per day, with a lack of access to essential benefits such as maternity leave, paid sick days, or job security (Business & Human Rights Resource Centre, 2022). The overtime pay of daily labour is also reduced to amounts below legal rates (Nyunt et al., 2024). Casual workers typically avoid complaining about unfair treatment due to the risk of being terminated, while employers intentionally employ casual workers as they can easily terminate if the workers demand or resist their demands (Nyunt et al., 2024).

4.5 Gender-based Challenges: Physical and Sexual Violence against Female Garment Workers

Another gender-specific challenge for women garment workers in Myanmar is safety issues associated with commuting to and from work. Due to more frequent contact with the military forces while passing through several military checkpoints to access their factory and the absence of the rule of law, the workers are more likely to experience violence, especially gender-based violence, when commuting to and from work (Nyunt et al., 2024). Since the coup in 2021, the military junta imposed martial law on 61 townships across the country, including the Hlaing Tharyar and Shwe Phyi Thar, where a majority of export-oriented garment factories are located in Yangon factories (Ngwenya-Tshuma & Lin, 2022; The Irrawaddy, 2024). Moreover, many military force checkpoints are set up throughout Yangon, as well as at the gates of the factories (Ngwenya-Tshuma & Lin, 2022; The Irrawaddy, 2024).

Reports indicate that workers are concerned about violence, especially when they have to travel at night when they work overtime, including when they are forced to work. When there is an absence of transportation options provided by the factory, it is more likely for the workers to encounter sexual harassment at work and on the way home (Cho Hlaing, 2024). One incident reported that a worker was

raped on her way home at night after being forced to work overtime by the factory that refused to provide transportation for her return (Business & Human Rights Resource Centre, 2022; Due Diligence Design, 2022). In the context of post-coup context, it is observed that female workers are more likely to experience violence, sexual harassment and rape committed by military soldiers (Cho Hlaing, 2024). A representative from a worker's union reported a case in which a worker was stopped by the military, beaten up, physically punished and humiliated (Due Diligence Design, 2022).

The ignorance of the employers and lack of the rule of law impact the daily life of garment workers and impose gender-based violence both inside and outside of the workplace. Indeed, physical violence, sexual violence and harassment are perpetrated not only by military soldiers but also by individuals and gang members (Due Diligence Design, 2022). Female workers report that they experience physical, sexual and verbal abuse and harassment in the workplace when they do not meet the production target (Business & Human Rights Resource Centre, 2022). The abuse is perpetrated by the supervisors and managers of the factories where workers are kicked, punched in the chest and head, and verbally insulted by referring to them as “dogs” (Business & Human Rights Resource Centre, 2022). In the assessment conducted by Due Diligence Design (2022), 8.9 % (241 workers) experienced and/or witnessed various forms of abuse while travelling to and from work (Due Diligence Design, 2022). In fact, violence and abuse cases are under-reported, with the actual number of cases estimated to be much higher.

Additionally, women workers also face discrimination and abuse related to care responsibilities, pregnancy and maternity leave. Pregnant women workers are forced to work overtime and work long hours without rest. In some cases, it has been reported that women workers experienced miscarriages due to abusive working hours and were unable to receive timely medical treatment (DVB, 2024). Employers frequently refuse to provide medical leave and maternity leave by telling women workers to quit their jobs to seek treatment when they have pregnancy-related health issues (DVB, 2024). Although Social Security Law (2012) legally allows labour maternity leave and benefits, these rights are ignored, and dismissals of women workers after childbirth are common in the garment sector (Cho Hlaing, 2024; DVB, 2024). Moreover, during recruitment, employers are known to hire young and unmarried women to avoid maternity-related responsibilities, and these practices reflect systematic gender-based discrimination (Cho Hlaing, 2024).

Following the coup, employers have taken advantage of the political instability and lack of legal enforcement. As a result, they are more likely to exploit their workers. Daw Myo Myo Aye, the director of the Solidarity Trade Union of Myanmar (STUM), remarked that in this coup period, the fear of being

arrested under (political) articles (by the military) forced the workers to silence from addressing their concerns and this leads to further deteriorating of working conditions and increased in exploitation of worker's rights (DVB, 2024). It is reported that some factories bribe local military officials, and whenever the workers raise complaints, the factories' employers call on the military to intervene and threaten the workers (Cho Hlaing, 2024; DVB, 2024). Thus, when the political repression of the government intersects with the economic exploitation of employers, it becomes evident how workers are systematically oppressed and caught in a perpetuating circle of exploitation.

5. Conclusion

The economic development of Myanmar during its democratic transition period brought the rapid growth of the garment industry, marking a shift from a state-controlled economy to market-driven policies. However, these policies were heavily influenced by the military and its affiliated elites and capitalists who retained control over the economy, resulting in a labour market formalisation that appeared democratic but still operated under military influence. Since it was the reform under neoliberal economic policies, only limited benefits have been offered to the workforce, while their rights have been largely ignored. The February 2021 military coup has intensified these existing challenges faced by women workers in Myanmar's garment sector. As illustrated in this report, gender-based inequalities and challenges are deepened when there are multiple oppressive systems of neoliberal market-driven exploitations together with state repression with patriarchal structures.

This report reveals that the exploitation of women garment workers is not only a consequence of systemic issues within the global fashion supply chain but also of the unique socio-political situation in Myanmar, where capitalists exploit the lack of legal protections and collaborate with the junta to suppress labour movements. Through the intersectional lens, this report identifies that key challenges include workers' experience of inadequate wages, which have worsened since the 2021 military coup, along with wage theft, forced overtime, and poor working conditions. However, the workers cannot seek justice or demand for fair rights since the military regime protects factory owners, using threats and arrests to suppress demands for better treatment. Additionally, women workers face gender-based violence, including harassment and abuse both inside and out of the workplace. Moreover, the increasing use of temporary or casual labour exacerbates job insecurity, with many workers being paid below minimum wage and denied essential benefits such as maternity leave. Overall, this report highlights the double exploitation of women in Myanmar's garment sector by employers, prioritising profit over worker's rights, and state repression.

6. Recommendations

Based on the findings of the report, the following recommendations for key stakeholders are proposed.

6.1 International Organizations and Humanitarian Actors

To create a safe working environment for women workers, international organisations such as the International Labour Organisation (ILO), UN Women and UNICEF, as well as international NGOs like CARE International and Oxfam, are encouraged to continue advocating for policy enforcement to protect the rights of garment workers in Myanmar. This includes developing or promoting the developed guidelines about sexual harassment and gender-based violence, promoting raising awareness on sexual and reproductive health (SRH) at the workplace. Moreover, it is recommended to UNICEF to continue and expand their social assistance programs such as Maternal and Child Cash Transfer (MCCT) program to mitigate the immediate economic hardships faced by pregnant women and mothers and support their empowerment. By collaborating with local organisations, such as Myanmar Centre for Responsible Business (MCRB), the Solidarity Trade Union of Myanmar (STUM), and the Gender Equality Network (GEN), can press and put ties to the global brands to follow international labor standards and the enforcement of gender equality measures, advocating for the implementation of policies to protect workers' rights.

Additionally, there is a significant need for further research on the challenges of the intersection of political instability in the garment industry. This research should be conducted by academic institutions and international and local research organisations, including universities, the International Development Research Centre (IDRC), the Enlightened Myanmar Research Foundation (EMREF), The Asia Foundation (TAF), and Myanmar Labour News, those of which are well-positioned due to their expertise and experience in labour research, policy advocacy, and socio-political studies and have insights into ongoing labour challenges. Those research studies are recommended to focus on the long-term social and economic impacts of the crisis, especially its disproportionate impact on women workers. This includes examining the effects of unpaid care work on women's participation in the labour force and understanding its links to economic and political instability. These evidence-based findings could contribute valuable insights to inform future policy actions and effective interventions to improve labour standards and workers' rights in Myanmar.

6.2 Garment Brands

Through this report, garment brands, including Zara, Sinsay, H&M, PRIMARK, esmara, and RESERVED, that are still sourcing from Myanmar are encouraged to reassess their operation to conduct through human rights due diligence United Nations Guiding Principles (UNGP) human rights due diligence and Fair Wear's Heightened Human Rights Due Diligence Policy. The UNGP outlines the responsibility of businesses to prevent, mitigate and account for their impact on human rights. They should conduct thorough human rights due diligence and consider responsible exit if they decide to stop operating, decrease production or pause sourcing from the supplier in Myanmar (Tödt & CARE International, 2022).

Even brands that are not directly sourcing from Myanmar should ensure that they are not indirectly contributing to human rights abuses by pressuring suppliers to uphold the worker's rights and human rights abuse. They should offer training programs to workers, equipping them with transferable skills to mitigate the risks of economic displacement if the factories exit. For example, programs like the "HERproject" in Bangladesh are collaborative initiatives between BSR, local NGOs, and brands. Similar to this initiative, delivering life skills and financial literacy training could be a model for Myanmar. In collaboration with local NGOs such as Akhaya Women or CARE Myanmar, the training is recommended to focus on building economic resilience and empowering workers to cope with the risks linked to economic displacement, especially in the event of factory closures or operational changes.

6.3 Consumer-led Change

With the powerful tool of social media, consumers hold a powerful influence on garment brands and their sourcing decisions. For example, social media movements like #PayUp, initiated by the advocacy group named Remake in response to mass order cancellations by major apparel brands during the early months of the COVID-19 pandemic, have demonstrated that collective voice can challenge companies to take responsibility for their actions (Snowden, 2022). The campaign gained great success, quickly gathering over 250,000 signatures on its Change.org petition and prompting hundreds of thousands of people worldwide to join in advocating for justice (Snowden, 2022). By 2022, the #PayUp campaign had successfully pressured major brands to return over \$22 billion owed to garment workers (Snowden, 2022).

Likewise, consumers can pressure brands to be more accountable in terms of their supply chains in Myanmar as well as in other countries, calling out the brands not only directly sourcing from these regions but also pressuring them to access their indirect suppliers. For Myanmar, similar movements can be led by local and international social media influencers who are dedicated to women's rights and

gender equality to demand accountability from garment brands. Through collective actions by using social media platforms to raise awareness, signing petitions and so on, consumers can push the brands to practice more ethical operations and treat garment workers fairly and the protection they deserve.

7. References

- Acker, J. (2004). Gender, Capitalism and Globalization. *Critical Sociology*, 30(1), 17–41.
<https://doi.org/10.1163/156916304322981668>
- Acker, J. (2012). Gendered organizations and intersectionality: Problems and possibilities. *Equality, Diversity and Inclusion: An International Journal*, 31(3), 214–224.
<https://doi.org/10.1108/02610151211209072>
- Bissinger, J. (2024, August 23). *Lagging Wages Hurting Myanmar's Garment Workers and Undermining the Industry*. FULCRUM. <https://fulcrum.sg/lagging-wages-hurting-myanmars-garment-workers-and-undermining-the-industry/>
- Bressán, J. M. (2020). *FROM NEOLIBERAL FASHION TO NEW WAYS OF CLOTHING*.
- Business & Human Rights Resource Centre. (2022). *Resistance, harassment and intimidation: Garment worker abuse under Myanmar's military rule* (pp. 1–8) [Breifing]. Business & Human Rights Resource Centre. https://media.business-humanrights.org/media/documents/2022_Myanmar_garment_sector_EN.pdf
- Business & Human Rights Resource Centre. (2023, June). *Myanmar: Military arrests ten garment workers involved in strikes demanding pay rise*. Business & Human Rights Resource Centre. <https://www.business-humanrights.org/es/%C3%BAltimas-noticias/myanmar-military-arrests-ten-garment-workers-involved-in-strikes-demanding-pay-rose/>
- Campbell, S. (2019). Labour Formalisation as Selective Hegemony in Reform-era Myanmar. *The Asia Pacific Journal of Anthropology*, 20(1), 57–73. <https://doi.org/10.1080/14442213.2018.1530294>
- Campbell, S. (2023). Interrogating Myanmar's "Transition" from a Post-coup Vantage Point. *Journal of Social Issues in Southeast Asia*, 38(1), 1–27. <https://doi.org/10.1355/sj38-1a>
- Cho Hlaing, C. (2024). *Special Needs of Women Workers in The Garment Sector of Myanmar: Analyzing Labor Policies Through Critical Realist Lens* [Policy Brief]. <https://idl-bnc-idrc.dspacedirect.org/server/api/core/bitstreams/935708f1-e136-4bad-8ae5-2096c9938a69/content>
- Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review*, 43(6), 1241–1299. <https://doi.org/10.2307/1229039>
- Due Diligence Design. (2022). *Myanmar enhanced due diligence sectoral assessment* (pp. 1–142) [Tools, Guidelines & Briefings]. <https://www.ethicaltrade.org/insights/resources/myanmar-enhanced-due-diligence-sectoral-assessment>
- DVB. (2024, July 9). စစ်အာဏာသိမ်းမှုအောက် နှင်းပြားဖြစ်နေဆဲ အထည်ချုပ်အလုပ်သမားတွေရဲ့ ဘဝ [News]. ရန်ကုန်တိုင်း၊ ရွှေပြည်သာ ဝါးတရာစက်မှုဇုန်အတွင်းက အားကစားပစ္စည်းထုတ်လုပ်တဲ့ တရုတ်နိုင်ငံသားပိုင် စက်ရုံတရုံမှာ အမျိုးသမီး လုပ်သားတဦးကို နိုင်ငံခြားသားက လုပ်ငန်းခွင်အတွင်း ဘလက်ကာယ ပြုလုပ်တဲ့ကိစ္စ တို့င... <https://burmese.dvb.no/post/659587>
- Frontier. (2022, February 18). Dare to struggle, dare to win: Workers' resistance since the coup. *Frontier Myanmar*. <https://www.frontiermyanmar.net/en/dare-to-struggle-dare-to-win-workers-resistance-since-the-coup/>

- ILO. (2022, August 1). *New ILO estimates show Myanmar remains deeply affected by job losses in first half of 2022*. <https://www.ilo.org/resource/news/new-ilo-estimates-show-myanmar-remains-deeply-affected-job-losses-first>
- MGMA. (2022). *Report of Assessment Survey on Myanmar Garment Industry 2021 – Workers’ Perspective*. Myanmar Garment Manufacturers Association.
- Mizzima. (2024). *Junta announces new minimum wage at 6,800 Kyats per day*. <https://eng.mizzima.com/2024/08/14/12814>
- Myanmar Labour News. (2023a). *A review of labour issues in 2022 (Myanmar Labour News)* [Survey Report]. Myanmar Labour News.
- Myanmar Labour News. (2023b, June 30). *မြန်မာအထည်ချုပ်လုပ်သားများ ၁ ရက်လျှင်အလုပ်ချိန် ၁၅ နာရီကျော် လုပ်ကိုင်နေ* [News]. <https://www.myanmarlabournews.com/posts/မြန်မာအထည်ချုပ်လုပ်သားများ-၁-ရက်လျှင်အလုပ်ချိန်-၁၅-နာရီကျော်-လုပ်ကိုင်နေ>
- Myanmar Labour News. (2024, February 17). *Exploiting within 8 working hours (or) Increasing fabric output demands* [News]. Myanmar Labour News. <https://www.myanmarlabournews.com/en/posts/exploiting-within-8-working-hours-or-increasing-fabric-output-demands>
- Myanmar Now. (2021, April). *Nearly a third of garment industry jobs wiped out by coup*. Myanmar Now. <https://myanmar-now.org/en/news/nearly-a-third-of-garment-industry-jobs-wiped-out-by-coup/>
- Nguyen, H., & Swan, N. (2023). *Falling out of fashion: Garment worker abuse under military rule in Myanmar*. Business & Human Rights Resource Centre. <https://www.business-humanrights.org/en/from-us/briefings/falling-out-of-fashion-garment-worker-abuse-under-military-rule-in-myanmar/>
- Ngwenya-Tshuma, S., & Lin, M. Z. N. (2022). *The impact of the double crisis on the garment sector in Myanmar*. <https://www.twai.it/articles/impact-double-crisis-garment-sector-myanmar/>
- Nixon, J. (2021, June 25). “No to Dictatorship, No to Patriarchy”: Women’s Activism in Myanmar. *Peace for Asia Switzerland*. <https://peaceforasia.ch/no-to-dictatorship-no-to-patriarchy-womens-activism-in-myanmar/>
- Nyunt, H. S., Khaung, P. C., Siegel, S., & Siegel, L. (2024). Chapter 8: Facing Corporate Irresponsibility: Politisation and Struggle of Myanmar Garment Workers Pre- and Post-Coup. In *Defiance, civil resistance and experiences of violence under military rule in Myanmar* (pp. 249–282). Institut de recherche sur l’Asie du Sud-Est contemporaine (IRASEC). https://irasec.com/IMG/pdf/ce45_defiance_civil_resistance_and_experiences_myanmar-online.pdf
- Prasad, A. (2018). De-feminization and (Dis)empowerment of Women Workers in Garment Factories. *ANTYAJAA: Indian Journal of Women and Social Change*, 3(1), 12–23. <https://doi.org/10.1177/2455632718778355>
- Radhakrishnan, M. O., Akila. (2024, October 22). Myanmar’s Coup Is Devastating for Women. *Foreign Policy*. <https://foreignpolicy.com/2021/03/23/myanmar-coup-women-human-rights-violence-military/>

- Samarakoon, G., Grant-Smith, D., Mayes, R., & Wijetunga, D. (2022). An intersectional approach to understanding the inequality and subordination of Sri Lankan women apparel workers. *Vidyodaya Journal of Management*, 8(II). <https://doi.org/10.31357/vjm.v8i11.6102>
- Snowden, H. (2022, March 30). *#PayUp: Two Years Later — Remake*. <https://remake.world/stories/payup-two-years-later/>
- The Irrawaddy. (2024, March 5). Number of Townships Placed Under Martial Law by Myanmar Junta Rises to 61. *The Irrawaddy*. <https://www.irrawaddy.com/news/burma/number-of-townships-placed-under-martial-law-by-myanmar-junta-rises-to-61.html>
- Tödt, S. & CARE International. (2022). *Stitching together a future. Myanmar's garment workers fight for their lives against covid-19 and a military coup*. RMIT Business and Human Rights Centre and CARE International.
- UNDP. (2022). *Livelihoods Hanging by a Thread: A Survey of Garment Workers and Firms* [Survey Report]. <https://www.undp.org/myanmar/publications/livelihoods-hanging-thread-survey-garment-workers-and-firms>
- Zan, H. H. (2023, June 15). *Union Leader Arrested by Myanmar Junta After Wage Protest at 'Zara' Factory*. <https://www.irrawaddy.com/news/burma/union-leader-arrested-by-myanmar-junta-after-wage-protest-at-zara-factory.html>