

Trafficking for Sexual Exploitation into Southern Thailand

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TRAFFICKING FOR SEXUAL EXPLOITATION INTO SOUTHERN THAILAND

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PREFACE

Human trafficking has been one of the most challenging problems of nation states across the globe since the 20th century. Thailand has lately turned into a country of origin, destination, and transit for human trafficking. So far, the degree of human trafficking into Thailand is still unknown. Studies on human trafficking into Thailand have been mostly carried out in the Mekong Sub-region. The south of Thailand is an under-researched area, particularly when dealing with trafficking for sexual exploitation.

This manuscript provides key findings of the research project entitled Trafficking for Sexual Exploitation into Southern Thailand, under the joint support of the Alliance Francaise Bangkok and the IRASEC. Carried out during December 2006 – December 2007, the study was expected to fill the gap of research in the problem of trafficking for sexual exploitation in Thailand along a qualitative approach. It was designed towards fact-findings for a better understanding with the most updated information on the problem there.

In all, the highlight of the contribution of this study is two folds. *First*, it enriches literatures on human security from the perspective of people on the move through a qualitative study of human trafficking for sexual exploitation into areas of marginal investigation - - southern Thailand. *Second*, it contributes in terms of policy impact for further strengthening of the collaborative efforts at the national and district levels within Thailand as well as at the regional level.

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30 December 2007

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The gratitude also goes to Professor Dr. Suchada Kirananda, the President of Chulalongkorn University, Dr. Sunait Chutintaranond, the director of the Institute of Asian Studies (IAS), Chulalongkorn University, Professor Dr. Supang Chantavanich, the director of the IAS' s Asian Research Center for Migration (ARCM) and all the IAS staff for all their support and facilitation throughout the period of study. Special thanks are extended to Mrs. Arunothai Supalertmongkolchai and Ms. Montakarn Chimmamee, who never withheld their efforts in rendering all kinds of assistance to the research team.

Last but not least, as the director of the research project, I would also to express my deepest gratitude to the research team. Without them, this research project could not come to fruition. I am solely responsible for all factual errors and shortcomings.

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30 December 2007

EXECUTIVE SUMMARY*

The study on Trafficking for Sexual Exploitation into Southern Thailand was carried out during December 2006 – December 2007. The study was designed to provide a better understanding of the overall picture of the situation of trafficking for sexual exploitation in Southern Thailand, to identify and to understand the victims there, to understand the factors, conditions, routes and process of trafficking in persons into Southern Thailand, and to identify the role of governmental and non-governmental mechanisms there.

Covering the pre-departure stage, the route and process of trafficking, as well as the entry and post-entry dimension of human trafficking into Southern Thailand, four areas were selected as case studies. They are: Muang District - - or Ranong District - - in Ranong Province; Sadao District in Songkhla Province; Sungai Kolok District in Narathiwat Province; and Betong District in Yala Province. The study is based on archival and field research with in-depth interview of key informants - - the stakeholders from local authorities in charge of and an NGO dealing with human trafficking as well as victims so as to obtain first-hand information.

This study argued that there was a changing face of sex trade in Thailand with unabated continuation of people making their fortunes via sex trade, despite intervention measures. Among others, these were key points:

- Sex trade was expanding in form. The current sexual services are not limited to direct and indirect sex services, but also included freelance, and those in the guise of mistress.
- Brothel-based sexual services no more dominated the scene.
- Sex services became more mobile in nature, either with or without employers.
- There was less force being used in human trafficking for sexual exploitation into Southern Thailand.
- Soft tricks proved to be more effective in trafficking strategies.
- More routes of trafficking were being used, including expensive ones with relatively easy transportation.
- There was better communication between sex workers and their people back home via mobile phones than in the past few years.

In the meantime, the trend of trafficking women and girls from hill tribes in Northern Thailand and its neighbouring countries continued - - particularly from Myanmar.

Six routes of trafficking for sexual exploitation into Southern Thailand was found: a flight-land-water-land transport route from Myanmar's Yangon via Kawthaung into Ranong, the first southern province bordering the southernmost Myanmar; a land-water-land transport route from Mawlanyine and Dawei in Tenasserim via Kawthaung into Ranong; a land-transport route from northern Thailand; a land-transport route from Northeastern Thailand; a land-transport route from China via the Shan State of Myanmar and Chiang Rai, the northernmost province of Thailand bordering the Shan State, and Central Thailand into the southernmost provinces of Thailand; and a flight from China to the south of Thailand.

Those routes of trafficking for sexual exploitation were shared by migrant workers for other laboring services. The most common method of migration and/or trafficking along those routes was through agents or brokers. The latter were mostly experienced sex workers from the same place of origin as the migrant sex workers, sent by sex establishment operators or owners to deliberately recruit girls and women who were looking for a life change to replace a constant turnover of workers in sexual service business, while guaranteeing customers with new attractions. In many cases, they were relatives and friends to the victims or their family. It was an untold story if any of them were a person of authority who ran a syndicate. To lure the prospective victims into sexual services, most of them made themselves appeared as successful sex workers with a happy life changing.

* By Patcharawalai Wongboonsin

The sex workers traveled along those routes in a small organized group, accompanied by the agents/brokers. This reflected a changing trend from the past when a big organized group dominated the trafficking ring. There was a transfer of responsibility from one group of agents/brokers to another along the way.

The victims of human trafficking were brought into sexual services business in Muang District - - or Ranong District - - in Ranong Province; Sadao District in Songkhla Province; Sungai Kolok District in Narathiwat Province; and Betong District in Yala Province. Those areas did not limit themselves as destination but also served as transit points to other destinations within and outside Thailand. This was particularly the case for Malaysia, which may have also been either a receiving area or a transit point to Singapore and elsewhere.

The pattern of the sex trade at Dan Nok linked with that in Sungai Kolok and Hat Yai. The latter was the major district in Songkhla province, a relatively fast booming city in trade, business and a popular tourist spot, while serving as a transportation and communications hub of the South, linking with various destinations in neighboring provinces as well as in Malaysia.

Most of the victims in the study sites were tricked rather than forced to get into this lucrative business in Thailand. Poverty was not the only driving force for engaging in prostitution. Materialism and the problem of uncertain and/or insufficient income - - fear from want - - were among key driving forces in most cases. The problem of community insecurity - - fear from threats, i.e. from being killed, persecuted or abused - - also added for those from Myanmar. Besides the social, economic and political conditions in Thailand, the pulling factors included the growing tourism, the demand for sex trade in the study sites as well as the possibility that sex trade offered fast and more money than other labouring services.

To be liberalized from the varied human insecurities back home, a decision was made either to take the risk of venturing in a new pathway of life or to take a new pathway of life chosen by the parents. Such a decision was made unknowingly if it was a winning formula or if it was a choice towards another aspect of human insecurities. The case study of sex trade in the four study sites in southern Thailand suggested that engaging in sex trade was expected to be a part of life to lead towards a better life or a relatively human security thereafter once an opportunity avails.

Direct sex service establishments belonged to the lowest socio-economic status with the lowest rate of services and involved foreign sex workers rather than domestic ones. Indirect, freelance and mistress sex services involve more domestic than foreign sex workers. Rather than getting out of the business, sex workers tended to prefer moving up from a lower status of sex trade into a new market of a higher status that charged more for the services with more luxurious working conditions. This was particularly for the native migrant workers since the new markets of freelance sexual services and those in the guise of mistress are not readily open for illegal foreign workers. The latter rather tended to uplift their status into brokers to earn more money and even to set themselves as partners of sex business owners.

Rather than physically locked up in a premise, sex workers in the study sites were debt bondage. The case was relatively serious for those from Myanmar with high cost of transportation. Sexual transmission diseases were a major problem. This was despite the official campaigns, a '100% condom' program enforcing a mandatory use of condoms in brothels, and an MOU between the public health office in the area and entertainment venues there to bring service workers for medical check-up at least once a month. An irregular use of condom was the major problem of those sex workers. The risk behavior increased among those using drugs.

Many agencies were involved in the prevention and suppression of prostitution as well as providing assistance to victims of trafficking for sexual exploitation in Thailand. Local actions in the study sites were part of the policy agenda at the national level. Key actors included the

police, immigration, social welfare, public health, NGOs as well as embassy and the ministry of foreign affairs. In practice, those were major shortcomings in policy implementation.

Due to the dominating mobile nature of sex services in the study sites, this study was still unable to reflect the tip of iceberg of the actual number of women and children who were involved in the sex industry, trafficked into sexual exploitation, and abused in the study sites. It was also unable to outreach mobile freelanced sex workers, those in the guise of mistress, migrant sex workers with HIV/AIDS. They represent issues in need of further investigation.

Besides the dominant approach of intervention measures to focus on the destination or receiving areas of human trafficking, this study encouraged a proactive approach to reach the socially vulnerable segments of the population in the light of human security in the places of origin with a highlight on empowerment. That is to make the people prone to vulnerability the best agents for protecting and improving their own lives, rather than just passive recipients of policies made elsewhere.

Given the changing faces of human trafficking and sex trade in Thailand, this study suggested that empowering individuals and communities to respond the challenges of uncertainty through mitigation and adaptation is an important strategy against human trafficking for sexual exploitation. Based on the notion that trafficking in persons is an international crime, governments concerned are encouraged to strengthen their coordinating efforts to address this problem. Existing legislation should also be strengthened and strictly enforced. Feasibility of establishing of a regional convention on combating the crime of trafficking in women and children for prostitution should be examined.

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CHAPTER I

INTRODUCTION*

1. Rational of the Study

Thailand is a source, transit, and destination country for trafficking. As a center of economic prosperity in Southeast Asia, Thailand has received trafficked persons from poorer neighboring countries, China and beyond into many sectors, including sexual industry. This is in addition to internal trafficking for sexual exploitation. They may add to or even be a fraction of the estimated 800,000 to two million prostitutes currently working in Thailand.¹

In the early 1990s, Thai NGOs estimated a minimum of twenty thousand Burmese women and girls being trafficked and sold into sexual exploitation in Thailand, with about ten thousand new recruits came in every year. They are moved from one brothel to another, and often end up being sent back to Burma after a year or two to recruit their own successors. This is according to a preliminary study by Asia Watch and the Women's Right Project.²

At present, trafficked persons can be seen in most part of Thailand. This is despite the recently estimated reduction in number due to the economic crisis and stringent law enforcement.³

Among all places, border areas have become a critical concern in recent years. They are focal points for trade, commerce, and services. Besides, they have turned into sources of, and transit points for trafficking in persons for prostitution. Border areas often become neutral zones, where law and order may be lax, and where entrepreneurs catering to the itinerant populations lead to such places becoming heavens for activities such as illicit gambling and sex. Some border areas that have been known sites for gambling have recently established casinos with hotel and shopping complexes. Increasing trade, the construction of more buildings, and infrastructures adds to the ease of travelers and other types of mobile people reaching remote border points and spending time there.

The Thai-Myanmar and Thai-Malaysian borders contain sites that are among the most riskiest border areas in the Greater Mekong Sub-region and in Southeast Asia.

According Supang et al. (2000), along the Thai-Myanmar border, out of 77,500 migrants in the Muang District of Ranong, which slightly exceeds the 73,361 local residents in early 2000s, about 38 per cent of the migrant workers there are women employed in various occupations including sex work and in entertainment venues. Ethnically, most of them are Burmese (57%) and a relatively smaller number Mon, Dawei and Karen.

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¹ Supang Chantavanich (2000). *Mobility and HIV/AIDS in the Greater Mekong Subregion*. Bangkok: Institute of Asian Studies, Chulalongkorn University; Patcharawalai Wongboonsin (2006) "Asian Labour Migration and Regional Arrangements," pp. 201-217. In Kristof Tamas and Joakim Palme (Editors). *Globalizing Migration Regimes: New Challenges to Transnational Cooperation*. Hampshire, UK: Ashgate Publishing, 2006; Patcharawalai Wongboonsin (2005). "Globalization-Migration Nexus." Presented to Session I: Globalization and Current Migration Trends (With a Special Reference to Southeast Asia), UNHCR Roundtable on Migration and Refugee Issues, Kuala Lumpur, 13-14 June; Patcharawalai Wongboonsin (2002). "Migration Along International Borders." Paper presented at the Meeting on Development of Health Collaboration Along Thailand-Myanmar Border Area organized by the World Health Organization and the Ministry of Public Health on March 11-12, at Mae Sot District, Tak Province, Thailand.

² Asia Watch and the Women's Rights Project (1993). *A modern form of slavery: trafficking of Burmese women and girls into brothels in Thailand*. New York: Human Rights Watch.

³ Supang Chantavanich (2000).

According to Supaphan and Shakti (2002), along the Thai-Malaysian border of 506 kilometers long, there are areas with strong economy and relatively lack of manpower. They attract migrant labors from other parts of Thailand and neighboring countries. They are also an important tourist destination, particularly for those from neighboring Malaysia. The number of arrivals from Malaysia is consistently high during the past several years. According to local authorities there, tourists constitute over 80% of the total population movement from Malaysia to Thailand. Other important mobile groups are traders and truck drivers. They enter through Sadao and Padang Besar in Songkhla, Sungai Kolok in Narathiwat, Betong in Yala, and other border crossings in several provinces. On any Friday evening or Saturday morning, thousand of Malaysians cross over to Thailand and spend their weekend in the city of Hatyai, or such border town as Sadao and Sungai Kolok before returning on Sunday evening or Monday morning. This constitutes a tremendous flow of people across the border. Statistical data from the Department of Employment indicates the provinces with registered workers including those bordering Malaysia, i.e., Songkhla, Satun, and Narathiwat. In addition, it is also reported that a large number of undocumented migrant labors from Bangladesh and Myanmar are in the Southern border areas. Some of them seek to enter Malaysia for jobs and many others have been forced out of Malaysia following police crackdowns on irregular labor. Given their irregular status, many of them remain hidden and it is difficult to track their locations.

According to Supaphan and Shakti (2002), Sadao is a relatively quiet border crossing with a thousand of Malaysian tourists and primarily migrant workers from Myanmar coming to the area. Most of the Malaysian tourists visit there regularly. Some of them visit entertainment venues, while some seek massage service. Others visit sex workers. Some have Thai minor wives there. Most of the migrant workers have settled for some time and do not intend to return to Myanmar. The large number of sex workers and many tourists leads to conclude that Sadao is a popular sex tourist spot. Meanwhile, there are more hotels in Sungai Kolok than in Sadao. The main customers are Malaysian. Most of them visit there for rest and recreation – drinking and visiting sex establishments. As in Sadao, the number of Malaysian tourists increases during the weekend and holidays, such as New Year, Hari Raya, Songkran and Chinese New Year. Most of the hotels have cafes, karaoke and discotheques. All these venues have women who are willing to accompany clients to their hotel rooms.

To encourage appropriate anti-trafficking strategies, one needs to recognize that trafficking of persons is multi-causal factors and a multifaceted problem. They are widely debated. The above notion represents an aspect of the demand side of trafficking of Asian women into the Southern part of Thailand. Besides the demand, one needs to look into the supply side and impunity. According to the Human Security Network (2005), poverty and lack of education on basic human rights principles were identified as the main root causes of human trafficking. The supply side may also include unemployment, access to resources, discrimination against women, dreams of a better life, intra-family violence, lack of information about migration risks. It may also include cultural and psychological factors as well as social de-structure. Meanwhile, impunity includes insufficient laws, poor law enforcement, insufficient penalties, corruption, complacency, invisibility of issues, etc. Some argues that the criminalization of those who solicit sexual services would help reduce the demand. Others view that this could only effective in cases where the relevant laws have been updated to address the issue specifically. One may also note that there are desperate people that are prepared to take the risk of falling into the hands of traffickers.

In other words, the issue of trafficking in persons, particularly for sexual exploitation, from the perspective of the destination or a transit country are expected to cover the pre-departure stage, the route and process of trafficking, as well as the entry and post-entry dimension.

2. Objective of the Study

The objectives of the study were four-fold.

- 1) To have an overall picture of the situation of trafficking for sexual exploitation in Southern Thailand;
- 2) To identify and to understand the victims of trafficking for sexual exploitation in

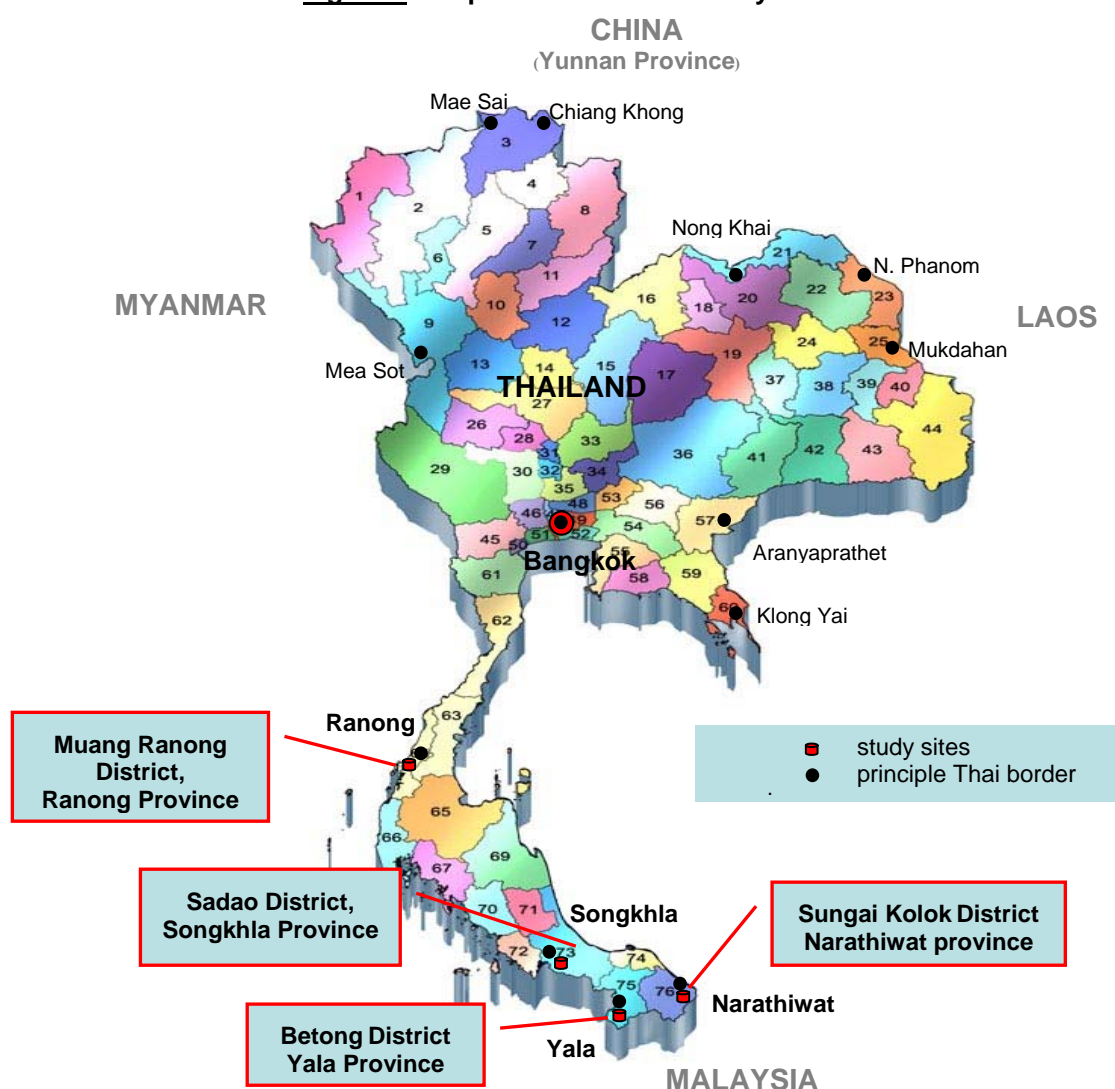
- Southern Thailand;
- 3) To understand the factors, conditions, routes and process of trafficking in persons into the Southern Thailand
 - 4) To investigate into the role of governmental and non-government mechanisms at the entry and post-entry stage of trafficking in persons for sexual exploitation in Southern Thailand.

3. Study Period and Sites

The study was conducted during December 2006 to December 2007. The study covered four study sites:

- Muang Ranong district, Ranong province
- Sadao - Dan Nok, Songkhla province
- Sungai Kolok district, Narathiwat province
- Betong district, Yala province.

Figure 1 : Map of Thailand and Study Sites



Source: Author

4. Methodology

This study adopted a qualitative approach of investigative survey, based on observation and information from primary and secondary sources to obtain information and to support interpretation of information. The primary sources included:

- 1) Victims of trafficking: trafficked persons. They could be female or male, adult or children, non-Thai or Thai, depending on availability and cooperation obtained during the survey.
- 2) Key informants:
 - a. NGO staff,
 - b. Health and medical care providers
 - c. Law enforcement officials: immigration, police

The study relied on in-depth interviews along with semi-structured qualitative questionnaires. The structure of the questionnaire varies according to target, while clustering around the stages of the trafficking process: pre-departure; route, travel and transit; entry and post entry stages.

Relevant secondary sources covered data collected from local health and law enforcement offices, NGOs as well as other research and program reports.

This was to obtain the following information:

- 1) An overall picture of the situation of trafficking for sexual exploitation in each area of investigation;
- 2) The characteristics, socio-economic and cultural background, perceptions of the victims of trafficking for sexual exploitation, the linkage between trafficking and their bodies, personal, social and work life as well as perspectives;
- 3) The factors, conditions, routes and process of trafficking in persons into the areas of investigation;
- 4) The preventive and protection roles of governmental and non-government mechanisms at the entry and post-entry stage of trafficking in persons for sexual exploitation in the areas of investigation.

5. Report of the Study

This report of the study is divided into six chapters. After the introduction, report of the trafficking in sexual exploitation into Ranong is provided, followed by that into Sadao, Sungai Kolok, and Betong, respectively. Each chapter on the trafficking for sexual exploitation contain information on geographic and socio-economic background, situation of migration and trafficking, area and form of sex industry and intervention mechanism and role at the provincial level. A synthesis and evaluation conclude the report.

Chapter II

Trafficking for Sexual Exploitation into Ranong*

1. Introduction

This study was based on archival and field research with in-depth interview of key informants - - the stakeholders from local authorities in charge of and an NGO dealing with human trafficking as well as victims - - during 14-18 December 2006.

The local authorities included those from Ranong Provincial Social Development and Human Security Office, Provincial Labour Employment Office, Provincial Welfare and Labour Protection Office, and Provincial Health Care Office. NGO key informants are staff of World Vision Foundation in Ranong.

The victims included twelve sex workers in Ranong, to whom the interview was carried within their workplaces - - including Karaoke shops and sex service shops - - at Paknum subdistrict, Muang district. All of them were female at age of 15-33 years old. Seven of them were single, four married, and one widow. Eight of them were Burmese from Yangon, three were Karen from Mawlamyine and one Mon from Dawei. The size of household at the place of origin ranged from two to ten person. Most of them have carried an identity card from the origin country, compared to two without any documents from the country of origin. All of them had entered Ranong with a border pass, overstayed and had no work permit.

2. Geographic and Socio-Economic Background of Ranong

Ranong is a southern province bordering by Myanmar and the Andaman Sea, the Indian Ocean to the west. It is located about 568 km southern from Bangkok, north to Chumphon, south to Phang-Nga (Takua Pa district), east to Chumphon and Surat Thani and west to Myanmar and Andaman Sea. Ranong is a long narrow and compact area covering 3,298 square kilometres extending 169 km from north to south; the narrowest part of Ranong is 9 km. Like much of southern Thailand, it under goes two monsoons.

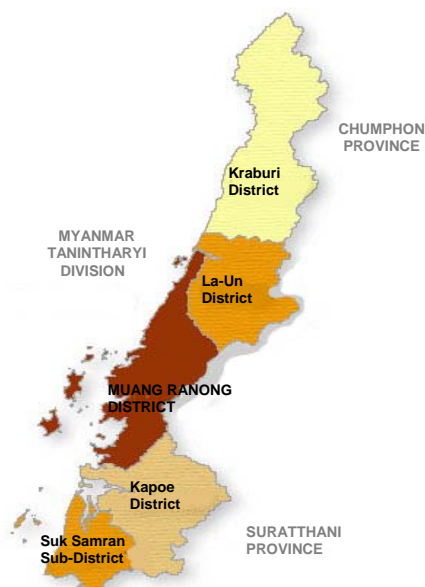
Ranong is administratively divided into five Amphoes (districts): Kra Buri, La-un, Muang Ranong, Kapoe and Suk Samran, respectively from north to south.

* By Samarn Laodumrongchai, Institute of Asian Studies, Chulalongkorn University.

Figure 2: Map of Ranong Province

Boundary

- North: Connecting with Amphoe Tha Sae (Chumphon Province) and Myanmar.
- South: Connects with Amphoe Khirirat Nikom (Surat Thani Province) and Amphoe Khura Buri (Phang Nga Province).
- East: Connecting with Amphoe Muang, Amphoe Sawi and Amphoe Pha To (Chumphon Province).
- West: Connecting with Kawthaung (or Kawthoung, formerly known as Victoria Point) (Myanmar) and Indian Ocean.



Source : Patcharawalai Wongboonsin et al. (2007)

Ranong was the least populated province of Thailand, 179,850 people in 2007. 94,139 of them are male, and 85,711 female. The majority (85.23 %) of population were buddhists, followed by Muslims (12.98 %).

3. Situation of Migration and Trafficking into Ranong

Documented or Undocumented

Bordering with Myanmar, Ranong set up a permanent immigration checkpoint at Kawthaung on the Myanmar territory, with Thai immigration authorities to check immigration documents. Nevertheless, a number of migrant workers from Myanmar entered Ranong on a clandestine basis through certain parts of the mountainous border area.

According to the Thai immigration office in Ranong in 2006 (January to December), there were 300,338 people crossing the border from Myanmar with a border pass. Nevertheless, there were only 265,698 people returning to Myanmar. There were 6,668 migrants from Myanmar being repatriated during January to December 2006. 5,100 of them were male, compared to 1,588 female.

Of the twelve sex workers interviewed during the period of investigation, only a few were part of those migrants entering Ranong and overstayed their border pass. Others have entered the territory 1-2, 6-7, 9 and 10 years earlier. It was the first time to have entered Thailand for 10 of them compared to two having been to Thailand several times already.

Voluntary or Trafficking

Rather than forced, most of the interviewed sex workers were tricked to come with the traffickers into Ranong. The latter were mostly acquaintance or friends who had come to work as sex workers in Thailand, and returned to their place of origin several times to pursue persuasion and recruitment mission. Most of them made their own decision to come to work in Thailand, compared to one by her family. The reasons behind the decision included the following :

- In the place of origin: unemployment, low wages, insufficient income to support a big

- family
- In Thailand: False information given by the traffickers about better income and working conditions

According to one of the interviewed sex workers:

« I got relationship with this friend in village when I was teenage. My friend came to Thailand for a long time. Last year, she told me to come to Thailand and work with her. My friend said that it was a good work place, good job, good employer and that I could have free time for shopping. After that I decided to come to Thailand with her. When I came to Ranong, I found that I was cheated by the friend to work as a prostitute. At the very first time, I didn't want to do this job. But I had no money to get back and the employer forced me to do it because the employer had paid to my friend around 5,000 Baht. I had no choice to avoid doing this job.»

*(Ms. Som, fictitious name, 17,
Burmese women, interviewed on Dec.14, 2006
at an unidentified address, Paknum subdistrict,
Muang Ranong District, Ranong)*

The above notion does not mean that there was no case of involuntary engagement in the sex trade. A few cases were identified during the interview that they and/or their family had been informed that they would be recruited to engage in jobs allowed by the Thai government for migrant workers from Myanmar, including domestic workers. They finally ended up in a brothel in Ranong.

According to one of the interviewed sex workers:

« I didn't want to do this job. I was bought from Chiang Kung. A broker told my parent that I would be taken to work in Thailand and that I would have a good income. Given that the family was poor, I decided to come to Thailand with the broker. At first, I thought that I would be working as a domestic worker in a premise of the Thai people. I was instead brought to work in this brothel. At first, I resisted in sexual services. Yet, the pimps said that my parents had sold me to them; that my parents had got the money from them already; and that they had advanced for my travel, accommodation, and food. Altogether, they had spent several ten thousands baht for me to be here. If I wanted to leave here, I had to pay them back all the money first. I myself had no money to return home at all. So, I had no other choice but to do the job. »⁴

*(Ms. Yu- - fictitious name, 19,
Burmese women, interviewed on Dec.14, 2006
at an unidentified address, Paknum subdistrict,
Muang Ranong District, Ranong)*

Routes of Migration/Trafficking

Based on first-hand information from the interviewed sex workers, three routes of migration/trafficking into Ranong were identified :

- From Yangon city to Kawthaung by airplane, followed by a boat from Kawthaung in Myanmar to a fishery pier called Tha Saphan Pla in Ranong, Thailand, then by a motorcycle or taxi to the workplace in Ranong.
- From Mawlanyine to Kawthaung by a bus to cross the sea by a boat to Tha Saphan Pla in Ranong, Thailand, then by a motorcycle or taxi to the workplace in Ranong.
- From Dawei to Mawlanyine to Kawthaung by a bus to cross the sea by a boat to Tha Saphan Pla in Ranong, Thailand, then by a motorcycle or taxi to the workplace in Ranong.

⁴ Translated by Patcharawalai Wongboonsin



Photographed by Samarn Laodumrongchai, on December 15, 2006.

Kawthaung, a Myanmar's Island is opposite to Tha Saphan Pla, Ranong. There is a Thai Immigration Checkpoint on Kawthaung.



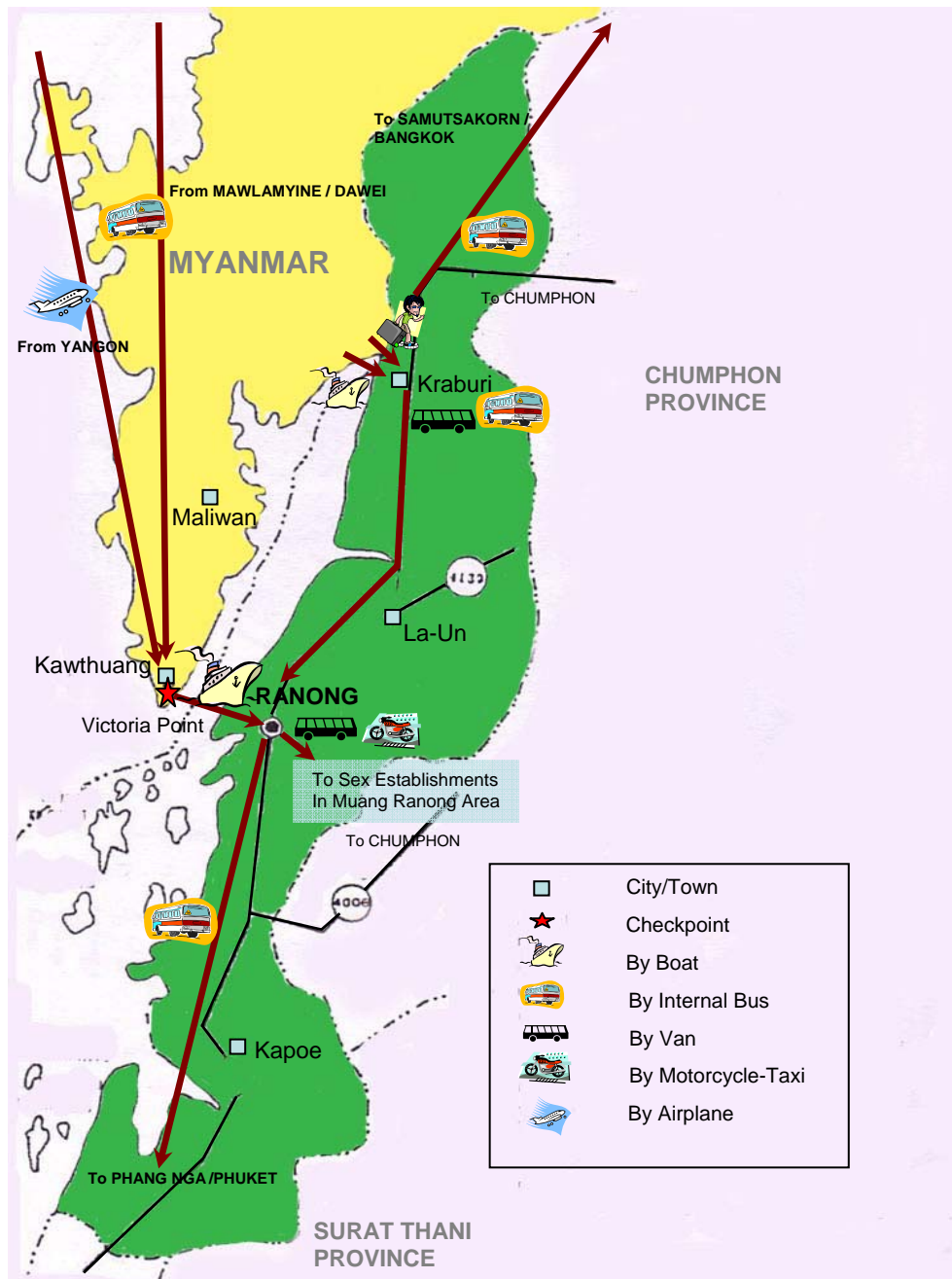
Photographed by Samarn Laodumrongchai, on December 15, 2006.

Tha Saphan Pla, a pier in Ranong where most of fishery and commercial boats lie up. Migrant workers tends to come to this place.

Most of the research samplings found it quite easy to travel to the workplace. They found no problem nor obstacle in their trip from the place of origin in Myanmar. Some of them were investigated by the Thai immigration authority before the border pass being issued to enter Ranong.

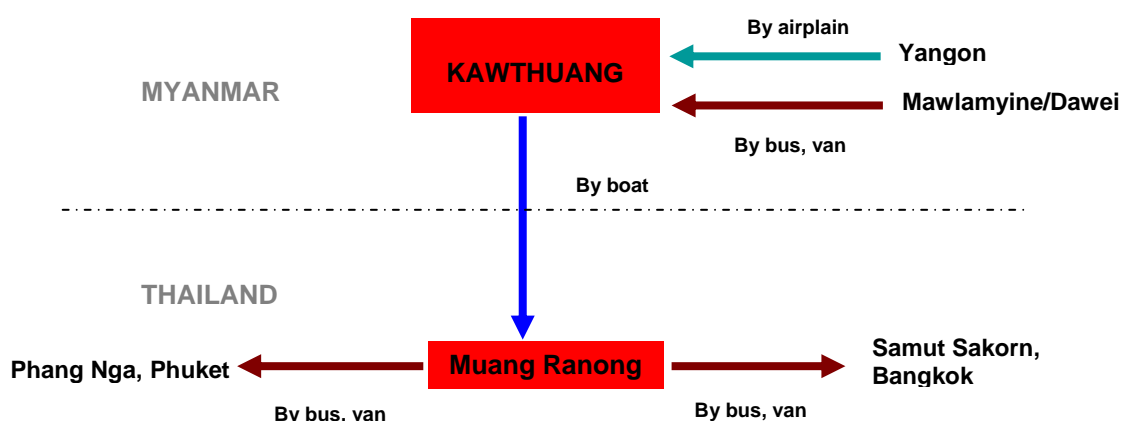
All of them came to Thailand in an organized group of migrant workers, accompanied by recruitment agents. Besides coming to Rayong, some of the group went beyond to other provinces, including Samutsakorn and Bangkok. This was either by local transportation or on foot through the forest and the mountains in another district of Ranong, called Kraburi, so as to get transportaion to other places. The transportation to those other places in Thailand could be a bus, van, boat, motorcycle and taxi.

Figure 3: Route of Migration/Trafficking into Ranong and Other Places



Source : Patcharawalai Wongboonsin et al. (2007). Trafficking for Sexual Exploitation into Southern Thailand.

Figure 4 : Migration in Area



Cost of Migration and Recruitment

Based on first-handed information from the interviewed sex workers, the study found that it costed them around 5,000 – 12,000 baht to get the job. This covered transportation, a border pass and recruitment fees. Most of the expenditures were for transportation. For example, they had to pay approximately 6,000 baht for airfare from Yangon to Kawthaung, 50 baht to travel by boat, and 20 baht for the motorcycle. For the border pass, it was 1,500 baht.

Migration/Trafficking Network

According to interviewed sex workers, they mostly had relatives and friends working in similar occupation in Thailand before they migrated to Thailand. Some of the latter had formed themselves into an informal recruitment agency. Not all of them had to pay to the recruiters; but it was the employer who paid for it, and deducted the money from the sex workers.

A Burmese worker told that:

« I came through an informal recruitment agency. She is Burmese who was working in Thailand several years ago. She told me that she would be responsible for all expenses incurred to me and told me that they are 12,000 baht. When I work at this place, half of the money when I got from customers is deducted. For example, if I got 500 baht, I had to give 250 baht to employer. The employer told me that income deduction would be over if the deduction reach 12,000 baht. »

(Ms. Yuyu, fictitious name, 19. Burmese women, interviewed on December 14, 2006 at an unidentified address number, Paknum subdistrict, Muang district, Ranong).»

4. Area and Form of Sex Industry

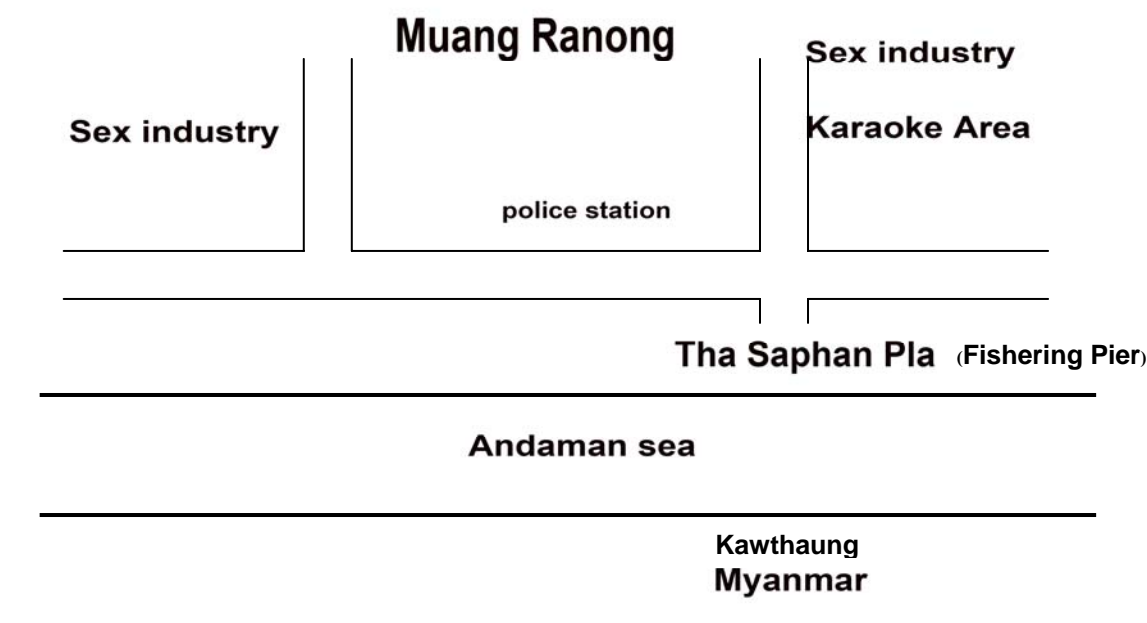
In Ranong, the form of sex services was be divided into two major categories:

- 1) Direct sex services : This referred to the services rendered to customers in sex service houses. The price ranged from 250 to 300 baht. The direct service workers in Ramong were mostly from Myanmar.
- 2) Indirect sex services : This referred to the services rendered to customers via entertainment places, such as Karaoke shop, beer bars, etc., where they provided entertainment and drinking services, negotiated the price for sex services in some

other places - - including hotels -- nearby thereafter. The price ranged from 500 to 1,500 baht. Besides those from Myanmar, there were indirect service workers from Laos in Ranong.

Both kinds of sex services were located nearby a fishery pier, opposite Kawthaung in Myanmar.

Figure 5 : Sex industry area in Ranong



Problems Encountered by Migrants/Victims

Very few cases of physical and psychological abuses were identified among sex workers from Myanmar in a brothel in Ranong. They included beating, scolding, and cursing. They were mostly against undisciplined sex workers, who like to talk over their mobile phone while working. No serious abuses were identified. No abuses against non-services were identified as well.

According to an interview with brothel-based sex workers, brothel owners usually took their sex workers for health services in case of sickness. A case of sex worker with HIV/AIDS was identified during the interview. She found it was alright to both the brothel owner and the clients for her to continue sexual services, as long as a condom was used, regular treatment were obtained with a treatment card to show before providing sexual services.

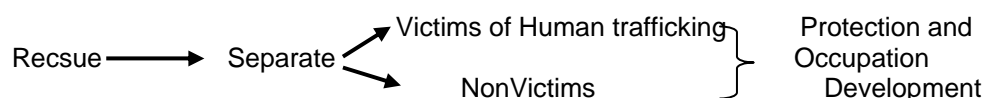
«I have HIV/AIDS and I am still doing the job. At first, the boss didn't want me to do the job because it was not good to me and if the clients knew of my problems, they might not come here. Later on, I told the boss that I would tell my clients of my problem and that I would always use a condom. So, the boss let me do the job. I have to go back home for treatment every three months for ARV. I do not have health card in Thailand. So, I cannot obtain medication in Thailand. The boss let me do the job, but I have to tell the client first that I have HIV/AIDS. Usually, the clients do not mind as long as I use a condom during the services. »⁵

(Ms. Suai - - fictitious name, 19, Burmese women, interviewed on Dec.14, 2006 at an unidentified address number, Paknum subdistrict, Muang Ranong District, Ranong)

⁵ Translated by Patcharawalai Wongboonsin

5. Intervention Mechanism and Role at the Provincial Level

The Provincial Social Development and Human Security Office was in charge on protection and provision of rescues for women and children who were the victims of human trafficking.



The office has set up a community network, of which the functions included : protection of trafficked victims, provision of a training program to provide knowleage on human trafficking and to rescue victims, based on cooperation with NGOs in and outside the area. The major problems and/or obstacles to perform their function included communication with migrants, langauge and cultural barriers against effective communication with migrant workers and the victims. A safety place at an appropriate size for the victims was also needed.

The Provincial Labour Employment office was in charge of registration of migrant workers and law enforcement, including investigation of illegal migrant workers in workplace. The office was in close cooperation with local police and immigration authorities. The major problems and/or obstacles to perform their function included the cooperation from the employers to bring migrant workers to register ; and that migrant workers tended to migrate to an inner area of Thailand, such as Samutsakorn and Bangkok.

The Provincial Welfare and Labour Protection Office was in charge of welfare and protection of registered migrant workers. Problems and/or obstacles to perform their function included the fact that prostitution or sex trade was not protected by law. Relevant authorities, accordingly could not provide them appropriate protection. This was in addition to the langauge barriers for an effective communication with migrant workers..

The Provincial Health Care Office provided health care services to Thai and migrant workers, documented as well as undocumented. and Thais in communities. The office was in close collaboration with NGOs such as World Vision foundation to help and give health information to migrants in the area. The major problems and/or obstacles to perform their function included langauge barries and difficulty to follow up sex workers' cases because the latter often changed the workplace or hide themselves from Thai authorities.

As an NGO in the area, the World Vision Foundation provided health care service and rescue to migrant workers, particularly the undocumented in Ranong, in close collaboration with the Provincial Health Care Office. The major problem and/or obstacle to perform their function included the difficulty to reach out to undocumented migrant workers who hide from Thai authorities. This included migrant sex workers.

6. Conclusion

Ranong was found to function as both a destination and a transit point of sex trade. Sex workers from Myanmar and Laos were identified. Those from Myanmar were mainly Burmese, followed by Karen and Mon, They were trafficked from Yangon, Mawlamyine and Dawei, respectively, by airplane, bus, or on foot to Kawthaung to cross to Ranong with a border by boat, then a motorcycle or a taxi to the workplaces. They traveled in a group and accompanied by recruiters, who were from the same place of origin, engaged in this lucrative business for a period time. Most of them were tricked rather than forced to get into this lucrative business in Thailand. While the false information on a better income and working conditions was the incentive, they were mostly pushed by unemployment, low wages/income to support a big family.

Language barriers and the mobility nature of sex workers were the major problems for local authorities and NGOs to reach out to help the victims.



Photographed by Samarn Laodumrongchai, on December 15, 2006.

Kruey buri, Ranong, Burmese people hire Thai boat cross the river at 10 baht, they came to buy consumer goods ; and some people was trafficked by this channel because this area was not provided with any Thai authority checkpoint.



Photographed by Samarn Laodumrongchai, on December 15, 2006.

This is Myanmar communities. It is opposite Kruey buri, Ranong. It is easy to cross by boat and did not check any immigration documents.



Photographed by Samarn Laodumrongchai, on December 15, 2006.

Kokodkra is the narrowest area in Thai-Myanmar border. It is also easily to cross the border.



Photographed by Samarn Laodumrongchai, on December 15, 2006.

This is another area in Kokodkra. It is difficult to control and check every area in Ranong.

Chapter III

Trafficking for Sexual Exploitation Into Sadao, Songkhla Province*

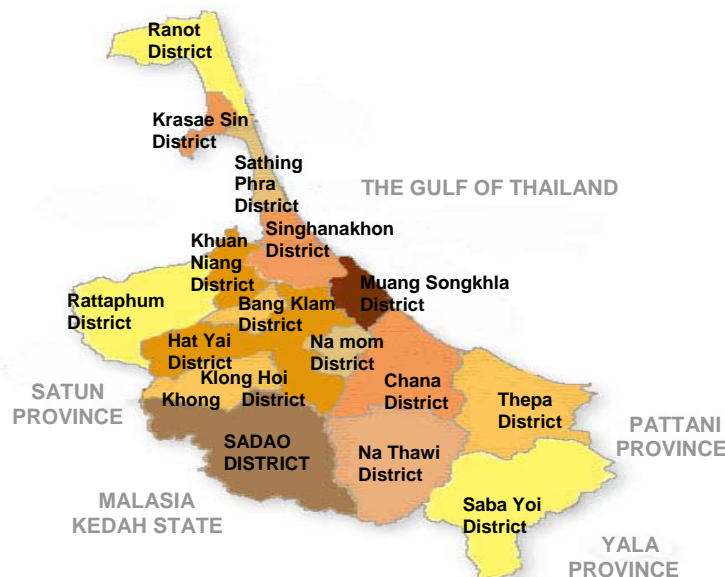
1. Introduction

Sadao was the name of a small town or district in Songkhla Province in Southern Thailand, on the border with Malaysia. The large number of sex workers and tourists led to a notion that Sadao was a popular sex tourist spot. This was particularly in the so-called Samnakkham sub-district of Sadao, better-known among local people as “Dan Sadao” or “Dan Nok.” It is the main target area of the study.

The case study of Sadao was primarily based on a field observatory research and in-depth interviews with key informants in the area during May 8-11, 2007. The latter included 13 sex workers and a few government officials at the expert level of the public health, immigration, and labour authorities. Additional information was obtained from an archival research of existing official documents and literature on the relevant issues.

2. Geographic and Socio-Economic Background of Sadao, Songkhla Province

Figure 6: Map of Songkhla Province



Source : Patcharawalai Wongboonsin et al. (2007). Trafficking for Sexual Exploitation into Southern Thailand.

Songkhla is a border province in Southern Thailand, adjoining the state of Kedah in Malaysia. It has been known as a principal sea port and coastal trading post from time

* By Nuttapot Yuenyong and Supaphan Tangtrongpaibroj, Institute of Asian Studies, Chulalongkorn University.

immemorial. As a historic town, Songkhla has inherited ancient ruins, arts, and places of cultural importance in addition to its unique tradition, dialect, and folk entertainment, a reflection of its rich cultural heritage for later generations to appreciate. Besides fine beaches and abundant natural resources, Songkhla is noted for its fishery industry and the construction site of the Thai-Malay natural gas pipeline as well as the associated gas separation plant. The natural gas pipeline is reaching Malaysia via Sadao, a southern most district of Songkhla, as shown in Figure 6

Figure 7: Thai-Malay Natural Gas Pipeline



Source: www.us.geocities.com

Songkhla covers an area of 7,393.9 square kilometers (approximately 1,848,472 acres). It is divided into 16 administrative districts, i.e. Muang, Hat Yai, Chana, Ranode, Bangklam, Namom, Khlong Hoykhong, Nathawee, The-pha, Sabayoi, Sadao, Rattaphoom, Singha Nakhon, Khuanniang, Rattaphum, and Krasaesin. The population of the province is 1,312,625 (December, 2006).⁶

Among those 16 districts, Hat Yai is the major one, a fast booming city in trade, business and a popular tourist spot, while serving as a transportation and communications hub of the South, linking with various destinations in neighboring provinces as well as in Malaysia.

Sadao is basically a tourist town, and ranks the second most popular tourist spot after Hat Yai. This is particularly for those from Malaysia. With an area of 858.6 square kilometers, Sadao has a 73 kilometers long border with Malaysia; Perlis State to the west with an immigration check point at Padang Besar sub-district, and Kedah State to the south with an immigration check point at Samnakkham sub-district, or Dan Sadao” or “Dan Nok”, which is a target area of the study. 45% of its area is composed of plains and another 45% is forested mountains. The remaining is water and others. Of the 60,605 inhabitants as of September 2007, 65% are Buddhists, 35% Muslim and the remaining 1% belonging to other religious groups.⁷ Despite a tourist town, the majority of the district population is engaged in agriculture with the main products being rubber, fruit particularly durian, and oil palm. It imports a large quantity of timber from Malaysia along with industrial products such as chemicals and electronic goods.

⁶ Information Technology and Communication Division, Songkhla Governor's Office (2007), “Songkhla Information”.

⁷ Department of Provincial Administration, Ministry of Interior.

Sadao is divided into nine sub-districts namely: 1) Pang-la 2) Kaomeekiat 3) Prik 4) Samnaktaew 5) Samnakkham 6) Tungmor 7) ThaPho 8) Padang Besar and 9) Sadao. There are also four municipalities, namely 1) Pang-la 2) Prik 3) Padang Besar and 4) Muang Sadao or Sadao Town. Sadao town is the capital of Sadao district. It is basically a junction town where people heading to Padang Besar turn off National Highway.

The actual border is located at Dan Nok sub-district, 10 kilometres south of Sadao sub-district and about 60 kilometres from Hat Yai. The Thai immigration, which is officially called the Sadao Immigration Check Point, has moved from Sadao district to Dan Nok sub-district, just before the border gate into Malaysia. The town on the Malaysian side is Bukit Kayu Hitam.

At Dan Nok, there is a road crossing, which is the busiest one linking between Thailand and Malaysia. Both Thailand's National Highway 4, which runs all the way to Bangkok via Hat Yai and Malaysia's North-South Expressway, which spans the length of the peninsular to Johor Bahru via Kuala Lumpur, start from this crossing. Most long-distance buses between Malaysia and Thailand use this crossing.

Dan Nok, which used to locate only a few shops clinging on to both sides of the highway just before the border gate, has grown tremendously over the last few years, mostly fed by people crossing the border for shopping, particularly sleazy items. By 2007, one many have easily noticed symbols of development in Dan Nok. They were, for example, banks, hotels, coffee shops, internet shops and convenient stores, like 7 - Eleven. There was also plan to build up condominiums in the near future. On both sides of the highway, there were many small roads lined with karaoke bars and nightclubs, with scantily-dressed bargirls sitting outside. The large number of sex workers and tourists led to a notion that Sadao, and particularly at Dan Nok, was a popular sex tourist spot.

Figure 8 : Dan Nok, or Sadao Immigration Check Point Area



Photographed by Nuttapot Yuenyong, on May 9, 2007.

3. Situation of Migration and Trafficking into Sadao

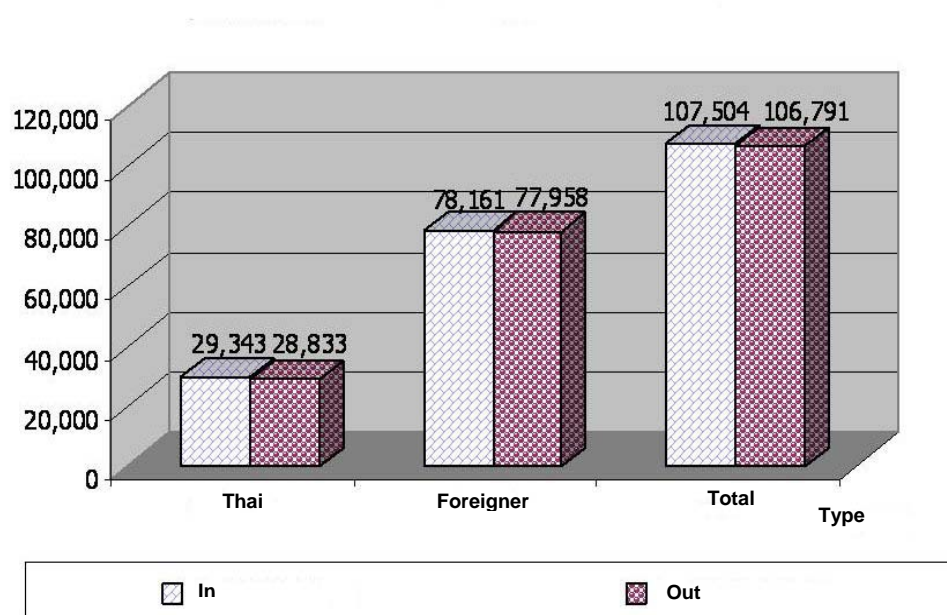
Figure 9: Sadao Immigration Check Point at Daytime



Photographed by Nuttapot Yuenyong, on May 9, 2007.

According to the official immigration statistics shown in Figure 10, Dan Nok or Sadao Immigration Check Point was a very busy gate, with more than 200,000 Thai and foreigners passing through it in June 2006. Dan Nok or Sadao Immigration Check Point turned into the second busiest gate after the major one in Bangkok, the Don Muang International Airport Immigration. According to Dan Nok or Sadao Immigration Check Point officials, the number of tourists increased during weekend and holidays.

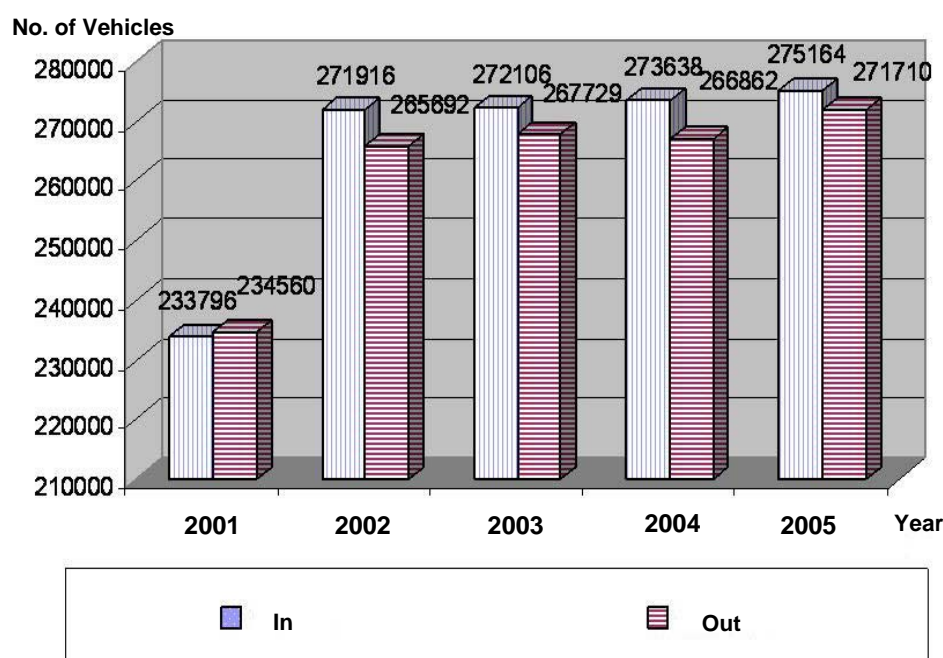
Figure 10: Border Crossing of Thai and Foreigners Through Dan Nok or Sadao Immigration Check Point



Source: Sadao Immigration Check Point, Ministry of Interior

Such a high number of people passing through the immigration check point represented a major change from the early 2000s, when an earlier study on the area had suggested that the immigration check point had been a relatively quiet border crossing with only a thousand of Malaysian tourists visit entertainment venues, including massage and sex services, in the area on a regular basis. Figure 11, which shows an increase in the number of vehicles passing through the gate from 2001 (2544) to 2005 (2548), also confirms that Dan Nok or Sadao Immigration Check Point into turning into a very popular border crossing between Thailand and Malaysia.

Figure 11: The Number of Vehicles passing Through Dan Nok or Sadao Immigration Check Point



Source: Sadao Immigration Check Point, Ministry of Interior.

Along with such a shift from a relative quiet border crossing between Thailand and Malaysia in the early 2000s to a very busy one by 2007, the border crossing into Thailand were still mostly by tourists from Malaysia as it had been in the early 2000s. Immigration into the area was mostly from within the Kingdom, rather than from Malaysia. Reliable data on immigration into the area were still unknown. The available data on the number of people living in the area were only for local people. The total number of 4,000 inhabitants in the area in 2007 excluded the number of people migrating into the area.⁸ These local people mainly engaged in informal service sector of the economy to serve the border commercial system. Besides hawkers, taxi drivers, motorcycle-transport services, and general laborers, some earn their livings as commercial sex workers.⁹ Those migrating into the area were mostly migrant workers in search for job, including sex services.

This study found that the current migrant workers engaging in sex services were mostly the followings, in a larger-to-smaller-size order:

- 1) Tai Yai and Tai Lue ethnic people from Chiang Rai province in the north of Thailand. This is especially those from Mae Sai District.

⁸ "Fighting for Home by Thai Local People in Janglone" (soo pua ban khong chaoban Thai – Janglone)

⁹ "Security Home along Thailand-Malaysia Border" ThaiPost, 6 August 2007.

- 2) Thai people from Chiang Mai, Pha Yao, and Lam Pang provinces in the north of Thailand
- 3) Thai people from the Northeast of Thailand
- 4) Tai Yai, or Shan ethnic people from Shan State in Myanmar
- 5) Those from Tachilek in Kengtung, Myanmar

Among them, those from Chiang Rai province are the majority. They are between 20 to 30 years of age with poor education. Most of them migrated to work there for the first time while a few others had engaged in the sex business there for a while, returned home, and came to Dan Nok again to resume the work for many different times, returning home and coming back again to work.¹⁰ Many of the migrant sex workers had migrated from their places of origin to provide services in Hat Yai district of Songkhla province before moving on to Dannok. The major explanation for this latter case was that their income in Hat Yai started decreasing, while the sex industry in Dan Nok is growing. A number of sex migrant workers, engaged in other types of services in the informal economy, including general labor, in either Hat Yai or Dan Nok before getting into the sex industry. A better income in the latter was the major explanation.¹¹

This current pattern of migrant represented a major shift from that in the early 1990s and the early 2000s. Back in the early 1990s, the majority of migrant workers engaging in sex service in the area had been from the Northeast. They had been mostly around 18 to 21 years of age. This reflected in a study on health belief and health behavior of sex workers in the area.¹²

In the early 2000s, those from the north of Thailand had replaced those from the northeast in terms of the majority of migrant sex workers in Dan Nok, Sadao District. Those from the north had mostly been Tai Yai ethnic people from Chiang Rai, followed by Thai people from Chiang Mai, and Pha Yao provinces. A number of migrant sex workers from Myanmar, mostly those of Tai Yai ethnic group in the Shan State had already been found in the early 2000s in Dan Nok. Most of the migrant sex workers from Myanmar became settled in the area for quite some times, without intention to return Myanmar.¹³

In the early 1990s and early 2000s, Dan Nok, Sadao District had been a very popular destination of sex-service migrant workers.¹⁴ In 2007, Dan Nok was found to have already turned into a transit point, with the length of time varying from one month to a year or so, before migrating further to Malaysia, Singapore, or other destinations outside Southeast Asia.¹⁵ This represents another major shift in the pattern of migration from the past in the case of Dan Nok, Sadao District.

The push factors for migrant sex workers into Dan Nok, Sadao District in the early 1990s and early 2000s had been identified as low wages, low agricultural productivity and high unemployment in the places of origin. The pull factors back then had included higher wages and better employment opportunities. This study found that they were still the case in 2007, with the pull factors in economic terms becoming stronger.

Most interviewed sex workers from Chiang Rai to Dan Nok informed that they were introduced by friends and got help from an agency in their hometown who was both Thai and

¹⁰ According to an indepth-interview with 13 sex workers in Dan Nok, Sadao District, Songkhla Province, on May 9, 2007.

¹¹ *Ibid.*

¹² Chayanoot Klongsungson (1991). *Health Belief and Health Behavior of Prostitutes in Aids Preventions: A Case Study at Ban Dan Nok, Sadao District, Songkhla Province*. Master's Thesis, Department of Community Development Education, Graduate School, Prince of Songkhla University.

¹³ Supaphan K. and Shakti R. Paul (2003). *Cross-Border Population Movement and HIV/AIDS Along Thai-Malaysia Border: Sadao, Songkhla Province and Sungai Kolok, Narathiwat Province*. Bangkok: The Asian Research Center for Migration, Chulalongkorn University.

¹⁴ Chayanoot Klongsungson (1991). *Ibid.*; and Supaphan K. and Shakti Paul (2003). *Ibid.*

¹⁵ According to an indepth-interview with 13 sex workers in Dan Nok, Sadao District, Songkhla Province, on May 9, 2007.

Tai Yai. They paid for the travel only once at 10,000 – 18,000 Baht. Some sex workers believed that because of that money, they never faced police check on the way to Sadao. Based on the notion that people generally move from economically less advanced country to a more advanced one,¹⁶ one may also expect such push factors to be strengthened even more in years to come. This reflects in a growing number of entertainment venues and accommodations under construction during the period of investigation and the local plan towards a more popular tourist spot in the next few years.

Route of Migration and Trafficking

Lured by the prospects of a better income to support the family back home, migrant sex workers were accompanied by sex-business agents from their places of origin to provide sex services in Dan Nok. They did not migrate in a big group as in the 1990s or the early 2000s, but rather in a very small group each time. This was to avoid being noticed by the police. Buses and trains became the popular transportation from the places of origin. This represented another shift from the pattern of trafficking in the 1990s or the early 2000s, when a private van had been mainly relied upon for trafficking a big group of victims.

One may note that transportation from the North to Sadao is more convenient in 2007 than in the 1990s and early 2000s. In late 2000s, there were daily bus services from Chiang Rai, Chiang Mai, in the north and several northeastern to Bangkok, as well as those from Bangkok to Hat Yai. During March and May, there were also daily bus services from Chiang Rai to Dannok. These routes were fast and safe, given the lack of security check by the police.

The most popular route of trafficking identified in 2007 was by a public bus from the places of origin in the north or the northeast passing to Bangkok to catch another public bus to Hat Yai, then changed to a private van to Sadao. Some of the victims were accompanied by sex-business agents to catch a train from Chiang Rai to change a train in Bangkok to Hat Yai terminal, then were transported by a private van to Sadao.

Those sex-business agents were mainly migrant sex workers from the respective places of origin with high experiences and getting old. Some of them turned themselves into owners of sex establishments. Certain experienced sex workers emigrated to Malaysia for higher income, while establishing and/or extending a network with sex business in Sadao, Hat Yai, and elsewhere in Thailand, neighboring and other countries.

It was an untold story if such a network played a part in trafficking sex workers from one place to another within Thailand and/or to Malaysia, Singapore, or elsewhere. What this study found was that to move on to Malaysia, a modified pick-up with cover on top of the back and seats with enough spaces underneath for the victims to lay down to hide while passing the crossing border to Malaysia. Some were voluntary expecting for a better income while others were forced. Those border crossing were undocumented.

From Sadao to Malaysia, most sex workers who wanted to move to earn money there found no obstacles in migration. However, it was known that in Malaysia, alcohol and night entertainment are rigidly controlled by the Muslim dominated state governments. So it was possible that Malaysia might not be a destination country, but rather just transit point to a third country, like Singapore or Australia.¹⁷

4. Area and Form of Sex Industry

As it was found in 2007, Sadao had many guesthouses and hotels of various categories. Every month thousands of tourists visited the town. The number of tourists

¹⁶ G. J. Borjas (1989). "Economic Theory and International Migration" *International Migration Review*. Special Silver Anniversary Issue. 23/3: 457-485.

¹⁷ According to an interview with 13 sex workers in Dan Nok, Sadao District, Songkhla Province, on May 9, 2007.

increases during weekend and holidays. The sex industry in Dan Nok was located near the immigration check point. It grew along the local development plan to make Dan Nok a popular tourist spot.

Along the road to the immigration check point, there were 32 backstreets (“soi” in Thai), which were called Baan Thai – Janglone 1, Baan Thai – Janglone 2, Baan Thai – Janglone 3, up to Baan Thai – Janglone 32. All sois could be passed through (See, Annex 1). As shown in Figure 11, each soi served as an entertainment area with lots of establishments like karaoke, massage parlors, spa, hair salon, pub and discotheque. They were surrounded by health facilities, hotel accommodations, rented rooms, resident houses. One local police was also nearby.

Figure 12: Location of Sex Industry and Surroundings

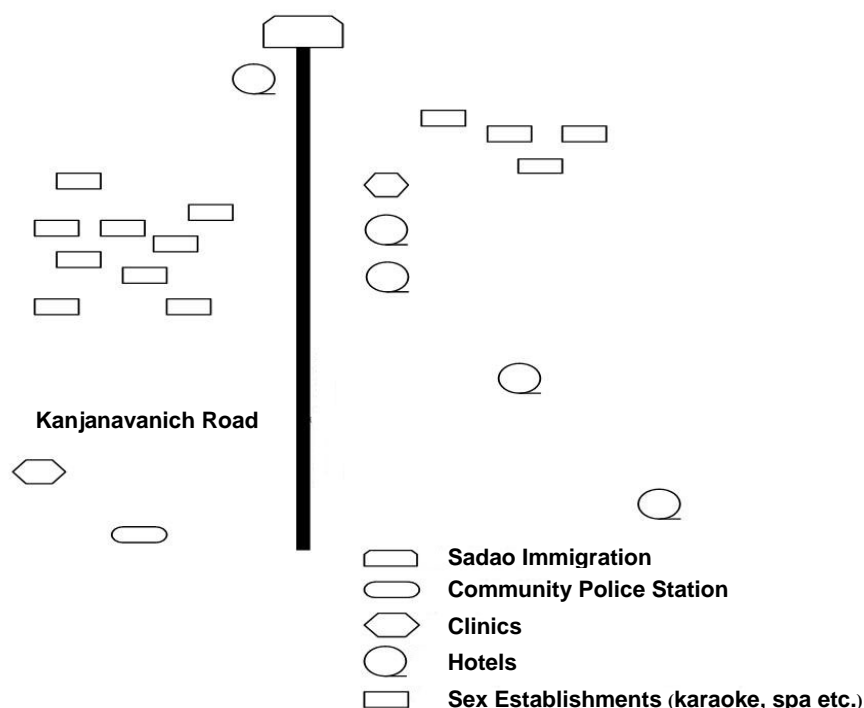


Figure 13: Main Area of Sex Industry in Dan Nok at Day Time and Night Time



Photographed by Nuttapot Yuenyong, on May 9, 2007.

Dannok at daytime



Photographed by Nuttapot Yuenyong, on May 9, 2007.

Dannok at night

At daytime, it was quiet. The area starts to turn busy from 4.00 pm onward. When pubs and discoteques were opened at 7.00 pm, Dannok was filled of colourful light and beautiful young girls.

Sex services in Dan Nok could be classified into three categories:

1) Employed sex entertainment: entertainment venues which recruited women to provide sex service on a regular basis. Sex services were not carried out at the entertainment venues, but elsewhere - including hotels, rented rooms nearby. The entertainment venues provided only rows of seat for their recruited sex workers to sit, waiting for clients to get in and to negotiate the service rate and places for sex services. Such sex entertainment venues could be normally identified from their unique characteristics. They were mostly of a 2-3 storey building with opaque filming, Inside each building, there are long rows of seat and a drinking bar. Sex workers usually sat on the seat rows inside the establishment waiting for their clients.

Certain sex entertainment venues catered for a special group of clients, for example, Indians who like to come in a group, Chinese Malays from Malaysia who paid a better tip for services. The latter preferred Chinese speaking girls from a Chinese origin and those of Tai Yai ethnicity from the north of Thailand. As the Chinese Malays from Malaysia were the majority of the client in this category of sex services, most of the service workers were of Tai Yai and Tai Lue ethnic groups from Chiang Rai. They were around 20 – 30 years old.

The service rate ranged from TB600 to TB 800 per hour in the morning, TB 500 per hour in the afternoon. If a client preferred a service worker to be with him at all times, the rates may have gone up to TB 2,500 through the morning time and TB 1,800 throughout an afternoon. A fresh, beautiful and young service worker may have earned up to TB 3,000 for each service. Direct service workers are subject to provide up to 40 per cent of their income to shop owners while it may reach 50 per cent for indirect services. Most owners of sex entertainment venues were former sex service workers who managed to bring in sex workers from their village or province to Sadao to work.

The sex workers could decide if they want to go with clients, but they still have to give that part of their income, even their tips and drinks, to shop owners. Women providing sex services in this category could be easily identified by the way they dress, or their outfit. Their identity was to dress in a sexy style, like wearing a short skirt and a sleeveless blouse. Their daily life was not much different from the general people. They could walk to any places - shopping malls, beauty salons, etc. - nearby. This was even the case of foreign service workers without a feeling of getting afraid of the police or immigration officials. Given that a work permit was not a serious matter in this area to facilitate the economic growth, they could walk to anywhere.

2) Freelanced sex services: sex services provided by those who did not work for any employer, or those who took up sex services as a sideline job to earn extra income. They normally relied on entertainment venues to meet prospective clients, negotiate the rate and places to provide sex services. The latter was mostly nearby hotels, motels, rented rooms, and even at the resident of the sex service freelancer. The size of the sex service freelancer was unknown, partly due to their mobile nature. Freelanced sex services were of a higher rate than the employed sex services.

3) Sex services in the form of mistress: mostly provided by those of Tai Yai and Tai Lue ethnic groups from Chiang Rai, aged around 20 – 30 years old. Despite financial support from the man - mostly Chinese Malaysians - with whom they had a habitual sexual relationship, they often had a sideline job, as singers and/or sex workers. Most of them have more than one regular partners besides the man with whom they had a habitual sexual relationship. The latter normally paid a visit to them on an occasional, rather than a daily, basis. Those sex service workers in the form of mistress lived in a small guesthouse or a rented room.

In all categories, the pattern of the sex trade at Dan Nok linked with that in Hat Yai, Sungai Kolok, Malaysia, and probably Singapore as well as other destinations. Sex workers were likely to move or be moved from Dan Nok to work in Hat Yai and Sungai Kolok for a short time, then return to Dan Nok when their income in two places declines. Some of them were transported further to Malaysia and probably beyond after working there for a while. Sites at destination were unknown.

Figure 14: Sex Establishments in Dan Nok



Photographed by Nuttapot Yuenyong, on May 9, 2007.

Problems Encountered by Migrants/Victims

Based on the information obtained from an interview with employed sex workers, they were not forced to provide services. Whether it was true or not remains further investigation. It was too early for this study to identify for sure. An explanation was that the interview was in eyesight of the employers or caretakers of the entertainment venues. This was the case despite an interview with public health officials confirming that the services were not by force, given that the service workers looked mostly happy and no physical abuse was identified during medical checkups. The interview with sex workers in Dan Nok also suggested that most sex workers expects for a high income, a better life, and a happy family life in their home town or their place of origin. Some were successful while others were unable to earn enough money to return home. Most of them had to work for at least 2 – 3 years to get enough money to return to earn a living in their home-town.

Sex workers in Dan Nok, in general, earned around 10,000 - 20,000 Baht per month. The income varied according to number of time they provided services each day. Part of their income was to go the debt incurred upon their travel and clothing expenses that the employers or venue owners had paid for them before they came to work.

Only a few interviewed sex workers claimed to have sent home 1,000 - 10,000 Baht per month, by through bank transfers from a broker's bank account. The broker was familiar with the sex workers and their family. A TB 300 was charged for each TB 1000 transfer. Many interviewed sex workers admitted that they were not able to send any money home.

STD and HIV/AIDS among sex workers in Dan Nok were a major concern to public health authorities. Public health officials in the area maintain that sex workers there were of risky sexual behaviour. The risk behaviour was on the rise. This was despite the official

campaigns, a '100% condom' program enforcing a mandatory use of condoms in brothels, and an MOU between the public health office in the area and entertainment venues there to bring service workers for medical check-up at least once a month. An irregular use of condom was the major problem of those sex workers. This was the case despite some sex workers claiming otherwise during the interview, while others admitting that they used one condom for more than one client, and that it sometimes turned broken without notice. According to the public health officials in the area, the risk behavior increased among those using drugs.

Those with difficulties to provided health services were mobile sex workers who have been infected with HIV/AIDS before migrating into Sadao, and foreign sex workers. The difficulty in the former was mainly due to their experiences of stigmatization and discrimination. For the foreign sex workers, the major explanation to the difficulty to provide health services was their fear of being arrested by the police.

5. Intervention Mechanism and Role at the Provincial Level

5.1 Public Health

The access to the public health care system was available for the sex workers. Due to good relations between establishment owners and local health staff, such public health services as medical check-up, blood testing, and free condom, are usually provided to and accessible by sex workers in Sadao Province, including in Dan Nok. However, the area was still at high risk of HIV/AIDS transmission. This is particularly among Malaysian tourists and a few migrant sex workers. A major risk behavior among sex workers in the area was the inconsistency, and in certain cases, the lack of condom use with regular clients, whom they consider as boyfriends. Despite the regular intervention by district health staff in terms of training and provision of knowledge on the risks and safe-sex methods as well as health check ups, blood testing every 3 months, sex workers simply did not follow the safe-sex methods so as to satisfy their clients.

5.2 Immigration/ Police

The main task of immigration officials was to inspect immigration to Thailand and emigration to Malaysia legally. They also controled and arrested migrant workers who had no work permit. Most sex workers here were domestic migrants from the North. However, due to town policy to be tourist place, they intentionally ignored to arrest those who were illegal migrant workers. However, if any owners of entertainment venues were petitioned, their venue would be commanded by the police to close immediately.

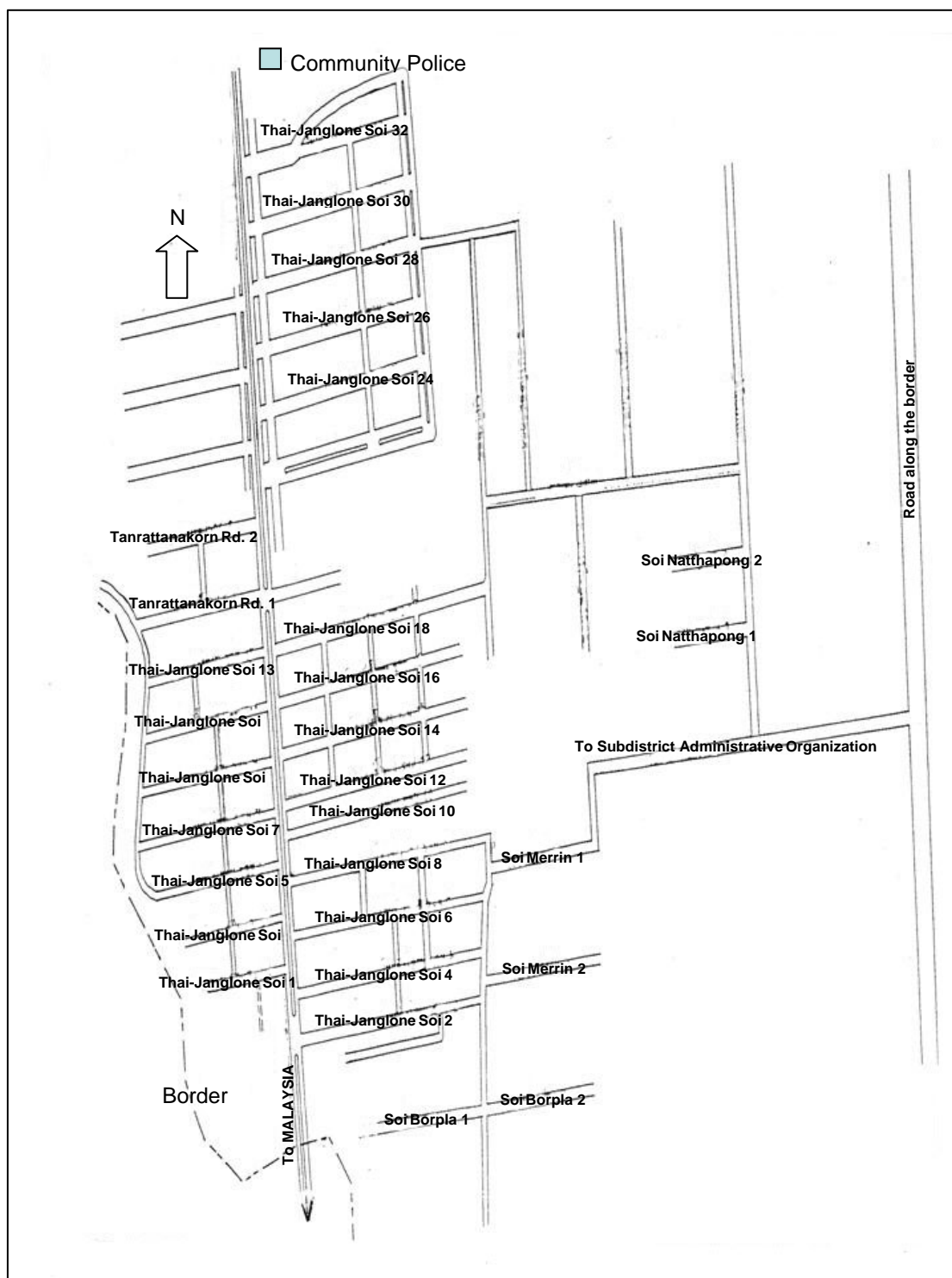
5.3 Provincial Employment

NA

5.4. Non - Governmental Organization (NGOs)

There was no NGO working in Sadao to provide information on either HIV/AIDS knowledge or self – prevention from human trafficking.

Annex 1: Townmap of Dan Nok



Chapter IV

Trafficking for Sexual Exploitation into Sungai Kolok District, Narathiwat Province*

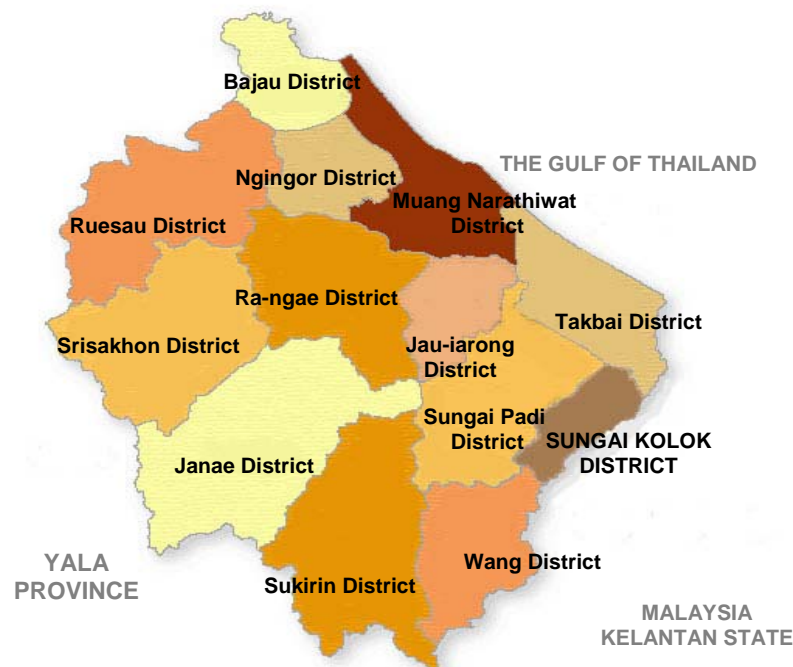
1. Introduction

This study was carried out during June-November 2007. It relied mainly on archival research of existing official documents and literature on the relevant issues. Supporting information was obtained from media reports and key informants at the expert level from governmental, non-governmental and academic sectors to increase the reliability of the information and the validity of the information interpretations.

2. Geographic and Socio-Economic Background of Sungai Kolok

Sungai Kolok is a district of Narathiwat province (Figure 15). Narathiwat is the southern most coastal province facing the gulf of Thailand. The provincial capital is 1,149 kilometers from Bangkok by road and 1,116 kilometers by rail¹⁸. The province covers a 4,475 square kilometers area, two-thirds of which are forested mountains. Farm agriculture, plantations and fisheries are the main economic force in the province. In recent years, some processing industries based on local produce (e.g. rubber, fruits and fishes) have developed.

Figure 15: Map of Narathiwat Province



Source : Patcharawalai Wongboonsin et al. (2007). Trafficking for Sexual Exploitation into Southern Thailand.

* By Supaphan Tangtrongpaioj, Institute of Asian Studies, Chulalongkorn University.

¹⁸ www.pocnara.go.th/provnara/nara/history_2.asp.

There are 13 districts in the province. Tak Bai is famous for fisheries and related industries while Sungai Kolok, the target area of this study, is a popular tourist destination, especially from Malaysia. Of the 709,044 total inhabitants,¹⁹ 82% are Muslims, 17% Buddhist and the remaining one percent belong to other religious groups.²⁰ Most of the muslims speak local Melayu, a variant of the Malay language, although Thai is widely used in official and urban communications.

Narathiwat has 171 kilometers long border with Malaysia and two immigration check points; one at Sungai Kolok and another smaller one at Tak Bai. Moreover, there is an informal channel at Bukaeta in Waeng district. Because of a close religious and cultural relationship with Malaysia, the people from both countries travel across border rather easily.

Sungai Kolok district is about 66 kilometers south-west of the Provincial city and 1,210 kilometers from Bangkok. Of the 139,439 square kilometers area, a large part of the district is covered by forests and plantations. There are four sub-districts, namely Sungai Kolok, Pasemat, Moono, Pooyo. Sungai Kolok is a border town of Thailand, just north of the Malaysian border. The town on the Malaysian side of the border is Rantau Panjang, which is in the state of Kelantan. Sungai Kolok is separated from the Kelantan state of Malaysia by a small river and local people cross it by small boats. There is no serious restriction for the local people to cross over the border.

Sungai Kolok is popular among Malaysians for its shopping and grey-area entertainment delights. Tourism, however, has taken a knocking since 2005 as several bombs, blamed on southern Thai Muslim separatists, have rocked the town.

3. Situation of Migration and Trafficking into Sungai Kolok

As of February, 2006, the total population of the district was 62,737, of which 30,715 are male and 32,022 are female²¹. About 75% of Sungai Kolok population is Muslim, 20% Buddhists and the remaining 5% are Christians and other religion.²² Like a vast majority of the southern population, many Muslims in this district had relatives in Malaysia and share close cultural relations with them. As a result, many Thai Muslims went to work in Malaysia seeking better economic conditions brought on by an existing shortage of labour there.²³

There was an active labour office at Sungai Kolok border crossing where the migrant labour registers their destinations and occupations. But there were also other migrants who went as visitors and worked there for various durations.²⁴

The Sungai Kolok border crossing opened at 5:00 a.m. and closed at 9:00 p.m. This late closing hours allowed enough time to clear up a heavy traffic between the two countries. Malaysians entering Thailand at Sungai Kolok followed one of the following immigration procedures:²⁵

1) Border pass: Malaysians from the border state of Kelantan can obtain a border pass that was valid for a week. During which time they could visit Sungai Kolok as well as Narathiwat, Pattani, Yala and Songkhla provinces. It should be noted that many of the above destinations were beyond the 25 kilometers from the border as stipulated in the original

¹⁹ As of March, 2007, Narathiwat Commercial Affairs Office. [Online] Available from www.moc.go.th/opscenter/nr/nr_main.htm

²⁰ Provincial Industrial Office. Available from www.m-industry.go.th/min/intro/province/Narathiwat.

²¹ As of February, 2006, District Community Development Office. [Online] Available from www.cddweb.cdd.go.th/sungaikolok/.

²² *Op Cit.*

²³ Kanchai, S. , and Shakti R. Paul (2002). *Cross – Border Population Movement and HIV/AIDS along Thai – Malaysia Border: Sadao, Songkla Province and Sungai Kolok, Narathiwat Province*. Bangkok: Asian Research Center for Migration, Chulalongkorn University.

²⁴ South Checkpoints Center, Immigration Bureau Office.

²⁵ *Op Cit.*

agreement. This signifies flexibility in dealing with the population movement between the two countries. Only a small proportion of Malaysian visitors used border pass.

2) Passport: Malaysians from outside Kelantan State used passport and receive one month valid tourist permit. Some Kelantan residents also used a passport which was convenient when crossing the border. A very large number of visitors fall into this group.

Similar immigration procedures applied for the Thais who visited Malaysia. Thais and foreigners can go to the duty-free shop on the other side of the border but still require standard immigration checks. All foreigners entering and leaving Thailand were subjected to comply with standard immigration procedures required for their country of origin.²⁶

Table 1 : Thais Exit and Foreigners Entry at Sungai Kolok Check Point by Passport

	2006	2005	2004	2003	Total
Foreigners Entry	63,876	65,618	88,498	86,201	304,193
Thais Exit	111,182	133,497	114,865	140,502	500,046

Source : South Checkpoints Center, Immigration Bureau Office.

Route of migration/trafficking

Sex workers in Sungai Kolok were mostly of Tai Yai ethnic group. They migrated from Chiang Rai, a northernmost province of Thailand for a job. They had mostly known what kind of work they would be engaging in before migrating to Sungai Kolok. Most sex workers were in indirect sex services i.e. restaurants, karaoke, pub, etc.²⁷

Before working in Sungai Kolok, they had engaged in similar kind of work in other hot spots of sex industry in southern Thailand, i.e. Hat Yai, Sadao, for about two years or six months at least. Their pattern of migration started from talking with friends who had earned so much money from sex service in the South. In order to get the job like that, they just caught a bus from Chiang Rai in the North to Morchit bus terminal in Bangkok Metropolitan Area, and took a bus there heading southwardly to Hat Yai. Some worked in Hat Yai for some times before moving to Sungai Kolok, while others went there directly by van.

4. Area and Form of Sex Industry

Sex industry in Sungai Kolok could be divided into three major categories: Direct, indirect, and services in the guise of minor wives. Among them, indirect sex services prevailed. Direct and indirect sexual services were available in hotels throughout Sungai Kolok.

There were about 53 hotels in the town of Sungai Kolok²⁸. The main customers were Chinese - Malaysians. Thai and other foreign customers were only a few. Most of the Malaysian customers came to Sungai Kolok for rest and recreation, including drinking and sex entertainment. They came because these activities were not quite available in Malaysia, especially in Kelantan and Terregannu States where alcohol drinking and night entertainment was rigidly controlled by the Muslim dominated state governments. The number of Malaysian tourists increased during weekends, i.e. Friday through Sunday and holidays, such as New Year, Hari Raya, Songkran, Chinese New Year, Loy Kratong festivals, etc.

Sex trade in Sungai Kolok was mostly in the guise of entertainment services, rather than the direct form of brothel services. Traditional massage was the most popular service in hotels

²⁶ *Ibid.*

²⁷ According to an informal interview with a Public Health official and a young women living in Sungai Kolok, in September, 2007.

²⁸ District Community Development Office, *Ibid.*

there. Usually no sex service was given in the massage room but some masseurs may provide semi-sexual services for an extra payment. Massage was often provided in the comfort of the private guest room and it may be combined with sexual services. This could be found in almost all large hotels in the town. The number of masseurs in a hotel varies from 7 to 40, depending on the actual size of the hotel and clients' demand. There were also several traditional massage parlors outside the hotels that offer similar services. In Sungai Kolok, traditional massage became a replacement for the Turkish massage that is available in Bangkok and other large cities where direct sex service was available. There was no Turkish massage in Sungai Kolok. Most of the hotels also had a coffee shop, a karaoke and some had discos. In all of these venues, especially the karaoke, there were female service workers to accompany clients to their hotel rooms at will.

For direct services, girls and women could be made available in all hotels as well. This could be done by asking a hotel boy to bring in a girl or accompanying him to a large number of bars, karaokes, coffee shops and restaurants in the town.²⁹

From the Asian economic crisis until early 2007, all Sungai Kolok hotels were suffering from declining room occupancy for over the past few years. However, the room occupancy rate may have reached as low as 20% during weekdays and increase up to 60-70% over the weekend. This resulted in a fierce competition among hotel owners and a very good bargaining price for the clients. A five-star hotel room ranged from TB 450 to TB 900 comparing to a three-to-four star hotel room at only TB 300-600 baht. This was perhaps the lowest hotel room rate anywhere in Thailand.³⁰

There was no serious promotion of tourism in Sungai Kolok, for which no clear reasons could be ascertained. It was probably because of the fact that Hat Yai was taking away a lot of Malaysian tourists as it has all first-class tourist facilities, including sight-seeing locations in and around Songkhla province. Similar attempts to promote tourist sights in Narathiwat province were not very successful.³¹

In addition, political violence and daily killings in the 3 Muslim-dominated provinces i.e. Pattani, Yala and Narathiwat since January 2004 was a key factor behind the decreasing of tourist number. In 2007, Kelantan was considered to have turned into "New Kolok". Many sex and entertainment establishments owners moved their bussiness to kelantan since Malaysian tourist fear of violence situation in Thai side.³²

Based on an NGO's information, women migrant workers, particular in indirect sex services, were mostly Tai Yai (Tai Lue). This was also the case for those providing such services in the guise of a minor wife to Chinese-Malaysian clients.³³

Chinese-Malaysians from the Kelantan State maintained at the majority of the clients in Sungai Kolok. They were mostly rich and paid a lot for a girl who made them satisfied.

Problems Encountered by Migrants/Victims

Among few published literatures on risk behaviour of commercial sex workers in southern provinces, a study by Bhassorn L.(1998)³⁴ provides an important source of information. Aimed to reduce the transmission of HIV and STD among female sex workers and their clients, and to improve their negotiation skills in Sungai Kolok, Thailand, the study

²⁹ Kanchai et al. (2002). *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Posttoday*, 28 August, 2006, p. A13.

³³ According to an interview with two staff of Friends of Women Foundation; an NGO in Hat Yai on May 10, 2007.

³⁴ Bhassorn L. and Godfried J.P. van Griensven (1998). *An Intervention Experiment to Improve Negotiation Skill among Female Sex Workers in Sungai Kolok, Thailand*. Bangkok: Institute of Population Studies Chulalongkorn University.

found the rate of condom use with the private partners to increase among women in its experimental group.

A relevant study after 1998 was not available. Table 2 suggests that, as in other areas of Narathiwat province, Sungai Kolok was still an area of HIV/AIDS prevalence, albeit of a declining trend. Despite the lack of previous research is provided detailed information or analysis of the linkage between the border situation of tourists in Southern areas and their HIV/AIDS vulnerability, one may expect the risk to be associated with commercial sex workers and the tourists. The declining prevalence rate in 2001-2006 was probably contributed by the above-mentioned declining trend of the sex service tourism during that time.

A further investigation is needed to identify if the number of AIDS patients and deaths will arise in response to the upturn swing of the sex service tourism from 2007 onward.

**Table 2: Number of Affected and Death of AIDS Patient
By Living Area in Narathiwat Province (2001 – 2006)**

District	2001		2002		2003		2004		2005		2006	
	Affected (No. of cases)	Death (No. of cases)	Affected (No. of cases)	Death (No. of cases)	Affected (No. of cases)	Death (No. of cases)	Affected (No. of cases)	Death (No. of cases)	Affected (No. of cases)	Death (No. of cases)	Affected (No. of cases)	Death (No. of cases)
1. Muang	49	9	28	8	31	3	49	4	23	1	7	1
2. Takbai	23	11	13	5	16	2	22	7	18	7	10	3
3. Bajau	10	4	9	5	34	5	16	13	3	6	7	4
4. Ngingor	9	2	13	2	10	1	14	1	12	-	-	-
5. Ra-ngae	12	1	12	3	18	-	21	1	13	-	-	-
6. Ruesau	15	3	8	6	10	3	9	2	20	13	1	-
7. Srisakom	1	1	1	-	1	1	5	5		-		-
8. Wang	20	3	14	5	6	5	6	4	14	2	7	3
9. Sukirin	8		1		2	-	5	2	6	-	4	2
10. Sungai Kolok	51	17	28	12	4	1	24	4	40	13	35	5
11. Sungai Padi	14	8	12	6	17	9	4	10	15	-	8	1
12. Janae	14	9	10	2	7	1	15	2	9	1	2	1
13. Jau-ia-rong	8	3	13	5	22	5	29	2	9	4	1	-
Total	234	71	162	59	178	36	219	57	182	47	82	20

Source: Narathiwat Public Health Office. (December, 2006). *AIDS Situation in Narathiwat*.

5. Intervention Mechanism and Role at the Provincial Level

5.1 Public Health

The access to the public health care system was available for the sex workers. However, due to bad relations between establishment owners and the local health staff, some needed service (health check up, blood testing, free condom) from public health could not be accessed by the sex workers.

5.2 Immigration/ Police

NA

5.3 Provincial Employment

NA

5.4 Non - Governmental Organization (NGOs)

There was no NGO in Sungai Kolok to provide information on either HIV/AIDS knowledge or self – prevention from human trafficking.

Chapter V

Trafficking for Sexual Exploitation in Betong*

1. Introduction

This study was carried out during January-February 2007. It relied mainly on archival research of existing official documents and literature on the relevant issues. Supporting information was obtained from media reports and key informants at the expert level from governmental, non-governmental and academic sectors to increase the reliability of the information and the validity of the information interpretations.

It should be noted that although Betong, geographically, was prone to be a center for women trafficking for sexual exploitation in the south of Thailand, a very small number of research selected the area as a case study.

From the review of previous research on human trafficking and that for sexual exploitation in Thailand, this study found Betong to be only part of the context rather than a focus of a research. Comparing the scope of extent to which Betong was mentioned in a research, it was more mentioned in that on Chinese women and Chinese business³⁵ than on human trafficking. As for the latter, Betong was referred to in as a destination of Chinese sex trade in Thailand.³⁶ Despite the limited scope of previous studies dealing with human trafficking into Betong, one may learn that each of the previous studies are supportive in terms of confirming the connection between forced sex trade, Chinese diaspora, and Chinese business network in Betong of Southern Thailand, Malaysia and China.

In particular, the information obtained from a study by Mahatdhanobol (1996) on the forced sex trade of the lured Chinese women,³⁷ corresponds with that of Dialma (2007) on "The Chinese Diaspora and prostitution at the Thai-Malay frontier (Hat Yai, Sadao-Dannok, Betong and Sungai Kolok)." The latter investigated into the linkage between Chinese settlement in Thai southern border area and their involvement in the 'grey area'.

Primary and secondary documents as well as other general data were also obtained from the Department of Immigration, Labor Department and the Betong Municipality. An in-depth interview was also carried out with local officers of Betong Hospital, and key informant in the non-governmental sector.

2. Geographic and Socio-Economic Background of Betong

Betong is a district in Yala,³⁸ the southernmost province of Thailand, which covers an area of 4,521 square kilometers. Today, Yala has a unique mixture of cultural heritage of several groups--Thai, Chinese, and Islam.

* By Saikaew Thipakorn, Institute of Asian Studies, Chulalongkorn University.

³⁵ Dialma, E. and Le Roux, P. (2007). "The Chinese Diaspora and Prostitution at the Thai-Malay Frontier (Hat Yai, Sadao-Dannok, Betong and Sungai Kolok)" In Leveau A., Editors, (2007). *Investigating the Grey Areas of the Chinese Communities in Southeast Asia*, IRASEC.

³⁶ Mahatdhanobol, Vorasakdi (1996). *Prostituting of Chinese women in Thailand: a case study of the lure of Chinese women from Yunnan to prostituting in Thailand*. Chulalongkorn University.

³⁷ In the study by Mahatdhanobol (1996). One may find information on the demographical data, process and means of access to women and channels of bringing in the victims from China.

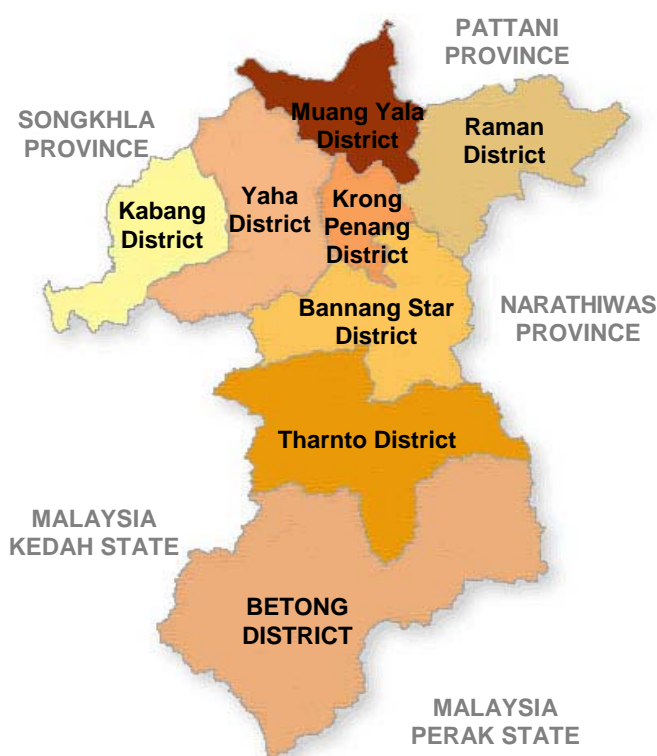
³⁸ The word "Yala" was derived from the local word "yalo," meaning fish-net. Yala used to be part of Pattani, a colony of the Sukhothai Kingdom. Yala had changed its rulers many times before becoming one of the provinces of Thailand.

Amphoe Betong is located in the southern most of Thailand. Geographically it is in a valley surrounded by Sankalakiri Mountain. Access to the town can be done by car or bus only. The area covers 1,328 sq.km. and connected to Perak State of Malaysia. Betong comprises of 5 districts.

In 2007, Betong's economy relied mainly on trade, services and agriculture. There were 18 hotels and 23 entertainment parlors.³⁹ However; more than 80% of the population works on farm, especially rubber plantation. Eighteen percent of the population was in service sector and 2% works on fruit orchard. Most of agricultural land, 97.88%, served for rubber plantation. Betong could produce more rubber than other Amphoe of Yala province with the average value of more than 1,000 million baht. The average income in Betong was 50,955 baht/person/year.⁴⁰ In general, the standard of living in Betong was considered moderate to high. In addition, due to its location as a border town, Betong had also a checkpoint where goods and immigrants go through between Thailand and Malaysia. Merchandise from Thailand could be sent through Betong to be shipped from Penang port to India, Middle East and Europe. This rendered the fact that Betong was economically the 2nd important Amphoe after Amphoe Muang.

Yala comprised of 54,702 populations (26,765 males, 25,262 females) with 37 persons/sq.m. population density). They could be categorized into two main groups: 1) Muslim Thai at the ratio of 51% of the total population; 2) Buddhist Thai and Chinese Thai, 48%. The rest of them were Christian and Hindu. Of the total population, approximately 25,000 lived in 25 communities of Betong Municipality.

Figure 16: Map of Yala Province



Source : Patcharawalai Wongboonsin et al. (2007). Trafficking for Sexual Exploitation into Southern Thailand.

³⁹ Available from <http://www.yala.go.th/data/8city/p6.html> [August 14, 2007]

⁴⁰ Yala District Administration Office (2007). "Income per Capita in 2007." 3 June.

According to Dialma (2007), Betong was almost exclusively inhabited by the Chinese. This was an exception, especially in the Southern provinces of Thailand. And this could become a factor that supports sexual exploitation in this area.

3. Situation of Migration and Trafficking into Betong

Chinese Diaspora and Sexual Service Business

Migration into Betong could be traced back to the history of Chinese Diaspora. In the 19th century, when Chinese migrants from the coastal provinces of Guandong, Fujian and Hainan settled in the Southern town of Thailand and Malaysia in response to the demand for labouring workers in tin mines. The flow of Chinese migrants continued to the 20th century in response to the demand for rubber cultivation.

Chinese migrant workers came to Betong through their secret process and protected by secret societies through the system of patronage. Back then, most of them were young and living alone. As a result, they were prone to get involved in such grey-area business as, sex and gambling. They integrated into the Thai society through marriage and became settled wealthy. Besides philanthropic work for the society at large, their business network went beyond the border to link with Chinese minorities in Malaysia legal as well as illegal trade.⁴¹ The latter became main customers for the grey-area business in Betong. The demand for Chinese speaking female sex workers from China was a result.

Sexual Service and Cross-Border Mobility

Table 3 suggests that Betong was turning into a border town with an increasing number of visitors from foreign countries. The total number of visitors increased from 161,965 visitors in 2006 from 131,096 visitors in 2005. Foreign visitors using visa increased from 84,513 in 2005 to 95,940 in 2006. Those with visa exemption were the majority of foreign visitors in Betong. According to the current immigration regulations, visa exemptions are mostly provided to citizens from ASEAN countries.

Table 3: Numbers of In-coming Foreign Visitors at Betong Check Point

Year	Visa exempted visitors	Visitors with Visa	Others	Total
2005	83,578	600	335	84,513
2006	94,895	649	396	95,940

Source: Immigration Bureau, Bangkok

Table 4 further suggests that there was also a large number of Malaysian visitors used border pass to gain entry into Betong. Visitors with border pass are those who live in specific areas along Malaysian border and could stay only in some specific area in Thailand for only 3 days, 2 nights.

Table 4: Malaysian Visitors Using Border Pass at Betong

Year	In	Out	Total
2005	33,638	33,383	67,021
2006	45,108	43,052	88,106

Source: Immigration Bureau, Bangkok

⁴¹ Dialma, E. and Le Roux, P. (2007). "The Chinese Diaspora and Prostitution at the Thai-Malay Frontier (Hat Yai, Sadac-Dannok, Betong and Sungai Kolok)", In Leveau A., Editors, (2007). *Ibid.*

Concerning migrant workers in entertainment business in Betong, the only available data were from the Ministry of Labour. During the past 3 years, there were only 11 cases of work permit to work in entertainment sector. This set of information implies that official records do not reflect the true flow of migrant workers into the entertainment business in Betong. While available literature suggests a large number of sex workers from China, one may expect a lot of 'undocumented' workers there. According to an interview with the Yala Provincial Office of Social Development and Human Security, there was no trafficking case referred to them. The Bangkok head office neither had any information of trafficking in Betong at all. Accordingly, the size of migrant workers, trafficked or not, in entertainment business in the area remained an issue of under-studied.

Table 5: Foreign Labour Asking for Work Permit in Entertainment Places in Betong

Year	Nationality		Total
	Indonesia	Uzbekistan	
2005	1	-	1
2006	4	5	9
2007	1	-	1

Source: Yala Provincial Labour Office.

Route of Trafficking

Mahatdhanobol's study (1996) is the only source mentioning Betong as a destination of trafficking in Chinese woman victims. His case studies were taken from China through Myanmar into Thailand. After China's economy became liberalized, income disparity became clearly evidence. News reached the rural people of development and extravagance in city areas that they had never seen. The trafficker used this point to lured victims to travel with them. The victim were told that they were going to see 'lights' in the city or to go to work in the city where they would earn more income. Those victims ended up in brothels. At often times, their family knew in advance that the victims were going to go abroad, but kept it secret from local authority for fear of being indicted. Even after it was clear that their daughters were not going to return, they were still afraid of going to authority.

According to the Mahatdhanobol's study, Simao and Xishuangbanna were two major prefectures of origin for Chinese commercial sex workers in Thailand. Whether persuaded to travel or to work, trafficking or smuggling gangs brought them from those two prefectures, passing through three to four crossing along the China-Myanmar border. They included Daluo, Menga, Mengman, etc., due to the available roads and geographical features. The roads in Dalua, a town in Jinghong, were convenient, allowing the gangs to take the victims by motorized vehicle all the way to Kengtung in Myanmar.

Myanmar offered the most convenient route to Thailand due to the lack of fences or walls along the China-Myanmar border. There were only natural barriers, like mountains and rivers. In addition, some of the border checkpoints had lax enforcement standards, a product of policies to open the China-Myanmar border.

During the journey, the gangs sometimes transferred the victims to responsibility of new persons to enter Thailand through Mae Sai checkpoint in Chiang Rai province, before moving on to other provinces. Some went to Bangkok in Central Thailand, others went to Sungai Kolok district in southern Narathiwat province, Hat Yai district in southern Songkhla province, and Betong district in southern Yala province. Mahatdhanobol maintains in his study that there were a few details concerning the locations of the victims in Thailand.

According to an NGO informant whose work focused in Dannok, commercial sex workers in Betong in 2007 could be categorized into two groups: 1) Those coming voluntarily by

themselves to work in entertainment places; and 2) those coming with an organized group.

According to a personal speculation by the key informant, the organized groups had connections with those in Dannok because they were of the same ethnic groups (Chinese) and because of the geographical location of both places. Access to Betong could be done easily by taking daily buses from Dannok via Malaysia. This route was considered to provide a relatively safe access to Betong comparing to the Yala route, which was infected by insurgencies. In addition, Thai policemen could not follow the trafficking groups into Malaysia.⁴²

4. Sex Industry in Betong

Demand and Supply

Due to the geographical location as a southernmost border town of Thailand through which hundreds of visitors from both Malaysia and Thailand travel, tourism and sex related business bloomed. According to the data of the Bank of Thailand, Malaysian was the biggest group of tourists traveling to Yala province. During the year 2005, there were 113,045 Malaysian visitors and 1,194 Singaporean visitors in Yala. When there were unrest situations in the South, the tourism industry in Yala was affected. However, Betong was an exception. There was no security problem in Betong. Tourists were still visiting Betong on a continuous basis. The only impact of the security problem in Betong was the changing pattern of services in response to the fact the tourists from Malaysia have changed their pattern of service acquisition, from spending nights during weekends in Betong, to one-day visits.

Religious practice in Malaysia was considered, by scholars, the major factor contributing to the flourishing of sex related business. Strictness and security of Islam drove Malaysian tourists into the border town where they could enjoy sex services and alcohol without trouble with police and at cheaper prices.

Based on a literature review and interviews with key informants, eighty percent of sex workers are Thai women migrating from other parts of Thailand including the South itself. According to an interview with key informants, most foreign service-workers were Chinese who could not speak Thai. This was in response to the demand from the elderly Malaysian-Chinese tourists who frequent Betong's hotels. And from time to time, there were Russians and Laotians. Although there was a research on Cambodian women being trafficked into Malaysia through Thailand, there was no report of them going through or towards Betong. Although Thai sex workers, some were students in the Northeast who came to Betong to work in this sector. They came voluntarily in order to earn extra money. When they earned enough, or when the schools started, they left.

The average age of sex workers in Betong was 20 years old. However, those around 15 years old could also be noticed, according to a key informant. It was very difficult to estimate the number of the sex workers. An explanation was that they always move around. During the good economic time, there were many of them. Now given that the situation in the three provinces was not stable, they tended to move to other provinces, such as, Phuket or Had Yai. An informant said that he had noticed a group of Chinese women who were somehow arranged to come to Betong for sex trade for only 3 months, then moved on. Besides the demand for services, the sex industry in Betong varied according to the supply of service workers. In the year 1994, China issued a law prohibiting trafficking. This new law increased punishment to the traffickers for sexual exploitation; with maximum sentence of death penalty. Since then until recently, number of trafficked cases dramatically decreased, although not totally eradicated. As the economic system in China gained its momentum, attitude of Chinese people has changed. The new economy inspired people to work harder for wealth elsewhere, including in Betong, Thailand. Based on an informal observation of key informants, more and more Chinese women were coming to Thailand to earn a better income,

⁴² According to an interview with an Acting for Women in Distressing Situation [AFESIP Thailand] Officer, on February 21, 2007.

either as manual labour or sex workers. Most of the low-educated, plain looking girls were in the manual-labour sector; while better-educated and good looking ones became sex-workers.

Form of Sex trade

According to an interview with key informants, there were two kinds of sexual services in Betong: 1) service in entertainment places, such as, karaoke and barbers; and 2) services in the form of a mistress to some Malaysian tourists. Most of the latter were internal migrants from other parts of the kingdom into Betong. Malaysian men had bought houses for their mistress. Some of the latter had brought in their parents from their place of origin to settle down in Betong.

Problems Incurred to Victims

According to an interview with a public health official at Betong Hospital, there were not many cases of sex workers coming to hospital for sex-related illness. The key informant was of the opinion that this was because Betong's economy was good. They could afford to go to private clinics rather than a public hospital. However, if the illness was serious, such as, hemorrhaging, they will acquire the service at the hospital.

It was still unknown as to whether migrant workers were tricked or forced to work as prostitutes in Betong. Yet, key informants share the opinion that once they were in the business, they ran a free life.

Most of illegal immigrants who were caught and repatriated were those who involved in brawl, rather than trafficking. To the knowledge of a key informant in Betong, there was only one case of Chinese women, long time ago, who had malaria and being left at the hospital. The patient was already helped by an NGO. The informant was not certain that sex workers in Betong were forced to work. In the opinion of the informant, they seemed happy and lived a free life. Another informant agreed to this point, in saying that Betong was different from other places. Most women are not forced to work.

*"Most sex workers walk freely around the town. They could follow a guest or make their own contact with the guest. You can see a lot of them coming out in the evening. They can go to a hair dresser and to places by themselves. Here, they have freedom. They are not forced.... The Chinese women have even better advantage because they can speak to the guests. Chinese guests prefer Chinese speaking women, because they understand each other."*⁴³

5. Intervention Mechanism and Role at the Provincial Level

It was difficult to identify the role of authorities in trafficking cases in Betong, because it was not clear in terms of the size and the degree of sex workers being trafficking. It was probably unlike in the old days. In late 2000s, it seemed that a number of them came to Betong on a voluntary basis. However, in case of illegal migrants, if they found themselves in trouble, they ran the risk of getting caught by the police and were subjected to repatriation. This scenario was irrelevant to 6 Thai victims.

⁴³ According to an interview with a Yala Provincial Public Health Officer, on January 3, 2007.

Chapter VI

Synthesis and Evaluation*

1. Introduction

More and more attention has now been paid to combat human trafficking at local, national, sub-regional and global levels.⁴⁴ Study after study confirms that it was one of the most challenging problems in modern society of the 20th century and continues to be a major concern in the 21st century. This is despite the fact that the origins of the debate can be traced back to the end of the nineteenth century.⁴⁵

A global survey under the umbrella of IOM maintains that the definition of trafficking has changed over the last decade. In the early 1990s, without specific reference to exploitation, trafficking was considered as a certain kind of international migratory movements with the following characteristics, akin to the current international definition of smuggling in human beings:⁴⁶ Money (or another form of payment) changes hands; a facilitator, the trafficker, is involved; an international border is crossed; entry is illegal; and the movement is voluntary.

This compared to the 2000 UN Convention against Transnational Organized Crime, which considers smuggling of migrants as procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident. Up to now, the definition is an on-going debate. Some researchers consider all sex workers as trafficked persons. This is despite the following broader definition of trafficking was adopted by the UN General Assembly in late 2000 as the legal definition at the international level⁴⁷ and included in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, supplementing the UN Convention against Transnational Organized Crime:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Based on such a definition, Thailand was a major sending country of human trafficking for sexual exploitation in a more advanced economy within and outside Asia. Beside a source, Thailand also has lately turned more into a country of destination, origin, and transit for human trafficking. Although those trafficked to and via Thailand were said to be from all over the world,⁴⁸ the majority are from Myanmar, Laos, Cambodia by early 2000s.⁴⁹ Women from

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⁴⁴ F. Laczko and E. Gozdzia, Editors. (2005). *Data and Research on Human Trafficking: A Global Survey*. Offprint of the Special Issue of International Migration Vol. 43 (1/2) 2005. Geneva: IOM.

⁴⁵ A. Derks (2000). “Combating Trafficking in South-East Asia: A Review of Policy and Programme Response,” *Migration Research Series*, No. 2.

⁴⁶ F. Laczko (2005). “Introduction.” In F. Laczko and E. Gozdzia (Editors). *Data and Research on Human Trafficking: A Global Survey*.

⁴⁷ F. Laczko (2005). “Introduction.” In F. Laczko and E. Gozdzia (Editors).

⁴⁸ “Officials Alerts for Influx of Drugs, Illegal Migrants,” Bangkok Post, 18 May 2001.

Poland, Romania, Russia, Ukraine, and Uzbekistan were found in prostitution in Thailand during mid-1990s and early 2000s, but it was unclear whether they were kidnapped or transported there of their own volition.⁵⁰

By 2007, the degree of human trafficking into Thailand was still unknown. There were almost no reliable estimates of the number of women who were trafficked or on from where and to where they were trafficked. Trafficking was not reported as such a category in the crime statistics collected by the United Nations.⁵¹ This was also the case for those trafficked for prostitution. Available literatures in the 1990s suggest a different estimate of the number. It ranged from 16,000⁵² to about 300,000 women yearly⁵³ by early 2000s, including those below 18 years of age. By mid-2000s, estimates of the number of underage victims for sexual exploitation ranged from 20,000 to the hundreds of thousands according to a U.S. based research institute, the Protection Project.⁵⁴

Studies on human trafficking into Thailand have been mostly carried out in the Mekong Subregion. The south of Thailand is an under-researched area, particularly when dealing with trafficking for sexual exploitation.

As a narrow strip of land situated between the Gulf of Thailand and the Andaman Sea, southern Thailand is bordering Malaysia to the south and Myanmar to its upper west. The Thai-Myanmar and Thai-Malaysian borders contain sites that are among the most risky border areas in Southeast Asia.

By 2007, a southern Thailand contained a vast agricultural base especially rubber and fruit orchards. Because of the sea on both sides it was also rich in fishery related industries. The overall economy of the southern part of Thailand was very good, and was second only to Bangkok and the central region of the country. Because of its good economy and the relatively lack of manpower, southern Thailand became an area that attracted migrant workers from other parts of the country as well as from the neighboring countries, especially Myanmar. Many foreign workers also traveled through the region to lucrative job markets in Malaysia and Singapore. Some southern Thai people also went to work in those neighbouring countries. Southern Thailand was also an important tourist destination for those coming from neighboring Malaysia and Singapore. It was also an attractive international tourist destination for those wishing to go to such places as Phuket, Koh Samui and other beach resorts. This entire situation had consistently encouraged mobility of a large number of foreigners in this region.⁵⁵

To fill the gap of research in the problem of trafficking for sexual exploitation, this study focused on the South of Thailand. The study was designed to provide a better understanding of the overall picture of the situation of trafficking for sexual exploitation in Southern Thailand, to identify and to understand the victims there, to understand the factors, conditions, routes

⁴⁹ Vitit Muntarbhorn (2001). "Human Trafficking is Now a Global Scourge." *Nation*, 17 January; The Protection Project (2002). *A Human Trafficking Report on Trafficking of Persons, Especially Women and Children*. March.

⁵⁰ S. A. Neshmith (2001). "Thai Police Round Up 24 Uzbek Prostitutes in Bangkok." *Agence France Presse*, 21 March; P. Rakkaman (1995). "Thai Bust Alleged Russian Sex Ring." *United Press International*, 24 November.

⁵¹ UNIFEM (2002). "Trafficking in Women and Children" Gender Issues Fact Sheet 2. UNIFEM East and Southeast Asia Regional Office.

⁵² C. Sui (2001). "Trafficking of Women and Children on the Rise in East Asia: UNICEF." *Agence France Press*, 11 May 2001.

⁵³ Lim lean Lam (1998). *The Sex Sector*. International Labor Organization, pp. 130-69. Cited in The Protection Project (2002). *Ibid.*, p. 1.

⁵⁴ "Thailand Country Report, The Progress Report on the Status of Implementation of the EAP Regional Commitment and Action Plan Against CSEC" Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan Against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok, Thailand.

⁵⁵ Supaphan Tangtrongpaioj (2007). "Southern Thailand and Foreign Workers." Mimeo.

and process of trafficking in persons into southern Thailand, and to identify the role of governmental and non-governmental mechanisms there. Covering the pre-departure stage, the route and process of trafficking, as well as the entry and post-entry stages of human trafficking into southern Thailand, four areas were selected as case studies. They were: Muang Ranong district in Ranong province; Sadao district in Songkhla province; Sungai Kolok district in Narathiwat province; and Betong district in Yala province. The study was based on archival and field research with in-depth interviewed of key informants - - the stakeholders from local authorities in charge of and NGOs dealing with human trafficking as well as victims so as to obtain first-hand information - - during December 2006 – December 2007.

Ranong is the first southern province with a compact area of 3,298 square kilometres on the western coast of Thailand. It is bordering southernmost Myanmar and the Indian Ocean to the west. Settled by the Hokkian Chinese, Ranong is best known as a fishery and trading port. As a gateway to Myanmar, people either across the narrow divide that separates Thailand and Myanmar, or travel by hourly boat at about 20 minutes between the Ranong Landing at the mouth of the Kra Buri River in Thailand and Kawthaung (also Kawthoung; previously Victoria Point), a small town of Myanmar. The border access via boat between Ranong and Kawthaung allows visas to be renewed. Along the Thai-Myanmar border, out of 77,500 migrants in the Muang Ranong district with more than 75,000 local residents in early 2000s, about 38 per cent were women employed in various occupations including sex and entertainment. Most of them were Burmese. Some of them were Mon, Dawei and Karen.

According to news reports, there were about 150 Burmese sex workers at 40 karaoke bars and brothels in Ranong in early 2000s.⁵⁶ One may consider the figure to turn conservative after mid-2000s, given the official record of 300,338 people crossing the border from Myanmar with a border pass during January and December 2006. Nevertheless, there were only 265,698 peoples returning to Myanmar. There were 6,668 migrants from Myanmar being repatriated during January and December 2006. 5,100 of them were male, compared to 1,588 female.⁵⁷

In Ranong district, sex workers in Myanmar were said to receive half the 200 to 500 baht paid to the owners for each customers.⁵⁸

According to the NESDB, Narathiwat and Yala provinces ranked among the 20 poorest in Thailand, with poverty rates of 34 per cent and 27 per cent, respectively, in 2002.⁵⁹ UNICEF maintains that Yala has seen no improvement and poverty actually worsened in Narathiwat during the past five years. The average income in Narathiwat was just over TB1,200 per month at the US\$1/day poverty line. This was based on an assumption that much of the income accrues to businesses in the district towns and provincial capital, very large numbers of the near 700,000 Narathiwat population were likely to live on less than US\$1 per day. Joblessness in Narathiwat is worse, where the 1996 rate of 0.16 per cent increased 23 times, to 3.74 per cent.⁶⁰

Narathiwat is the southern most coastal province facing the gulf of Thailand. The provincial capital is 1,149 kilometers from Bangkok by road and 1,116 kilometers by rail⁶¹. The province covers a 4,475 square kilometers area, two-thirds of which are forested mountains. Farm agriculture, plantations and fisheries are the main economic force in the province. In recent years, some processing industries based on local produce (e.g. rubber, fruits and fishes) have developed.

⁵⁶ Win Naing (n.d.). "The Trafficking Trap Persists in Border Towns." *RIGHTS-BURMA*; J. S. Moncrief (2001). "What's Wrong in Ranong." *The Irrawaddy*, 1 February.

⁵⁷ Thai immigration office in Ranong, 2006 (January to December).

⁵⁸ Win Naing (n.d.). *Ibid.*; Moncrief (2001). *Ibid.*

⁵⁹ Available online at www.nesdb.go.th

⁶⁰ UNICEF (2007). *Children and Young People in Thailand's Southernmost Provinces: UNICEF Situation Analysis*, p. 17-19.

⁶¹ www.pocnara.go.th/provnara/nara/history_2.asp.

Narathiwat has a 171 kilometers long border with Malaysia and two immigration check points; one at Sungai Kokok and another smaller one at Tak Bai. Moreover, there is an informal channel at Bukaeta in Waeng district. Because of a close religious and cultural relationship with Malaysia, the people from both countries travel across border rather easily.

In Narathiwat province, Sungai Kolok is the target area of this study. About 66 kilometers south-west of the Provincial city and 1,210 kilometers from Bangkok, Sungai Kolok is a popular tourist destination, especially from Malaysia. Sungai Kolok is separated from the Kelantan state of Malaysia by a small river and local people cross it by small boats. There is no serious restriction for the local people to cross over the border.

Of the 709,044 total inhabitants in Sungai Kolok, 82 per cent are Muslims, 17 per cent Buddhist and the remaining one percent belong to other religious groups⁶². Most of the muslims speak local Melayu, a variant of the Malay language, although Thai is widely used in official and urban communications.

Tourism in Sungai Kolok, however, was knock during 2005-2007 as several bombs, sheltered by southern Thai Muslim separatists, were rocking the town.

Betong is a southernmost district of Yala, another southernmost province of Thailand, which covers an area of 4,521 square kilometers. Borders the Perak State of Malaysia, Betong covers an area of 1,328 square kilometers and can be accessed by car or bus only. The district's economy relies mainly on trade, services and agriculture. There were 18 hotels and 23 entertainment parlors, with big hotels ranging from 250 to 400 rooms to boost Betong's total room capacity to 3,800 units in 2007. An estimated 350,000 tourists, mostly elderly Malaysian men in search of rest and recreation visited Betong on a yearly basis. Betong was famed for its Chinese prostitutes, who were flown in on a tourist visas to meet the demand from the elderly Malaysian-Chinese tourists who frequented Betong's hotels.⁶³

Despite a unique mixture of the cultural heritage of several ethnic groups--Thai, Chinese, and Islam, Betong is almost exclusively inhabited by the Chinese. This is an exception, especially in the Southern provinces of Thailand. This could become a factor that supports sexual exploitation in this area.

Although Betong is geographically prone to be a center for women trafficking for sexual exploitation in the south of Thailand, a very small number of research selected the area as a case study.

The future prospects of sex industry as well as the problem of trafficking for sexual exploitation in Betong was beyond the scope of this study. Further investigation into such prospects in a medium term is needed. This is given new local policy measures to turn the brothel town into a cultural and education hub, to push for a new Betong airport, an improved highway between Betong and Yala to facilitate a new university plan, as well as new zoning laws to force many of the brothels and karaoke bars that currently dominate the heart of the town to another district.⁶⁴

Sadao was another case study. It is a district of Songkhla province in Southern Thailand on the border with the state of Kedah in Malaysia. Songkhla is a growing economy, given the tourism and fishery industries as well as the construction site of the Thai-Malay natural gas pipeline and the associated gas separation plant. The natural gas pipeline is reaching Malaysia via Sadao.

In 2007, Sadao located many guesthouses and hotels of various categories. Every month thousands of tourists visited the town. The number of tourists increased during weekend and

⁶² Provincial Industrial Office. Available from www.m-industry.go.th/min/intro/province/Narathiwat.

⁶³ P. Janssen (2007). "Thai mayor seeks to turn brothel town into college hub." Deutsche Presse-Agentur. Available online at www.Bangkokpost.com/breaking_news/breakingnews.php?id=56006.

⁶⁴ Janssen (2007). *Ibid*.

holidays. The sex industry in Dan Nok was located near the immigration check point. It grew along the local development plan to make Dan Nok a popular tourist spot.

Dan Nok or Dan Sadao was, accordingly, the target area of the study in Sadao. One may also call it Samnakkham as a sub-district of Sadao. The large number of sex workers and tourists led to a notion that Sadao is a popular sex tourist spot.

Sadao was basically a tourist town, and ranked the second most popular tourist spot after Hat Yai. This was particularly for those from Malaysia. This study found that the pattern of the sex trade at Dan Nok linked with that in Sungai Kolok and Hat Yai. The latter was the major district in Songkhla province. It was a fast booming city in trade, business and a popular tourist spot, while serving as a transportation and communications hub of the South, linking with various destinations in neighboring provinces as well as in Malaysia. Sex workers were likely to move from Dan Nok to work in Hat Yai and Sungai Kolok for a short time, then return to Dan Nok when their income in two places declines.

In 2007, there were a high number of people passing through Dan Nok or Sadao immigration check point. This represented a major change from the early 2000s, when it was a relatively quiet border crossing with only a thousand of Malaysian tourists visit entertainment venues, including massage and sex services, in the area on a regular basis.

2. Routes of Trafficking

This study suggested that the human trafficking for sexual exploitation into southern Thailand was along six routes:

- A flight-land-water-land transport route from Yangon in Myanmar
- A Land-water-land transport route from Mawlamyine
- A land-transport route from northern Thailand
- A land-transport route from northeastern Thailand
- A land-transport route from China to connect the land-transport route from northern Thailand neighbouring.
- A flight route from China

Figure 17 : Map of Trafficking and Migration Routes into Southern Thailand



Source : Patcharawalai Wongboonsin et al. (2007). Trafficking for Sexual Exploitation into Southern Thailand.

Those routes of trafficking for sexual exploitation were also shared by migrant workers for other laboring services. The study also found the most common method of migration and/or trafficking along those routes was through agents or brokers. They were mostly experienced sex workers from the same place of origin as the migrant sex workers, sent by sex establishment operators or owners to deliberately recruit girls and women who were looking for a life change to replace a constant turnover of workers in sexual service business, while guaranteeing customers with new attractions. In many cases, they were relatives and friends to the victims or their family. It was an untold story if any of them were a person of authority who ran a syndicate. To lure the prospective victims into sexual services, most of them made themselves appeared as successful sex workers with a happy life changing.

The sex workers traveled along those routes in an organized group, accompanied by the agents/brokers. Those traveling along the routes in Thailand were in a relatively small organized group to avoid being noticed by the police. This reflected a changing trend from the past when a big organized group dominated the trafficking ring.

A transfer of responsibility from one group of agents/brokers to another along the way was found in certain cases, particular those from China along the land-transport routes via Myanmar into Thailand.

The northernmost part of Myanmar bordering Thailand is the Shan State, which is a large, multi-ethnic state. It is situated opposite the Thai provinces of Chiang Rai, Chiang Mai, and Mae Hong Son. Descending in order southward down the border on the Myanmar side are the Karenni State, adjacent to Mae Hong Son and Tak provinces; the Mon State, adjacent to Kanchanaburi province; and in the southernmost stretch, the Tenasserim Division, opposite Ratchaburi. Phetaburi, Prachuab Kiri Kan, Ranong, and Chumporn. In Thailand, there are ten provinces along the Thai-Myanmar border. They are: Chiang Rai, Chiang Mai, Mae Hong Son, Tak, Kanchanaburi, Ratchaburi, Phetchaburi, Prachuab Khiiri Khan, Ranong, and Chumporn.

74.1 per cent of migrants from Myanmar passed through six checkpoints along the 1,800 km eastern border shared with Thailand: Myawady, Mehseh, Pharyarthonezu, Tachilek, Parkhoke, and Kawthaung. Of the six border checkpoints, three accounted for most migration activity: Tachileik in the Shan State, opposite Mae Sai in Chiang Rai province on the Thai side (63.8 per cent); Myawady in Karen State opposite Mae Sot in Tak province on the Thai side (9.0 per cent); and Kawthaung, in the southern tip of Myanmar's Tenasserim Division opposite Muang Ranong district or Ranong district of Ranong province on the Thai side (6.5 per cent). In 2007, people from Myanmar crossed these border checkpoint on a daily basis. Besides these permanent points, there were many smaller, temporary checkpoints, which have been opened legally and illegally to facilitate local and black-market trade.⁶⁵

This study found those coming from Myanmar into Ranong via Kawthaung, which was a major border pass controlled by the Tamadaw, or the Burmese army, and immigration officials on the Myanmar side, and Thai immigration, customs, and Border Police Patrol units on the Thai side.⁶⁶ The study also found that three routes of migration/trafficking were relied upon, depending on the place of origin:

- From Yangon city to Kawthaung by airplane, followed by a boat from Kawthaung in Myanmar to a fishery pier called Tha Saphan Pla in Ranong, Thailand, then by a motorcycle or taxi to the workplace in Ranong.
- From Mawlanyine to Kawthaung by a bus to cross the sea by a boat to Tha Saphan Pla in Ranong, Thailand, then by a motorcycle or taxi to the workplace in Ranong.
- From Dawei to Mawlanyine to Kawthaung by a bus to cross the sea by a boat to Tha Saphan Pla in Ranong, Thailand, then by a motorcycle or taxi to the workplace in Ranong.

Literature reviews suggest a number of girls from Myanmar fleeing an unhappy situation back home to the southern port town of Kawthaung, along the Thai-Myanmar border. Like many border towns in Myanmar, Kawthaung was a centre for human trafficking. Some worked as a waitress at a local teashop for more than a month before becoming a target for human traffickers.

Most of the interviewed sex workers from Myanmar considered it quite easy to travel to the workplace. They found no problem nor obstacle in their trip from the place of origin in

⁶⁵ U Min Han (1997). "Country Paper, Union of Myanmar Border-Area, Migration & HIV/AIDS." In ARCM, SEAMEO-TROPED, WHO, AND GTZ (1998). *Report of the Second Technical Consultation on Transnational Population Movements and HIV/AIDS in Southeast Asian Countries, Chiang Rai, Thailand*. Bangkok: ARCM, Institute of Asian Studies, Chulalongkorn University, p. 180, 183; Images Asia (1997). *Migrating with Hope, Burmese Women Working in Thailand and the Sex Industry*. Chiangmai: Images Asia Ltd., Thailand.

⁶⁶ Images Asia (1997). *Ibid*.

Myanmar. Some of them were investigated by the Thai immigration authority before the border pass being issued to enter Ranong.

All of them came to Muang Rayong district in an organized group, together with migrant workers to engage in laboring jobs in other destination in Thailand, and accompanied by recruitment agents. Besides Rayong, other destinations included Samutsakorn and Bangkok in Central Thailand. Those headed to other destinations relied upon Rayong as a transit point. This was either by local transportation or on foot through the forest and the mountains in another district of Ranong, called Kra Buri, so as to get transportation to those mentioned destinations. The transportation in Thailand could be a bus, van, boat, motorcycle and taxi.

Most of the sex workers from Myanmar in Rayong mostly had relatives and friends working in similar occupation in Thailand before they migrated to Thailand. Some of the latter formed themselves into an informal recruitment agency.

Rather than forced, all of the interviewed sex workers from Myanmar in Rayong were lured to come with the traffickers into Ranong. The latter were mostly acquaintance or friends who had come to work as sex workers in Thailand, and returned to their place of origin several times to pursue a persuasion and recruitment missions. Most of them made their own decision to come to work in Thailand, compared to one by her family.

Unlike those from Myanmar's Yangon, Mawlaing and Dawei into Ranong, migration into Betong can be traced back to the history of Chinese diaspora in the 19th century, and continued to the 20th century in response to the demand for rubber cultivation and growing business there, including sex and gambling, which linked with Chinese minorities in Malaysia. The demand for Chinese speaking female sex workers from China was a result.

Lured by the traffickers to travel with them, girls and women from China went to Betong by land during the 1990s-early 2000s. The route started from Simao and Xishuangbanna, as the major prefectures of origin for Chinese commercial sex workers in Thailand, passing through three to four crossing along the China-Myanmar border. They included Daluo, Menga, Mengman, etc., due to the available roads and geographical features. The roads in Daluo, a town in Jinghong, were convenient, allowing the gangs to take the victims by motorized vehicle all the way to Kengtung in Myanmar.

During the journey, the gangs sometimes transferred the victims to responsibility of new persons to enter Thailand through Mae Sai checkpoint in Chiang Rai province, before moving on to other provinces. Some went to Bangkok in Central Thailand, others went to Sungai Kolok district in southern Narathiwat province, Hat Yai district in southern Songkhla province, and Betong district in southern Yala province. Mahatthanobol maintains in his study that there were a few details concerning the locations of the victims in Thailand.

This study finds that popular route of trafficking of Chinese prostitutes into Betong has recently turned to be by plane. They were flown in on a tourist visas. The Chinese prostitutes were still extremely popular among the elderly Malaysian-Chinese tourists who frequented Betong's hotels.

The current pattern of migration of commercial sex workers into Betong could be classified into two categories: 1) Those coming voluntarily by themselves to work in entertainment places; and 2) those coming with an organized group. As in the past, there were more voluntary cases of migrant sex workers than forced or kidnapped.

The organized groups may have had connections with those in Sadao's Dan Nok because they were of the same ethnic groups (Chinese) and because of the geographical location of both places. Access to Betong can be done easily by taking daily buses from Dan Nok via Malaysia. This route was considered to provide a relatively safe access to Betong comparing to the Yala route, which was currently infected by insurgencies. In addition, Thai policemen cannot follow the trafficking groups into Malaysia.

As in the case of those from Myanmar into Ranong, those from the northern and northeastern parts of Thailand into Sadao were also lured by the prospects of a better income to support the family back home. They were accompanied by sex-business agents from their places of origin to provide sex services in Dan Nok. Unlike those from Myanmar, they did not migrate in a big group as in the 1990s or the early 2000s, but rather in a very small group each time. This was to avoid being noticed by the police. Buses and trains were the current popular transportation from the places of origin. This represents another shift from the pattern of trafficking in the 1990s or the in late 2000s, when a private van had been mainly relied upon for trafficking a big group of victims.

One may note that transportation from the North to Sadao was more convenient in late 2000s than in the 1990s and early 2000s. There were daily bus services from Chiang Rai, Chiang Mai, in the north and several northeastern to Bangkok, as well as those from Bangkok to Hat Yai. During March and May, there were daily bus services from Chiang Rai to Dannok. These routes were fast and safe, given the lack of security check by the police.

The most popular route of trafficking in late 2000s was to travel by a public bus from the places of origin in the north or the northeast passing to Bangkok to catch another public bus to Hat Yai, then changed to a private van to Sadao. Some of the victims were accompanied by sex-business agents to catch a train from Chiang Rai to change a train in Bangkok to Hat Yai terminal, then were transported by a private van to Sadao.

Those sex-business agents were mainly migrant sex workers from the respective places of origin with high experiences and getting old. Some of them turned themselves into owners of sex establishments. Certain experienced sex workers in Sadao established and/or extended a network with sex business in Sadao, Hat Yai, and elsewhere in Thailand, neighboring and other countries.

Sex workers in Sungai Kolok were mostly of Tai Yai ethnic group. They migrated from Chiang Rai, a northernmost province of Thailand for a job. They had mostly known what kind of work they would be engaging in before migrating to Sungai Kolok. Most sex workers were in indirect sex services i.e. restaurants, karaoke, pub, etc.

Before working in Sungai Kolok, they had engaged in similar kind of work in other hot spots of sex industry in southern Thailand, i.e. Hat Yai, Sadao, for about two years or six months at least. Their pattern of migration starts from talking with friends who have earned so much money from sex service in the South. In order to get the job like that, they just caught a bus from Chiang Rai in the North to Morchit bus terminal in Bangkok Metropolitan Area, and took a bus there heading southwardly to Hat Yai. Some worked in Hat Yai for some times before moving to Sungai Kolok, while others goes there directly by van.

This study maintained that the study sites not only served as receiving areas but also transit points to other destinations within and outside Thailand. This is particularly the case for Malaysia, which may have also been either a receiving area or a transit point to Singapore and elsewhere. The case was clear for experienced sex workers looking for higher income.

It was an untold story if a network established by experienced sex workers played a part in trafficking sex workers from one place to another within Thailand and/or to Malaysia, Singapore, or elsewhere. What this study found was that to move on to Malaysia, a modified pick-up with cover on top of the back and seats with enough spaces underneath for the victims to lay down to hide while passing the crossing border to Malaysia. Some were voluntary expecting for a better income while others were forced. Those border crossing are undocumented. From Sadao to Malaysia, most sex workers who wanted to move to earn money there found no obstacles in migration.

3. Sex Trade

Form of Sex Trade

According to a twice-yearly survey of sex establishments related to surveillance of venereal diseases by the Public Health Ministry in 1995, there were a total of 6,563 commercial sex service places being reported. The data covered these two categories of commercial sex service places:⁶⁷

1) Prostitution establishments, or brothels, as places or premises arranged for prostitution or in which the prostitution was provided. It also included a place used for soliciting or procuring persons for prostitution. This kind of establishment has become outright according to the Thai legislative regimes.⁶⁸ Some may refer to this category as direct CSW establishments. There were 1,799 places of this category according to the Public Health Ministry survey in 1995. The size thereafter was unknown.

2) Sex entertainment establishments, providing a variety of services, including sex services in the guise of special services. They were such entertainment places as massage parlours, bars, night-clubs, tea-houses etc. The Entertainment Places Act of 1996 allows such places to operate only under a license to be obtained from local police stations. The use of licensed establishments for prostitution is illegal. 18 years is the minimum age for women to work in such establishments under the law. Some may refer to this category as indirect CSW establishments. There were 4,764 places of this category according to the Public Health Ministry survey in 1995. The size thereafter is unknown.

In 2004, the Ministry of Public Health survey found 12,847 establishments - - direct and indirect - - sheltered 60,172 sex workers countrywide. The data clearly indicated a growing trend of commercial sexual exploitation in Thailand.

This study also suggested that sexual services in 2007 were, in practice, not limited to those two categories of sex services. The case study of four sites in southern Thailand showed that sex services were more provided elsewhere rather than within sex service establishments and that there were four forms of sex trade: direct sex service establishments with employed sex workers; indirect sex service establishment or sex entertainment establishments with employed sex workers; freelance and mobile sex services, and sex services in the guise of mistress. Direct and indirect sex establishments may opened from twelve to twenty-four hours a day with sex workers to keep themselves available at all times during the opening hours. Freelance sex services and those in the guise of mistress were not on that regular basis.

Direct sex service establishments belonged to the lowest socio-economic status with the lowest rate of services and involved foreign sex workers rather than local ones. This was followed by the indirect or sex entertainment services with employed service workers, freelance services, and those in the guise of mistress, respectively.

This study also suggested that indirect, freelance and mistress sex services involved more domestic than foreign sex workers. Rather than getting out of the business, experienced sex workers tended to prefer moving up from a lower status of sex trade into a new market of a higher status that charged more for the services with more luxurious working conditions. This was particularly for the native migrant workers since the new markets of freelance sexual services and those in the guise of mistress were not readily open for illegal foreign workers. The latter rather tended to uplift their status into brokers to earn more money and even to set themselves as partners of sex business owners.

⁶⁷ Cited in UNIFEM (2002). "Trafficking in Women and Children" Gender Issues Fact Sheet 2. UNIFEM East and Southeast Asia Regional Office.

⁶⁸ The Penal Code, the former Prostitution Suppression Act of 1960, the Prostitution Prevention and Suppression Act of 1996.

Table 6: Form of Sex Trade in Study Sites

Study Site	Employed Sex Workers in Direct CSW Establishment	Employed Sex Workers in Indirect CSW Establishment	Freelanced Sex Workers	Sex Workers in the Guise of Mistress
Ranong District, Ranong Province	Available	Available	Unknown/ Untold	Unknown/ Untold
Sadao District, Songkhla Province	Not Available	Available	Available & Prevailed	Available
Sungai Kolok District, Narathiwat Province	Available	Available	Unknown/ Untold	Unknown/ Untold
Betong District, Yala Province	Unknown/ Untold	Available & Prevailed	Unknown/ Untold	Available

In Ranong, sex services in the study sites were provided mostly by service workers from Myanmar, followed by those from Laos. Those two major categories were mostly found:

- 1) Prostitution establishments or direct sex service: This referred to services rendered to customers in sex service places. The price ranged from 250 to 300 baht. The direct service workers in Ranong were mostly from Myanmar.
- 2) Sex entertainment establishments or indirect sex service: This referred to services rendered to customers via entertainment places, such as karaoke shops, beer bars, etc., where they provided entertainment and drinking services, negotiated the price for sex services in some other places - including hotels -- nearby thereafter. The price ranged from 500 to 1,500 baht. Besides those from Myanmar, there were indirect service workers from Laos in Ranong.

Both kinds of sex services were located nearby a fishery pier, which is not far away from Kawthaung in Myanmar.

Based on the case study of four sites in 2007, this study confirmed the 1995 trend in that there were more indirect than direct sex services. Yet, freelanced sex service was a new form of sex trade. It was growing uncheckedly and even prevailed in one site of the study, i.e. Sadao, along the Thai-Malaysian border. Sex service in the guise of mistress was another form of sex trade expected to be on the rise.

For the indirect sex services, or those in the guise of entertainment venues, this study suggested that there were sex entertainment venues, which recruited service workers to keep themselves available for clients; that sex services in the category were in the guise of entertainment services, either at the entertainment venues or elsewhere, including hotels, motels, rented rooms nearby; and that sex services are at will - combined with regular or other services to earn extra money.

For those services provided in the entertainment venues, this study found it available in Sungai Kolok, particularly in hotels with massage parlors, karaoke, coffee shops, and discos. The case study of Sungai Kolok maintained that traditional massage was the most popular service in hotels there. Usually no sex service was given in the massage room but some masseurs may have provided semi-sexual services for an extra payment. Massage was often provided in the comfort of the private guest room and it may have been combined with sexual services. This could be found in almost all large hotels in the town. The number of masseurs in a hotel ranged from 7 to 40, depending on the actual size of the hotel and clients' demand.

In Sungai Kolok, there were also several traditional massage parlors outside the hotels that offer similar services. Traditional massage became a replacement for the Turkish massage where direct sex service was available. Most of the hotels also had a coffee shop, a karaoke and some had discos. In all of these venues, especially the karaoke, there were female service workers to accompany clients to their hotel rooms to provide sexual services there at will. There are about 53 hotels in the town of Sungai Kolok. The main customers are Chinese -

Malaysians. Thai and other foreign customers were only a few. Most of the Malaysian customers came to Sungai Kolok for rest and recreation, including drinking and sex entertainment. They came because these activities were not quite available in Malaysia, especially in Kelantan and Terengganu States where alcohol drinking and night entertainment was rigidly controlled by the Muslim dominated state governments. The number of Malaysian tourists increased during weekends, i.e. Friday through Sunday and holidays, such as New Year, Hari Raya, Songkran, Chinese New Year, Loy Kratong festivals, etc.

The case study in Sadao suggested that the followings:

- Despite under the guise of an entertainment venue, one may easily identify it as a workplace of sex workers from the unique characteristics of the building: mostly of a 2-3 storey building with opaque filming; inside each building, there were long rows of seat and a drinking bar; sex workers usually sat on the seat rows inside the establishment waiting for their clients.
- Sex workers made themselves noticeable from the way they dress: in a sexy style, like wearing a short skirt and a sleeveless blouse.
- Sexual services in workplace were not available. Employed as service workers in an entertainment venue, they were subject to take their clients to somewhere else is sexual services were to be made. Each entertainment venues provided only a seat for their recruited sex workers to sit, waiting for clients to get in and to negotiate the service rate and places for sex services. Certain sex entertainment venues catered for a special group of clients, for example, Indians who like to come in a group, Chinese Malays from Malaysia who paid a better tip for services. The latter preferred Chinese speaking girls from a Chinese origin and those of Tai Yai ethnicity from the north of Thailand.
- The sex workers could decide if they wanted to go with clients and/or to provide sexual services to client; but they still had to give that part of their income, even their tips and drinks, to their workplace owners. They usually relied on hotels, motels, or rented rooms nearby to provide sexual services. The service rate ranges from TB 600 to TB 800 per hour in the morning, TB 500 per hour in the afternoon. If a client preferred a service worker to be with him at all times, the rates may have been up to TB 2,500 through the morning time and TB 1,800 throughout an afternoon. A fresh, beautiful and young service worker may have earned up to TB 3,000 for each service. Direct service workers were subject to provide up to 40 per cent of their income to shop owners while it may have reached 50 per cent for indirect services.
- Most owners of sex entertainment workplace were former sex service workers who managed to bring in sex workers from their village or province to Sadao to work for them.

Given that sex tourism was a growing business in Sadao, freelanced sex services are also available there. This referred to sex services provided by those who did not work for any employer, or those who took up sex services as a sideline job to earn extra income. Besides their own resident, hotels, motels and rented room throughout town were places where freelanced sex workers took their clients to after negotiation was made in an entertainment venue, where they met their client.

Sex services in the form of mistress were found in two study sites which border Malaysia. Such services were mostly catered to Malaysian-Chinese men. The latter have bought houses for their mistress in Betong, and Sadao.

Despite the different forms of sex trade, this study suggested that sex services by one person may have included more than one form. For example, in Sadao, those engaged in sex services in the form of mistress may have had a sideline job, as singers and/or sex workers. Most of them had more than one regular partner besides the man with whom they had a habitual sexual relationship. The latter normally paid a visit to them on an occasional, rather than a daily, basis.

From above, one may note that girls and women could be made available in all hotels in border area. This could be done by asking a hotel boy to bring in a girl or accompanying him to a large number of bars, karaokes, coffee shops and restaurants in the respective town.⁶⁹

⁶⁹ Kanchai et al. (2002). *Ibid*.

This study maintained that sex trade in each site was not on an exclusive basis, but rather form an inter-connection among sites, both within the kingdom and beyond. This was particularly those along the Thai-Malaysian border. In other words, the pattern of the sex trade at Dan Nok linked with that in Hat Yai, Sungai Kolok, Malaysia, and probably Singapore as well as other destinations. Sex workers were likely to move or be moved from Dan Nok to work in Hat Yai and Sungai Kolok for a short time, then returned to Dan Nok when their income in two places declined. Some of them were transported further to Malaysia and probably beyond after working there for a while. Sites at destination were unknown.

Sex trade in all study sites varied according to the supply and demand of sexual services, as well as to political and economic environment within and outside each area. For example, from the Asian economic crisis until the early 2007, sex tourism in Sungai Kolok was declining. Certain sex workers had to move or be moved to other sites, such as Dan Nok and Hat Yai, to sustain income. Hat Yai was taking away a lot of Malaysian tourists as it had all first-class tourist facilities, including sight-seeing locations in and around Songkhla province. Hotels in Sungai Kolok were therefore suffering from declining room occupancy for over the past few years. A five-star hotel room ranged from TB 450 to TB 900 comparing to a three-to-four star hotel room at only TB 300-600 baht. There was no serious promotion of tourism in Sungai Kolok, for which no clear reasons could be ascertained. The emergence of a Muslim dominated government in Kelantan state partly explained the recent increase in the population movement between the two countries. Some hotel managers revealed an increase in occupancy since the beginning of the year with confidence that it would continue to grow in the coming years as the Malaysian economy was expected to continue improving.

Data on Sex Workers

Estimates of the numbers of sex workers in Thailand varied widely, depending on the source of the figures and the method of estimation, as shown in Table below. Nevertheless, the most accepted figure by many government agencies and NGOs was 200,000 sex workers in Thailand by Mid-1990s. It was believed that 36,000 – 40,000 of them were underage.⁷⁰

Table 7 : Number of Sex Workers in Thailand: Late 1980s - Mid 1990s

Source (Year)	Number of Sex Workers	Remarks
Public Health Ministry (1995)	Official Survey: 81,384 (16,383: direct) (65,001: indirect)	Based on a twice yearly survey of sex establishments related to surveillance of venereal diseases
Public Health Ministry (1996)	Official Survey: 66,196 (64,251: Female) (1,945: Male)	
National Commission on Women's Affairs	Estimated 150,000 to 200,000 Of the figure, not more than 20 per cent were thought to be children.	-
Academics from the Population and Social Research Institute of Mahidol University	Estimated 200,000 to 300,000	-
Police Department (1995)	Estimated 500,000	Based on the number of

⁷⁰ Pongsan Kongtreekaew (2000). "The Effective Administration of Criminal Justice to Tackle Trafficking in Human Beings and Smuggling of Migrants in Thailand." Academic Division, Police Cadet Academy. (Mimeo).

Source (Year)	Number of Sex Workers	Remarks
		registered entertainment places
ECPAT (1994)	Estimated 200,000 children	-
Centre for Protection of Children's Rights - - CPRC (1989)	800,000 prostituted children - - Thai, those from the northern hilltribe minorities, Burmese, Burmese, Chinese, Lao and Cambodian children who are trafficked into Thailand's sex industry.	-

Source: Compiled by Author.

In the study sites, the accurate number of sex workers remained unknown and were difficult to estimate due to their mobile nature. Key points which were particularly reflected clearly from this study, as shown in Table 8 are the followings:

- 1) There was a changing pattern of those involved in sex trade in the study sites from the past. This was particularly from the perspective that sex workers in the study sites were of more varieties, in terms of place of origin than what was found in the existing literature during the early 1990s and early 2000s;
- 2) There were more migrant sex workers from within the kingdom than foreign sex workers, this was particularly true in all study sites along the Thai-Malaysian border. By contrast, those from Myanmar prevailed in Ranong.
- 3) Underage prostitution still existed in 2007, despite an untold story in certain sites.

Table 8 : Sex Workers in Study Sites

Study Sites	Place of Origin/Ethnicity	Average Age
Ranong District, Ranong Province	2007: mostly from Myanmar (Yangon, Mawlanyine, Dawei). Some were from Laos.	15-33 years old
Sadao District, Songkhla Province	Early 1990s – early 2000s: mostly from northeastern Thailand	Early 1990s: mostly 18 - 21 years of age
	Early 2000s: mostly Tai Yai from northern Thailand. There were also some Tai Yai from the Shan State in Myanmar. Most of them became settled in the area, and did not intend to return to Myanmar.	Unknown

Study Sites	Place of Origin/Ethnicity	Average Age
	<ul style="list-style-type: none"> - Mostly the followings, in a larger-to-smaller-size order: 6) Tai Yai and Tai Lue ethnic people from Chiang Rai province in the north of Thailand. This is especially those from Mae Sai District. 7) Thai people from Chiang Mai, Pha Yao, and Lam Pang provinces in the north of Thailand 8) Thai people from the Northeast of Thailand 4) Tai Yai, or Shan ethnic people from Shan State in Myanmar 5) Those from Tachilek in Kentung Tung, Myanmar 	20-30 years old
Sungai Kolok District, Narathiwat Province	2007: mostly Tai Yai and Tai Lue from northern Thailand	
Betong District, Yala Province	2007: mostly (80%) Thai from the South and other parts of the kingdom; China, Russia, Laos, Cambodia (Those from China are the majority of foreign sex workers in Betong)	<ul style="list-style-type: none"> - Averagely 20 years old - Those around 15 years old are noticeable.

In Ranong, sex workers were mostly from Myanmar. This included twelve interviewed female sex workers at age of 15-33 years old, mostly single, compared with four married, and one widow. Three places of origin in Myanmar were identified during the study. The majority of the interviewed sex workers were Burmese from Yangon, followed by Karen from Mawlamyine and Mon from Dawei. The household size back home ranged from two to ten persons. Most of them carried an identity card from the origin country, compared to two without any documents from the country of origin. All of them had entered Ranong with a border pass, overstayed and had no work permit. Migrant sex workers from Myanmar were engaged in either direct or indirect sex services. There were also some Laotian sex workers involving in indirect sex business only.

Women migrant workers in Sungai Kolok, particularly those in indirect sex services, were mostly Tai Yai. This was also the case for those providing such services in the guise of a mistress to Malaysian-Chinese men.

Tai Yai was also called the Shans. They originally lived in the Shan State of Myanmar, with a plateau extending to the mountainous Kachin State of Myanmar to the north, to China in the northeast, and to the east to the Thai border. Many of them had migrated to live as ethnic minority in the northern part of Thailand, particularly in Chiang Rai province along the Thai-Myanmar border and Chiang Mai, for decades. Studies in the 1990s found the ethnic Shan communities in northern Thailand as source of commercial sex workers in those northern provinces.⁷¹

⁷¹ J. Gray (1994). *The Social and Sexual Mobility of Young Women in Rural Northern Thailand – Khon Muang and Hilltribes*. Paper presented at the first workshop on sociocultural dimensions of HIV/AIDS

Tai Lue is one of the minority tribes living in the remote and high-mountain area in the north of Thailand. The Tai Lue ancestors were thought to have come from Khun Ming and Yunnan of the Republic of China. At present, Tai Lue people live in the boundaries of Chiang Rai, Chiang Mai, Lampang, Nan, and Phayao provinces.⁷²

Chiang Rai, a northernmost province of Thailand, is bordered by the Shan State of Myanmar on the west and Oudomxai as well as Bokeo of the Lao PDR on the east. The Mekong river forms the boundary with Laos, the Mae Sai and Ruak River to Myanmar. As a consequence, most of the migrant workers in the province were from these two countries. In 2006, Chiang Rai contained 1,224,121 inhabitants. The majority of them were generally ethnic Thai. 12.5% of them were hill tribal minorities in the North of Thailand. Those minorities were of Chinese origin, mainly descendants of the Kuomintang soldiers who settled in the region, notably Santikhiri. There were many sex establishments both along borderline and at hotels in the city of Mae Sai. The sex workers were mainly young women from inner cities of Myanmar and Yunnan province of China. Clients at cheap brothels along the Mae Sai borderline are mostly local Thais and migrant workers from Myanmar while clients at hotels were Thai tourists and tourists from other Asian countries. Clients at hotels in Mae Sai paid more and mostly prefer young and virgin girls.⁷³ Neighbouring provinces were Lampang, Pha Yao, and Chiang Mai.

Besides a home to migrant workers - - documented and undocumented - - from the neighbouring countries, Chiang Rai served as a transit point for a number of migrant workers to migrate to such neighbouring provinces as Chiang Mai, Phayao, Lampang, and further downwardly to central and southern Thailand.

Chiang Rai, Chiang Mai and Phayao are provinces where trafficking is an ever-present risk worst affected by human trafficking.⁷⁴ Available literatures also suggest that the rural area of those three provinces in Thailand is a major source and transit point of trafficking. Many of the victims gave their consent to be trafficked in order to get better pay in other countries, e.g. Malaysia, Singapore, Taiwan, Hong Kong, Japan, Germany, France, United States. These women knew what kind of work they had to do and most of them agreed to pay back the inflated cost set by the traffickers. Some paid back the debt by sleeping with a number of customers. What most of them did not know in advance was that they had to be detained in brothels in the country of destination until their debt had been fully paid. They could not resist because their passports were taken away by the traffickers.⁷⁵

The case studies of Sungai Kolok and Sadao particularly suggested a changing pattern of migration and the involvement of the ethnic Shans in sex industry towards a southbound trend. Sungai Kolok and Sadao along the Thai-Malaysian border were not limited to their destinations, but rather as work sites for a short or medium term before migrating further south beyond Thailand.

Control and Care, January, Chiang Mai, Thailand; C. Beyrer, S. Suprasert, and W. Sittitrai, et al. (1997). "Widely Varying HIV Prevalence and Risk Behaviours among the Hilltribe and Ethnic Minority Peoples of Upper Northern Thailand" *AIDS Care* 9(4): 427-439.

⁷² J. Tovanont and E. Chuksatitorn (n.d.). "Ethnobotanical Survey of Indigenous Plants by Tai Lue Community at Wiang Kaen, Chiang Rai." Mae Fah Luang University, Chiang Rai.

⁷³ Archavanitkul, K. et al. (1998). Combating the Trafficking in Children and Their Exploitation in Prostitution and Other Intolerable Forms of Child Labor in Mekong Basin Countries. A Subregional Report Submitted to International Programme of the Elimination of child Labour (IPEC) International labour Organization (ILC), Bangkok, Thailand, Nakhon Pathom: Institute for Population and Social Research, Mahidol University June.

⁷⁴ "Thailand Country Report, The Progress Report on the Status of Implementation of the EAP Regional Commitment and Action Plan Against CSEC" Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan Against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok, Thailand.

⁷⁵ Kongtreekaew (2000). *Ibid*.

Within the Shan State on the Myanmar side, the ethnic Shans accounted up to 60 per cent of the 4.5 million population there, according to a UNICEF estimate in 1997.⁷⁶ Other ethnic groups in the Shan State include the Palaungs, the Wa, the Kokang, Lahu, Akha, ethnic Chinese, 20 other smaller ethnic and linguistic groups.⁷⁷ A number of the Shan in the Shan States earned a living as sex workers there. While being highly mobile, they engaged in sex work, which was concentrated in mining areas, festival settings, and border areas. They were congregated or passed through by truck drivers, migrant labourers and seafarers.⁷⁸ Many girls and young women from Myanmar and China were brought in to sell sex service for their first time in Mae Sai and later persuaded to continue the sex work in other parts of Thailand and sometimes in the third country.⁷⁹

Yunnan is a province in southwestern China and borders Myanmar, Laos and Vietnam. Sex work industry has developed in Yunnan, with more than 80 per cent of female sex workers had less than 8 years of education. Sex work was illegal in Yunnan. Yet, the sex industry included both direct and indirect forms of sex trade. The latter prevailed. This reflected in a notion of over 80 per cent of girls working in entertainment and service establishments were involved in sex trade during 1995-2000. Those entertainment and service establishments included hair salon, bar, dancing and karaoke venue, massage salon, etc.⁸⁰ Meanwhile, Yunnan had a large scale of migrants, about 9 per cent of the provincial population. Migrants returned to their hometown periodically for a temporary basis. 28 per cent of the migrants were found to have multiple sex partners in early 2000s.⁸¹

Economic insecurity in Yunnan was a major factor pushing families in the area to send their daughters to engage in sex trade in Thailand. For example, in a village called Langle near the Mekong River in Yunnan, according to an International Herald Tribune article in 2005, there were two kinds of families: the relatively rich, who lived in tiled villas with air-conditioning, and those who still hunted in the wood and sent their children off when there were too many mouths to feed. Such a socio-economic divide was tied to families having daughters, many of whom went to Thailand and Malaysia to work in brothels. A local notion that "If you don't go to Thailand and you are a young woman here, what can you do? ...All of the girls would like to go, but some have to take care of their parents." was quoted while adding experts saying that in some local villages the majority of women in their 20s work in this trade, which became largely voluntary.⁸²

Chinese-Malaysians maintained at the majority of the clients in Sungai Kolok and Sadao. They were mostly rich and paid a lot for a girl who makes them satisfied. They constituted the demand for the Shan ethnic sex workers, both from the upper northern Thailand and from Myanmar, as well as for Chinese speaking sex workers from China.

The average age of sex workers in Betong was 20 years old. However, those around 15 years old could also be noticed. 80 per cent of sex workers in Betong were Thai women migrating from other parts of the country, including the South itself. There were also Chinese women who were somehow arranged to come to Betong for sex trade for only 3 months, then

⁷⁶ UNICEF (1997). *The State of the World's Children*. UNICEF Report, New York. Cited in C. Beyrer (2001). "Shan Women and Girls and the Sex Industry in South-east Asia: Political Causes and Human Rights Implications" *Social Science & Medicine* 53: 543-550.

⁷⁷ M. Smith (1993). *Burma: Insurgency and the Politics of Ethnicity*. London: Zed Books Ltd. Cited in C. Beyrer (2001). *Ibid.*

⁷⁸ Joint Programme for HIV/AIDS in Myanmar – Fund for HIV/AIDS in Myanmar (2005). *Ibid.*, p. 11.

⁷⁹ P. Wongboonsin et al. (2007). *Rapid Assessment on HIV Vulnerabilities of Migrant Children and Youth in Thailand*. ILO-UNICEF Joint Project, December.

⁸⁰ Yan Xiao et al. (2007). "Expansion of HIV/AIDS in China: Lessons from Yunnan Province" *Social Science & Medicine* 64: 665-675; S. Pan (1999). *Three "Red Light District" in China*. Beijing, China: Qunyu Publishing House; J. Guo et al. (2002). "Analysis on an HIV/STD Interventional Program Among Female Servants in Baoshan Area of Yunnan" *Journal of Dermatology and Venereology* 24 (3): 62.

⁸¹ Lu et al. (2005). "Analysis of HIV/AIDS Prevalence in Yunnan Province." *Journal of Chinese AIDS/STD Prevention and Control* 11 (3): 164, 172-174. Cited in Yan Xiao et al. (2007). *Ibid.*

⁸² H. W. French (2005). "Chinese villages export their daughters." *International Herald Tribune* 4 January.

moved on. And from time to time, there were Russians and Laotians. Although there was a research on Cambodian women being trafficked into Malaysia through Thailand, there was no report of them going towards Betong. Yet, this study was able to identify some Cambodian sex workers there. This was based only on informal observation by stakeholders in the area, rather than a systematic survey. Some of Cambodian sex workers were students in the Northeast who migrated to Betong to work in this sector. They came voluntarily in order to earn extra money. When they earned enough, or when the schools started, they left.

Those from China were the majority of foreign sex workers in Betong. They could not speak Thai. This was in response to the demand for Chinese-speaking sex workers with a Chinese origin from the elderly Malaysian-Chinese tourists who frequented Betong's hotels.

Factors Contributing to Entry into Prostitution

A 1992 study conducted by the Psychology Department of Mandalay University and the Department of Health in eastern Shan States of Myanmar suggests that illiteracy and little access to basic education were key explanation for people from Myanmar to become commercial sex workers.⁸³ Caye (1995) adds that there were also cultural, familial, economic and historical factors affecting the decision to enter into sex industry. In Thailand and neighbouring countries, prostitution was often perceived as sacrifices to fulfill the traditional responsibility to care for their parents and/or the family.⁸⁴

According to a study of Shan woman and the sex industry in Southeast Asia, the chronic state of poverty, uncertainty, and threats to life and well-being, many Shans have fled the Shan States as refugees and as migrant workers via trafficking networks to work sites throughout Thailand and beyond. The latter included Malaysia, Singapore, and Hong Kong. The involvement of the Shans in sex industry had increased in 1990s-2000s. It made up to more than 40 per cent of brothel-sex workers in northern Thailand in 1994. In the fishery area of Ranong Province in Southern Thailand, more than 80 per cent of commercial sex workers were from Myanmar, including a significant number of the Shans.⁸⁵

A study in the Mekong Sub-region identifies three root causes of trafficking:⁸⁶

(1) Gender Sensitivity: The gender insensitivity led girls and women to being vulnerable subjects or trafficking. Although varying in degrees, most countries in the Mekong subregion shared the male dominated culture, which usually expressed their beliefs by providing different treatment for boys and girls. Boys and girls were given unequal education opportunities, and given, different sets of sex education and sex norms by parents and schools.

(2) Cultural Factors: An attitude in which youngsters had to pay gratitude to their parents was a common practice among countries in the subregion. Female members of a family in particular, were expected to support their family from a very young age. Especially if the female member of the family was an elder sister, she was expected to even generate income to support family as well as sending brothers to school. Being raised to be obedient, Female members of the family were usually cornered into protecting and supporting their families,

⁸³ Myo Thet Htoon, Noor Salim, Min Thein, Min Thwe, Edward Zan (1992) Archavanitkul, K. et al. (1998). Combating the Trafficking in Children and Their Exploitation in Prostitution and Other Intolerable Forms of Child Labor in Mekong Basin Countries. A Subregional Report Submitted to International Programme of the Elimination of child Labour (IPEC) International labour Organization (ILC), Bangkok, Thailand, Nakhon Pathom: Institute for Population and Social Research, Mahidol University June.

). A Study on the Behavioral Pattern of Truck Drivers Plying Long Distances in Mandalay. Myanmar National AIDS Program.

⁸⁴ J. Caye (1995). *Preliminary Survey on Regional Child Trafficking for Prostitution in Thailand*. Commissioned by UNICEF-EAPRO August-November.

⁸⁵ C. Beyrer (2001). *Ibid*.

⁸⁶ Archavanitkul, K. et al. (1998). Combating the Trafficking in Children and Their Exploitation in Prostitution and Other Intolerable Forms of Child Labor in Mekong Basin Countries. A Subregional Report Submitted to International Programme of the Elimination of child Labour (IPEC) International labour Organization (ILC), Bangkok, Thailand, Nakhon Pathom: Institute for Population and Social Research, Mahidol University June.

come what may. Many of them as young as 12 or 13 years old were reported to enter the sex industry to generate income for their family.

(3) Materialism influenced the lives of people in the subregion. The general populations in the sub-region were affected by the rapid economic growth in Asia, and their attitude changed towards materialism. Private sectors have put tremendous effort in advertising and marketing their products. Most communities in the subregion favoured easy money and convenient life, become less self-sustained, and depend rather heavily on external factors. Among the disadvantaged groups people, they struggled to keep up with such rapid change.

According to Archavanitkul et al. (1998, p. 66-67), poverty was one of the most important factors that drive children out of their homes and into the workforce with promises for money and better lives. Children were naturally vulnerable and often become repeatedly victimized by child trafficking.

This study suggested that poverty may not be a major driving force for engaging in prostitution, but rather the problem of uncertain and/or insufficient income to run a life or to support a family in the place of origin - - fear from want. Materialism and the problem of community security - - fear from threats, including fear from being killed, persecuted or abused - - added in terms of the driving force, particularly from Myanmar. Meanwhile, Thailand was considered to offer better social, economic and political conditions. The growing tourism, the demand for sex trade in the study sites, as well as the possibility that sex trade offers fast and more money than other labouring services also played important roles in pulling sex workers from different places, within and outside Thailand.

To be liberalized from the varied human insecurities back home, a decision was made either to take the risk of venturing in a new pathway of life or to take a new pathway of life chosen by the parents. Such a decision was made unknowingly if it was a winning formula or if it was a choice towards another aspect of human insecurities. The case study of sex trade in the four study sites in southern Thailand suggested that engaging in sex trade was expected to be a part of life to lead towards a better life or a relatively human security thereafter once an opportunity avails.

Mode of Entry into Prostitution in Target Areas

According to UNIFEM, there were three mode of entry into prostitution:⁸⁷

- **voluntary** indicated that the woman, prostitute-to-be, approaches the owner/manager of a sex establishment herself;
 - **bonded** implied the involvement of parents or guardians who receive money from an agency or owner for giving away their daughter;
 - **involuntary** involved the use of deception and coercion of the women by an agent or owner/manager
- However, the distinctions between them were not clear.

UNIFEM maintained that there was a significant proportion of prostitutes, including most child prostitutes, either forced or tricked into the trade.⁸⁸

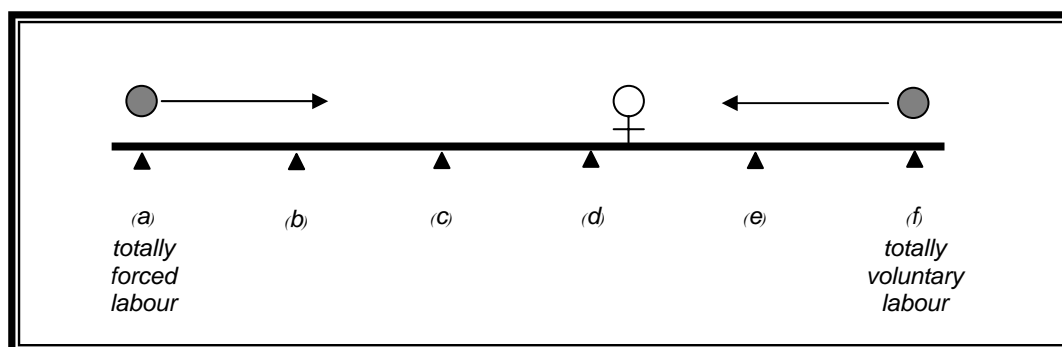
The following figure reflects the conceptual findings which Archavanitkul et al. (1998) conclusively analyzed from research projects on combating child trafficking in the Mekong basin countries as well as from previous studies on transnational migration.⁸⁹

⁸⁷ UNIFEM (2002). "Trafficking in Women and Children."

⁸⁸ UNIFEM (2002). "Trafficking in Women and Children."

⁸⁹ Archavanitkul, K. et al. (1998).

Figure 18: A Trafficking Continuum



Source: Archavanitkul, K. et al. (1998). Combating the Trafficking in Children and Their Exploitation in Prostitution and Other Intolerable Forms of Child Labor in Mekong Basin Countries. A Subregional Report Submitted to International Programme of the Elimination of child Labour (IPEC) International Labour Organization (ILC), Bangkok, Thailand, Nakhon Pathom: Institute for Population and Social Research, Mahidol University June.

- a. Victims forced and/or kidnapped, and trafficked.
- b. Victims were given false information, and trafficked into types of business other than promised. (Often found with victims from Laos, Cambodia, and Vietnam.)
- c. Victims realized the nature of the work, but not the work conditions. (Common among sex workers.)
- d. Victims realized the nature of work and work conditions, but were not aware and/or were able to foresee the difficult situations they may encounter. (Victims were inexperienced and were given partial information.)
- e. Labourers (could possibly be formerly trafficked) realized the nature of work and work conditions, but were not given alternative worksites.
- f. Labourers (could possibly be formerly trafficked) realized the nature of work, work conditions, and were able to select their worksites.

Commercial sex workers in Betong could be categorized into two groups: 1) those coming voluntarily by themselves to work in entertainment places; and 2) those coming with an organized group. There was a smaller number of trafficking with more cases of voluntary sex worker.

In other study sites, a number of migrant workers from Myanmar gave their consent to be trafficked in order to get to work sites, including sex service places, in Thailand. The case of those involving in sex trade in Ranong clearly showed that they had known what kind of work they had to do and most of them agreed to pay back the cost set by the traffickers - - to be in the debt bondage. Most of them traveled in an organized group.

Cases of dutiful daughters expected to engage in a legal job, but ended up in the flesh industry were identified. This was particularly the case for those from Myanmar working as brothel-based sex workers in Ranong.

An experienced broker was essential to navigate and to accompany migrant workers through numerous checkpoints between home and the border. Once across the border, brokers were needed to transport migrants to workplaces in Thailand.

Brokers were also needed for ethnic-minority migrant workers in the rural northern Thailand. Restrictions on the rights of the ethnic populations of Thailand encouraged people to use brokers. Many brokers simply facilitated the livelihood and survival of ethnic minorities.⁹⁰ There was no reliable information available on the size of migrant workers, trafficked or not, in entertainment business in Betong. An explanation is that it remains an issue of under-studied. Another explanation is their mobile nature. Yet, one may notice during the good economic time that there were many of them. Now given that the situation in the three provinces is not stable, they tend to move to other provinces, such as, Phuket or Hat Yai.

Besides the demand for services, the existence of Chinese sex workers in Betong varied according to the availability of the supply, affected by socio-economic policies and measures in the country of origin, China. For example, after China issuing a law prohibiting trafficking in 1994, the number of trafficked cases dramatically decreased, although not totally eradicated. Recently, the new economy in China has inspired people to work harder for wealth elsewhere, including in Betong, Thailand. Based on an informal observation of key informants, more and more Chinese women were coming to Thailand to earn a better income, either as manual labour or sex workers. Most of the low-educated, plain looking girls are in the manual-labour sector; while better-educated and good looking ones become sex-workers.

4. Problems Encountered by Victims

There were two major problems encountered by victims in sex industry in the study sites: debt bondage and health problems.

Debt Bondage

Rather than physically locked up in a premise, sex workers in the study sites were debt bondage. The case was relatively serious for those from Myanmar with high cost of transportation.

The case study in Ranong found that it costed each sex worker from Myanmar around 5,000 – 12,000 baht to get the job. This covered transportation, a border pass and recruitment fees. Most of the expenditures are for transportation. For example, they had to pay approximately 6,000 baht for airfare from Yangon to Kawthaung, 50 baht to travel by boat, and 20 baht for the motorcycle. For the border pass, it was 1,500 baht. Not all of them had to pay to the recruiters; but it was the employer who paid for it, and deduced the money from the sex workers.

This study found it also the case as suggested in a previous study.⁹¹ Sex workers from Myanmar work for varying length of time depending on their situation, their future plans, and their available options. Most of them expected to work until their debt being paid off, usually between 18 months to three years. During this time sex workers were able to visit home and other places at will. It was also the case for those of ethnic minorities from the hill-tribe community in Thailand. The degree of debt bondage for this type of sex workers was unknown.

Health Problems

Among all study sites, only minor physical and psychological abuses were identified; and this occurred to only few cases. This was the case for brothel-based sex workers from Myanmar in Ranong; and they were against such an undisciplined behaviour as talking over a mobile phone while working.

In all study sites, no serious abuses were identified. No abuses against non-services were identified also. It was up to the sex workers whether to provide sexual services. Rather than

⁹⁰ J. Pollock (2007). "Thailand." In Global Alliance Against Traffic in Women (GATTW). *Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World*, Bangkok: Global Alliance Against Traffic in Women (GATTW).

⁹¹ Images Asia (1997). *Ibid*.

the use of force, sex workers forced themselves to provide as much services as possible to earn more money to set themselves free from debt-bondage, and/or to pave the way for a secured human life later one, either back home or elsewhere.

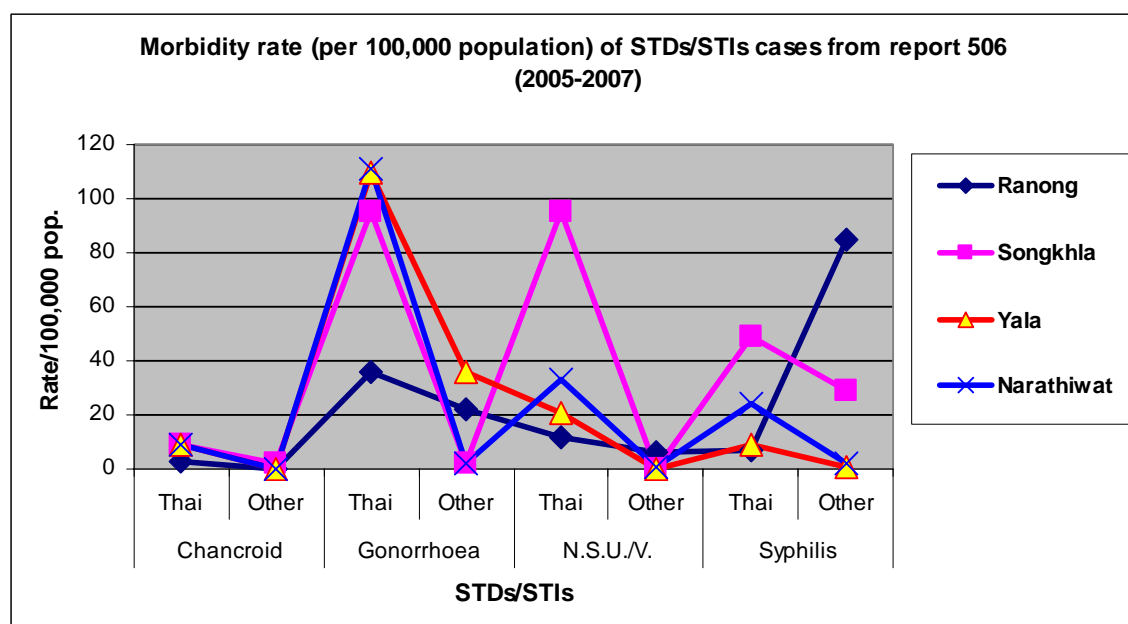
It was not until 1991 that sexual diseases and HIV/AIDS prevention and control became a national priority at the highest level. In 2003 the government made an official commitment to ensuring adequate treatment for all people living with HIV, and set targets to improve treatment access. As these plans were carried out, the third "National Plan for the Prevention and Alleviation of HIV/AIDS in Thailand," 2002-2006 worked towards the target of reducing HIV prevalence to less than 1% and providing access to care and support for at least 80% of the people living with HIV and other affected individuals.⁹²

The new National Strategic Plan on AIDS 2007-2011 was developed through a broadly consultative and inclusive national process to scale up HIV prevention efforts. This was particularly for people most likely to be exposed to HIV and difficult to reach populations.

Prevention was recognized as one of the most essential strategy in national AIDS Plan since the very beginning of epidemic until now. The core issues of prevention strategy were widely referred to all vulnerable population and to general one.

Figure 17 shows sexual transmission diseases were still a major problem in all of the four provinces under investigation at present. Songkhla is the province with the highest morbidity rate, followed by Yala, Narathiwat, and Ranong. Among those provinces, Ranong was the only province where foreign workers were more affected with sexual diseases than the local people. The data on HIV/AIDS and for each study site in each province were not available. One may wondered if the cases of foreign workers with sexual diseases were in fact higher than those in the official record, particularly sex workers in each study site.

Figure 19 :



Source: Bureau of Epidemiology, Department of Disease Control, MoPH, *National Notifiable Disease Surveillance (Report 506)*, Available from: <http://203.157.15.4/surdata/>

⁹² UNAIDS, *2006 Report on the Global AIDS Epidemic*; International Herald Tribune (November 2005), 'Thailand faces new AIDS threat'.

Among all study sites, cases of sex workers with HIV/AIDS were identified and/or reported during field investigations. They included both local and migrant sex workers. Two scenarios were found: 1) Without stigmatization/discrimination. This was the case of a 33-year-old woman from Myanmar working in a brothel in Ranong. Rather than forced to provide sexual services or discarded away by the brothel owner, she asked for continuing providing the services in a safe method. To do so, she relied on a condom, ARV treatment obtained from Kawthaung on a three monthly basis, showing an HIV/AIDS treatment card to clients. Most clients understood her problem and accept her services. 2) With stigmatization/discrimination. This was particularly the case in Sadao, especially among mobile or freelanced sex workers who have been infected with HIV/AIDS before migrating into Sadao, and foreign sex workers.

This study suggested that all sexual diseases, including HIV/AIDS among sex workers were a major concern to public health authorities. In Sadao district of the Narathiwat province, particularly at Dan Nok, local public health officials maintained that sex workers there were of risky sexual behaviour, and that it was on the rise. This was despite the official campaigns, a 100% condom' program enforcing a mandatory use of condoms in brothels, and an MOU between the public health office in the area and entertainment venues there to bring service workers for medical check-up at least once a month. An irregular use of condom is the major problem of those sex workers. This was the case despite some sex workers claiming otherwise during the interview, while others admitting that they used one condom for more than one client, and that it sometimes turned broken without notice. According to the public health officials in the area, the risk behavior increased among those using drugs.

Those most difficult to provide health services were mobile sex workers who were infected with HIV/AIDS before migrating into Sadao, and foreign sex workers. The difficulty in the former was mainly due to their experiences of stigmatization and discrimination. For the foreign sex workers, the major explanation to the difficulty to provide health services was their fear of being arrested by the police.

In June 2006, the Thai government announced its renewed commitment to universal access to HIV prevention, treatment, care and support. This included the ambitious goal of decreasing by 50% the annual number of new HIV infections in Thailand by 2010. Sadao is a major concern to the government. This reflected in high risk behaviour among sex workers there, despite brothel-based sex work has been overtaken as a source of infection by other patterns of high-risk behaviour, particularly among young people in most part of Thailand.

Limited access to health care was a problem of migrant workers, particularly those clandestine, from Myanmar and China.

A study in 2003 argues that little information was known regarding the level of knowledge among migrant workers from Myanmar working along the Thai-Myanmar border. This was particularly concerning the risk factors, prevention and transmission of HIV/AIDS. According to the study, 41 per cent of female migrant workers from Myanmar along the border understood that contraceptive pills do not prevent infection while only 15 per cent of them reporting having ever seen a condom. This compares to twelve per cent of male and only 1.4 per cent of female migrant workers from Myanmar ever used a condom.⁹³

A study in early 2000s reports the prevalence of anti-HIV seropositivity in Myanmar migrant workers in a rural community in the Southern Region of Thailand with a high density of Myanmar migrants as fishermen. Based on the screening data for anti-HIV seropositivity among 250 Myanmar migrants (169 males and 81 females) who were in Thailand for less than 1 month, the study finds anti-HIV seropositivity rate among these Myanmar migrants at 3.2%. The rates in males and females were 4.1% and 1.2%, respectively. Since these migrants could carry the disease into Thailand, screening tests as a preventive strategy were recommended.

⁹³ USAID (2003). *Ibid.*, p. 34.

Factors leading to high-risk behaviour in Thailand included the following:

- Changing sexual behavior and social norms: Far away from the social constraints at home into the relatively liberal world of the Thai society, migrant workers from Myanmar were changing their sexual behaviour and social norms. In their traditional upbringing back home in rural villages, women gained very little knowledge about their bodies, the reproductive system or sexually transmitted diseases including HIV. Despite the changes being greater among women of Burmese ethnicity than those who were Mon, women from both groups were left vulnerable to unplanned pregnancy and HIV. This was based on the case of migrant workers in Mahachai, Samut Sakhon Province. Without the guidance of the traditional society or the influence of family, the followings had occurred to young migrants:⁹⁴
 - o There was an increase in pre-marital sex among young migrants.
 - o Marriage was changing towards an informal and temporary arrangement.
 - o Migrant women tended to get married for physical and financial security, see sharing expenses with a partner as a way to save money.
 - o A form of serial monogamy: Couples tended to stay married for a short time, then break up, and remarry two or three more times. Women were more likely to break up the relationship in search of a better man.
 - o The intimacy associated with being married results in a low level of condom use among couples.
 - o Women were not considering their or their partners' previous sexual history.
- A way to attain physical and financial security

Factors leading to low-risk attitudes and behaviours in Thailand among migrant workers from Myanmar included:

- Fear of job loss: Unplanned pregnancy was of great concerns to migrant workers.
- Length of stay in Thailand: Myanmar migrant workers who were in Thailand longer were more aware of HIV and condoms, and were not timid to request a condom.⁹⁵
- Greater access to information and condoms: The presence of migrant volunteers in migrant communities and work places contributed to this, which has positively influenced their attitudes towards condom use.⁹⁶

Literatures suggest the following factors interacting to complicate and to restricting the process of migrant access to health care:

- (1) Economic concerns: cost of transport; cost of medical treatment; loss-of-income and/or job dismissal avoidance;
- (2) Work-related obstacles: power dynamics; sick leave; working hours, overtime and days off; access to the official documents;
- (3) Transportation and safety issues: fear of harassment and arrest by the police; forced to pay bribes;
- (4) Communication obstacles: language barriers
- (5) Social support issues: lack of social network to take of HIV-positive migrant workers in case of job loss; stigma and discrimination against PLWHA
- (6) KAP obstacles: limited knowledge of their rights

This case study in Dan Nok, Narathiwat province, confirmed a notion in a previous study⁹⁷ that stigma and discrimination against people living with HIV/AIDS was a resisting factor against health care access. As a result, HIV-positive migrants were forced to choose between work and medical treatment. Some pretended that their medicines were ordinary painkillers, and/or only managed to get poor paying jobs that few others wanted. Fear of

⁹⁴ Maw Maw Zaw and B. Press (2006). "Changing norms lead to hidden risk behaviors among migrant women in Mahachai." In PHAMIT. *Migrants and HIV: the Need for Services*. Raks Thai Foundation, December, p. 4.

⁹⁵ Maw Maw Zaw and B. Press (2006). *Ibid.*

⁹⁶ Maw Maw Zaw and B. Press (2006). *Ibid.*

⁹⁷ Saether, S.T. et al. (2007). *Ibid.*; Wongboonsin et al. (2007).

government persecutions, a poor health system, poverty, and a lot of discrimination against PLWHA back home are major explanations.⁹⁸

The case was different in Ranong, where a short visit for regular treatments and medication in hometown was relied upon by migrant workers with HIV/AIDS from Myanmar. It was not an option, but a must - - due to the lack of health card for HIV/AIDS treatment in Thailand while medication was available back home.

Among few published literatures on risk behaviour of commercial sex workers in southern provinces, there was a quantitative study aimed to reduce the transmission of HIV and STD among female sex workers and their clients, and to improve their negotiation skills in Sungai Kolok, Thailand. It found the rate of condom use with the private partners to increase among women in its experimental group.

A relevant study after 1998 was not available. This study found that, as in other areas of Narathiwat province, Sungai Kolok was still an area of HIV/AIDS prevalence, albeit of a declining trend. Despite the lack of previous research has provided detailed information or analysis of the linkage between the border situation of tourists in Southern areas and their HIV/AIDS vulnerability, one may have expected the risk to be associated with commercial sex workers and the tourists. The declining prevalence rate in 2001-2006 was probably contributed by the above-mentioned declining trend of the sex service tourism during that time. A further investigation was needed if the number of AIDS patients and deaths arose in response to the upturn swing of the sex service tourism after 2006.

In all cases, condoms and regular check-ups provided by the public health were the popular methods of both prevention and protection. In all study sites, owners and/or operators of sex establishments - - direct and indirect - - were responsible for taking their sex workers for health checks and treatments.

In Yala province, Betong was also problematic in terms of sexual diseases, with 20 % HIV prevalence and the observed incidence rate of HIV infection of four per 100 persons years of follow up. A study in the late-1990s suggests that the problem in Betong was more serious than in Sungai Kolok.⁹⁹ An explanation was that the increase in knowledge and perceived vulnerability did not translate into a greater increase in condom use. The study in the late-1990s was of the idea that contamination between Sungai Kolok and Betong was not likely because the geographical barriers between both areas made travel between them troublesome and time consuming. Relevant data after the 1990s up to the present were not available. Information obtained from local stakeholders suggests only that there were not many cases of sex workers acquiring services from public hospitals for sex-related illness in 2007. An explanation was probably that sex workers in Betong were able to earn enough income to access services elsewhere, including private clinics. Accordingly, Betong represented a key under-researched area.

5. Intervention Measures/Instruments Against Trafficking and Prostitution

At the international level, the **United Nations Convention against Transnational Organized Crime**, adopted by General Assembly resolution 55/25 of 15 November 2000, is the main international instrument in the fight against transnational organized crime. It opens for signature by Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, on 12-15 December 2000 and entered into force on 29 September 2003. The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and

⁹⁸ Thongmak, S., Pattanarak Foundation (2006). "Struggling at the Border." In PHAMIT. *Migrants and HIV: the Need for Services*. Raks Thai Foundation, December, p. 3.

⁹⁹ G. J. van Griensven et al. (1998). "Evaluation of a Targeted HIV Prevention Programme among Female Commercial Sex Workers in the South of Thailand" *Sex. Transm. Inf.*: 74; 54-58.

Trafficking in Firearms, their Parts and Components and Ammunition. Countries must become parties to the Convention itself before they can become parties to any of the Protocols.

The Convention represents a major step forward in the fight against transnational organized crime and signifies the recognition by Member States of the seriousness of the problems posed by it, as well as the need to foster and enhance close international cooperation in order to tackle those problems. States that ratify this instrument commit themselves to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences (participation in an organized criminal group, money laundering, corruption and obstruction of justice); the adoption of new and sweeping frameworks for extradition, mutual legal assistance and law enforcement cooperation; and the promotion of training and technical assistance for building or upgrading the necessary capacity of national authorities.

The ***Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children***, was adopted by General Assembly resolution 55/25. It entered into force on 25 December 2003. It is the first global legally binding instrument with an agreed definition on trafficking in persons. The intention behind this definition is to facilitate convergence in national approaches with regard to the establishment of domestic criminal offences that would support efficient international cooperation in investigating and prosecuting trafficking-in-persons cases. Another objective of the Protocol is to protect and assist the victims of trafficking in persons with full respect for their human rights.

The ***Protocol against the Smuggling of Migrants by Land, Sea and Air***, adopted by General Assembly resolution 55/25, entered into force on 28 January 2004. It deals with the growing problem of organized criminal groups who smuggle migrants, often at high risk to the migrants and at great profit for the offenders. A major achievement of the Protocol was that, for the first time in a global international instrument, a definition of smuggling of migrants was developed and agreed upon. The Protocol aims at preventing and combating the smuggling of migrants, as well as promoting cooperation among States parties, while protecting the rights of smuggled migrants and preventing the worst forms of their exploitation which often characterize the smuggling process.

The ***Convention for the Suppression of Traffic in Person of the Exploitation of the Prostitution of Others (The Trafficking Convention)*** deals with trafficking for the purposes of prostitution. It calls on States parties to do the followings: To punish traffickers and to protect all persons against such abuse; to make suitable provisions for trafficking victims temporary care and maintenance as far as possible; to repatriate trafficked persons after agreement with the State of destination; and to bear the cost of repatriation as far as the nearest frontier if trafficked persons cannot pay the repatriation cost.

Meanwhile, the ***Convention on the Elimination for All Forms of Discrimination Against Women*** calls on state parties to eliminate discrimination and to take all appropriate measures to suppress all forms of traffic in women. Yet, the Convention does not explain what such measures might be. In addition, the ***Convention on the Rights of the Child, 1989***, which defines the child as a person under 18 years of age, unless the national laws recognize a younger age of majority, calls for state parties are to do the followings: To protect children from all forms of discrimination; to protect them from sexual exploitation and abuse, including prostitution and pornography; to make every effort to prevent the sale, trafficking and abduction of children; and to ensure that victims of exploitation receive appropriate treatment for their recovery and social reintegration.

Prostitution was illegal in Thailand. Harsh laws were passed to eliminate forced prostitution. Focus of efforts was geared more and more towards prevention and eradication of underage prostitutes, particularly through trafficking rings, regardless of consent. A set of more severe penalties were issued against brothels, clients, procurers and parents who sell their daughters.

At the national level, Thailand put its first anti-trafficking law, the ***Trafficking in Women and Girls Act*** into effect in 1928 to add to its 1908 ***Contagious Diseases Prevention Act***, which aimed at controlling sexual-related diseases at the national level. An explanation was an increase in numbers of foreign nationals in Thai brothels.

The 1928 ***Trafficking in Women and Girls Act*** prohibits trafficking in women and girls, while provide protection to a certain extent to the victims. This is reflect in section 7 of the Act, which stipulates that women and girls who have been trafficked into Thailand are subject to exemption from imprisonment and/or fines. Before deportation, the trafficked women and girls are to be sent to a state reform house for 30 days, a period which can be extended by a judge. The Act requires Thai authorities to arrange and bear the cost of repatriation to the country of origin of each victim.

Later on, several relevant laws were added. Many of them are still enforced and applied where appropriate, with emphasis on prevention and suppression of underage prostitution and the rights of forced prostitutes and trafficked persons, and with reference to international human rights standards. Among others, the ***Penal Code 1956*** prohibits procurement for the purpose of prostitution. Severe punishment was stipulated for abuses against girls forced into prostitution, particularly if the girl is under 18 years of age. The penalties become harsher for offences against girls under 15 and 13 years of age. Forced sexual intercourse with a women "who is not wife, against her will, by threatening her by any means whatever" with 4 to 20 years imprisonment and a fine of 8,000 to 40,000 baht, according to Section 276 of the Penal Code. It is a statutory rape in case of sexual intercourse with a girl under 15, even if with her consent, according to Section 277.

In 1960, the ***Suppression of Prostitution Act*** (Prostitution Prohibition Act) was enacted to control prostitution. The Contagious Diseases Prevention Act was accordingly repealed. However, in 1966, when the Government was seeking to increase state revenue from the "Rest and Recreation" activities of the US armed forces stationed in Vietnam, the ***Entertainment Places Act*** was also enacted. It has paved the way for sexual services under the guise of special services to be legalized in entertainment places.¹⁰⁰ The Act defines the various kinds of "Entertainment Places," including massage parlours, bars, night-clubs, tea-houses etc. Yet, the Act allows such places to operate only under a license to be obtained from local police stations. The use of licensed establishments for prostitution is illegal. One may note that the Act sets 18 years as the minimum age for women to work in such establishments. It sets the penalty for employing under-age women up to baht 2,000.

The Thai ***Immigration Act*** of 1976 prohibits entry to Thailand of those engaging in prostitution, trading in girls and other immoral activities. Those who "brings or takes an alien into the Kingdom" are liable to imprisonment for up to 10 years or a fine up to 100,000 baht.

In 1996, the ***Prevention and Suppression of Prostitution Act***, or the ***1996 Act***, came into force to eliminate prostitution by making it an illegal activity. While replacing the Suppression of Prostitution Act, the 1996 Act prohibits prostitution and solicitation for prostitution, both male and female, in public places while setting the penalty for offering sexual services and for maintaining a prostitution establishment. While continuing to make to prostitution illegal, it reduces the penalties for the prostitute to a fine of 1,000 baht (Section 5). The Act further stipulates that the prostitute is not deemed to have committed an offence if the prostitution is forced.

The 1996 Act defines prostitution as sexual intercourse, or any other act, or the commission of any other act in order to gratify the sexual desire of another person in a promiscuous manner in return for money or any other benefit, irrespective of whether the person who accepts the act and the person who commits the act are of the same sex or not.

¹⁰⁰ In 1996, the Government was seeking to increase state revenue from the "Rest and Recreation" activities of the US armed forces stationed in Vietnam.

According to section 5 of the Act, any person who, for the purpose of prostitution, solicits, induces, introduces herself or himself to, follows or importunes a person in a street, public place or any other place in an open and shameless manner or causes nuisance to the public, shall be liable to a fine up to one thousand Baht. It further stipulates that any person who associates with another person in a prostitution establishment for the purpose of prostitution of himself or herself or another person is subject to imprisonment for a term up to one month and/or to a fine up to one thousand Baht. Nevertheless, if the offence is committed on account of compulsion or under an influence which cannot be avoided or resisted, the offender is not guilty (Section 6).

The 1996 Act makes it a serious crime to engage a prostitute if she is under age 18. According to Section 8 of the Act, a person who, in order to gratify his or her sexual desire or that of another person, has sexual intercourse or acts otherwise against a person over fifteen but not over eighteen years of age in a prostitution establishment, with or without his or her consent, is liable to imprisonment for a term of one to three years and to a fine of twenty thousand to sixty thousand Baht.¹⁰¹ The law defines the prostitution establishment as a place established for prostitution or in which the prostitution is allowed. It also includes a place used for soliciting or procuring another person for prostitution (Section 4).

It is also a crime for customers, procurers, brothel owners, those who force children into prostitution and even parents under the 1996 Act. They are subject to long prison sentences as well as large fines.¹⁰² In the event of serious injury of death to the victim, the penalty shall be life imprisonment or death.

Section 14 of the 1996 Act establishes a Committee for the Protection and Development of Occupation to consist of the Permanent Secretary for Labour and Director-General of a number of departments including Employment, Public Welfare, Local Administration, Community Development and Education and a representative of the National Commission on Women's Affairs.

The Act requires convicted prostitutes to be rehabilitated with medical treatment and to receive vocational training in a protection and occupational development centre for a maximum of two years. The private sector, a foundation, institution or association with the objective in prevention and rectification of prostitution problems can file an application with the authority to establish a primary shelter or a protection and vocational development premises.

Given that the **Entertainment Places Act** is still in force, sexual services is available in a number of forms, in the guise of "special services" if they are offered at entertainment places, such as bars, go-go's, massage places, etc.

¹⁰¹ According to Section 8 of the Prevention and Suppression of Prostitution Act, if the offence is committed in relation to a child not over fifteen years of age, the offender is liable to imprisonment for a term of two to six years and to a fine of forty thousand to one hundred twenty thousand Baht.

¹⁰² Section 9 considers it is an offence if a person who procures, seduces or takes away any person for the prostitution of such person, even with her or his consent and irrespective of whether the various acts which constitute an offence are committed within or outside the Kingdom of Thailand.¹⁰² Section 10 calls for an imprisonment for a term of four years to twenty years and a fine of eighty thousand to four hundred thousand Baht for a father, mother or parent of a person not over eighteen years of age, who knows of the commission against the person under his or her parental control of the offence under section 9 and connives in such commission. According to Section 11, any person who is the owner, supervisor or manager of a prostitution business or a prostitution establishment, or the controller of prostitutes in a prostitution establishment is liable to imprisonment for a term of three to fifteen years and to a fine of sixty thousand to three hundred thousand Baht. If the prostitution business or establishment has, for prostitution, a person over fifteen but not over eighteen years of age, the offender is liable to imprisonment for a term of five to fifteen years and to a fine of one hundred thousand to three hundred thousand Baht. If the prostitution business or establishment has, for prostitution, a child not over fifteen years of age, the offender is liable to imprisonment for a term of ten to twenty years and to a fine of two hundred thousand to four hundred thousand Baht.

In 1997, the Measures in Prevention and Suppression of Trafficking in Women and Children Act came into force. The 1997 Act does not provide a definition of “trafficking in persons” but in Section 5, it says:

“In committing an offense related to woman or child trafficking, buying, selling, disposing of, taking from or sending to any place, accepting, detaining or confining any woman or child, or arranging any woman or child to act or render any act in responding sexual gratification of another person or for an indecent purpose or for unlawful benefit of the offender or another person, with or without consent of such woman or child, and such act is an offense under the Penal Code, the law on prevention and suppression of prostitution, the law on child and youth welfare or this Act, the competent official shall have the power to execute this Act.”

According to Section 7 of the 1997 Act, whoever, two persons and/or more, conspire to commit any of the offences as specified in Section 5 shall be punished with imprisonment up to five years and/or a fine up to ten thousand baht.

In order to prevent and suppress the Trafficking in Women and Children, Section 9 of the 1997 stipulates that the official shall have the authority as follows:

- 1) To issue a summon to any person to give statement, deliver documents or evidence;
- 2) To examine a woman or child, with a reason to believe that she/he is the victim of the offence as stipulated in Section 5. If the victim is a woman or a girl, the examiner shall be female;
- 3) To search any place or vehicle, only between sunrise and sunset. In case there is a reason to believe that the woman or child may be assaulted if the action is not immediately taken, or the offender may relocate or conceal that woman or child, the official may search the place at night time with the permission of the Director General of the Police Department or person designated by the Director General in the jurisdiction of Bangkok, or the provincial governor or person designated by the provincial governor in the provincial jurisdiction for the search in such province.

Section 10 of the 1997 Act provides that for the benefit of prevention and suppression of the offence as specified in Section 5, or for rescuing a woman or child who may be the victim of such offence, the official has the authority to detain the woman or child for factual clarification, or checking documents or evidence. The detention shall not be over half an hour. In case of necessity for longer detention, the woman or child can be detained no more than twenty-four hours after the detention is recorded in an official report. The detention must be reported to the Director General of the Police Department in Bangkok jurisdiction or the provincial governor of such provincial jurisdiction without delay.

The official is subject to use his/her judgement in giving appropriate assistance to the woman or child, who is the victim of the offence as specified in Section 5, in providing food, shelter, ad repatriation to his/her original country of residence. The official may arrange for the woman or child to be in the care of a “primary shelter” provided by the law on prostitution prevention and suppression, a “primary shelter for children” provided by the law on child and juvenile safety and welfare, or other governmental or non-governmental welfare institutions, according to Section 11 of the 1997 Act.

To better protect victims of trafficking, the **1997 Penal Code Amendment Act (No. 14)** redefines sexual offences to include the procurement or trafficking of boys or girls for the purpose of sexual gratification. All children under 18 are protected under the law, regardless of whether they had given consent or not, with offenders facing fines and imprisonment. The Act imparts Thailand with the authority to prosecute anyone who procures or traffics any adult or child, no matter where the offences is committed and regardless of the victim’s nationality. This provides Thailand extraterritorial jurisdiction over cases of rape and other forms of sexual abuse.

In 2000, the **1999 Criminal Procedure Amendment Act** came into force. It has replaced the earlier version, which had led to unnecessary trauma for victims of child abuse, who were coerced into describing the circumstances of abuse to several different authorities during the investigation and trial. Victims had to face their abusers in the courtroom and submit to cross-examination. Furthermore, during the delay prior to the trial, the children were often bribed or threaten to manipulate them into changing their testimony.¹⁰³ The 1999 Criminal Procedure Amendment Act allows children to give videotaped statements, to avoid repeated questioning, and to provide evidence to the court via video link. The assistance of a social worker or psychologist is required during the police's questioning session with children. The prosecutor of the victim may also request that the victim or a witness present an early deposition if the offender has not yet been identified, or if it would be difficult for the victim or witness to attend the trial.

In 2003, the **Witness Protection Act** was introduced to provide the following protection for witnesses in criminal cases: pornography related; offences committed against children; offences in violations or protection and elimination on human trafficking, especially on women and children. The Act defines a witness as a person who will give or lead to the truth to the officers who have authorities in investigating, interrogating criminal cases including experts. It excludes defenders who claim himself as witness.

The first *Child Protection Act* was introduced in 2004. It requires the development of tools to categorize children in need of protection. Process to develop a minimum standard for child care and risk factors index according to the Act was started. Task force for developing the tools was appointed as official taskforce to develop ministerial regulation and guideline for practice. Both tools were planned for 11 piloted provinces.¹⁰⁴

In the meantime, these laws were also reviewed and redrafted: Establishment of the Central Juvenile and Family Court; Criminal Procedure Code Amendment; Prevention and Suppression Measures for Distribution, Production and Sales of Pornography.¹⁰⁵

On 28 November 2007, the National Legislative Assembly passed the **Prevention and Suppression of Human Trafficking Act** to be consistent with the **Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children**, and the **Protocol against the Smuggling of Migrants by Land, Air and Sea**, supplementing the United Nations Convention against Transnational Organized Crime to which Thailand is a signatory to. It defines "trafficking in persons" as follows:

"Recruitment, buying, selling, disposing of, taking from or sending to any place, detaining or confining, harbouring, or receipts of persons, by means of the threat, use of force, of abduction, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation for oneself or for others, if such offense is committed against a child shall be considered "trafficking in persons" even if this does not involve any of the means set forth above and the consent of the child shall be irrelevant. Exploitation shall include the exploitation of the prostitution of others, of producing or dissemination of pornography or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, the removal of organs, using children in practices against the Penal Code or similar or severer practices."

¹⁰³ "Thailand Country Report, The Progress Report on the Status of Implementation of the EAP Regional Commitment and Action Plan Against CSEC" Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan Against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok, Thailand.

¹⁰⁴ *Op Cit.*

¹⁰⁵ *Op Cit.*

The new Act, which will take effect within 120 days thereafter, subjects violators to heavy penalties, especially government officials, politicians and office holders. Under the Act, government officials or employees of state enterprises convicted of offences face twice the punishment that common violators might get, while those responsible for anti-trafficking operations, such as the minister of labour, would suffer triple the penalties if ever convicted.

The Act also includes measures against media outlets that publish the identity or pictures of sex crime victims. Editors could face up to six months in jail and/or a fine up to TB60,000 if convicted of identifying victims or using photos of them without permission.

The new Act also prohibits parents to sell their young children in advance to provide sex service in the future. Such a practice is known in Thai as “tok kheo”. Parents or any people soliciting for such purpose also face criminal prosecution.

Those legislative regimes implement the national agenda on human trafficking since 2004. Urgent policies have included the followings:

- Capacity building for relevant personnel to enhance their understanding on the nature of the problem to ensure the efficiency of the officials’ anti-trafficking efforts.
- Intelligence exchange among origin, transit and destination countries which can be achieved by the establishment of networks and cooperation.
- Improvement and amendment of laws relevant to human trafficking to be more responsive to the present situation. Appropriate legislation against human trafficking must be enforced with transparency and there must be the proper and sustained training for the police and relevant personnel should be provided with training programs on necessary legal frameworks and their applications.
- Campaign to increase public awareness of the problem and provision of assistance to those at risk of falling trafficking victims so that they can have more alternatives and opportunities to get away from human trafficking.
- Remedy and rehabilitation to assist victims of trafficking and those afflicted by other social problems.
- Change of discriminatory attitudes in the society that stigmatize victims of human trafficking to facilitate their reintegration.

Institutional Mechanisms

The cabinet resolution dated on 14 June 2005 approved the establishment of operation centers on human trafficking (OCHT) at 3 levels, namely, provincial, national, and international level. The OCHTs were mandated to serve as a coordinator among relevant agencies to develop policies and measures on prevention and suppression of human trafficking; as well as provide information support and information integration for policy makers regarding prevention and suppression of human trafficking.

- At the national level : The Ministry of Social Development and Human Security was designated as a focal point to coordinate prevention and suppression of human trafficking with relevant agencies
- At the provincial level : A Provincial Protection and Occupational Development Committee (Provincial POC). A committee was formed consisting of relevant government agencies. The committee was chaired by its provincial governor. Provincial Social Development and Human Security acted as the committee’s secretary. The committee encourages participation of government agencies, NGOs, and civil society in prevention and suppression of human trafficking
- At the international level: A committee was formed in Thai foreign missions abroad. The committee, chaired by the Ambassador/Consul General and consisted of Honorary Consul, Labour Attache and Defense Attache, relevant government agencies, NGOs, and Thai communities; coordinated sharing of information and assistance to victims of trafficking.

At the national level, the following memoranda of understanding were made:

- Memorandum of Understanding on Common Operational Guidelines for Government Agencies Engaged in Addressing Trafficking in Children and Women
- Memorandum of Understanding on Operations between State Agencies and Non-Governmental Organizations (NGOs) Engaged in Addressing Trafficking in Children and Women
- Memorandum of Understanding on Operational Guidelines for NGOs Engaged in Addressing Trafficking in Children and Women
- MOU on Common Guidelines and Practices for Agencies Concerned with Cases of Trafficking in Women and Children in the Eight Eastern Provinces B.E. 2549 (2006)
- Memorandum of Understanding on Common Guidelines and Practices for Agencies Concerned with Cases of Trafficking in Women and Children in the Nineteen Northeastern Provinces B.E. 2549 (2006)
- Memorandum of Understanding on Guidelines and Practices for Agencies Concerned with Cases of Trafficking in Persons in the Six Southwestern Provinces B.E. 2550 (2007)
- Memorandum of Understanding on Guidelines and Practices for Agencies Concerned with Cases of Trafficking in Persons in the Eight Southeastern Provinces B.E. 2550 (2007)
- Memorandum of Understanding on Common Operational Guidelines of Practices for Agencies in the Seventeen Northern Provinces B.E. 2550 (2007)

The establishment of the above-mentioned committee at the provincial level is provided in Sections 16 and 17 of the 1996 Act with the following powers and duties:

- 1) To be a centre for co-ordination between the Government and the private sector in respect of information, resources and operations in connection with the prevention and suppression of prostitution in each province ;
- 2) To promote and support the operation both of the Government sector and of the private sector in connection with the prevention and suppression of prostitution in the area of the province;
- 3) To consider and submit recommendations to the POC headquarter in Bangkok for the revision or issuance of Rules, Regulations and Orders relating to the prevention and suppression of prostitution in the province;
- 4) To perform any other act as entrusted by the POC headquarter.

For protection and recovery, Thailand set up 99 welfare homes under the supervision of the Ministry of Development and Human Security in 75 provinces. Table 9 lists major reception homes, protection and occupational development centers to assist victims of trafficking in all regions of Thailand. This was to ensure that all victims were considered and treated as victims, not criminals.

Table 9 : Reception Homes, Protection and Occupational Development Centers For Victims of Trafficking in Thailand

Region	Reception Homes/Protection and Occupational Development Centers	Welfare and Vocational Training Centers for Women
Central and the East	Kret Trakan Protection and Occupation Development Center 34/1 Moo 2, Kho Kret, Pak Kret, Nonthaburi 11120 Tel : 0-2584-5115	Central Welfare and Vocational Training Center for Women 78/3 Tiwanon Rd., Bang Talad, Pak Kret, Nonthaburi 11120 Tel : 0-2583-8350
		Welfare and Vocational Training Center for Women in Celebration of H.R.H> Princess Maha Chakri Sirindhorn's Thirty-sixth Birthday Anniversary 104 Moo 3, Sukhumwit Rd., Bang Lamung, Chon Buri 20150 Tel : 0-3824-1072
The Northeast	Nari Sawat Protection and Occupation Development Center 1422 Suranarai Rd., Nai Mueang, Amphoe Mueang, Nakhon Ratchasima 30000 Tel : 0-4424-2724	Northeastern Welfare and Vocational Training Center for Women P.O. Box 8, Amphoe Mueang, Si Sa Ket 33000 Tel : 0-4561-4002
		Rattanapha Welfare and Vocational Training Center for Women 497 Mittraphap Rd., Km 3-4, Sila, Amphoe Mueang, Khon Kaen 40000 Tel : 0-4324-3350
The North	Song Khwae Protection and Occupation Development Center 492/4 Moo 17, Bang Rakam, Phitsanulok 65140 Tel : 0-9856-9456	Chiang Rai Welfare and Vocational Training Center for Women 10 Moo 10, Sai Khao, Phan, Chiang Rai 57120 Tel : 0-5395-8055 Fax : 0-5372-9962
		Northern Welfare and Vocational Training Center for Women P.O. Box 140, Lampang-Chiang Mai Rd., Pong Saen Tong, Amphoe Mueang, Lampang 52000 Tel : 0-5422-7795
The South	Si Surat Protection and Occupation Development Center 39 Moo 1, Surat-Na San Rd., Khun Talay, Amphoe Mueang, Surat Thani 841000 Tel : 0-7735-5540	Southern Welfare and Vocational Training Center for Women 590 Moo 4, Kamphaeng Phet, Rattaphum, Songkhla 90180 Tel : 0-7438-8006

At the international level, Thailand also made the following memoranda of understandings with its neighbouring countries:

- Memorandum of Understanding Between The Government of The Kingdom of Thailand and The Government of The Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking
- Memorandum of Understanding Between The Government of The Kingdom of Thailand and The Government of The Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children

Implementation

The first transnational trafficking case that Thailand handled in 1990 involved 150 children and women from Myanmar. They were forced into prostitution in the brothels of Rayong province in the South of Thailand. The brothels were raided; the women and children rescued and efforts were made to assist them. Even though they illegally entered Thailand, they were entitled to be treated as victims rather than offenders. The special treatments given to the children and women at that time were:¹⁰⁶

- Shelter and rehabilitation services provided at the Women's Home under the supervision of the Department of Public Welfare instead of being detained at the Immigration Detention Center. The services include health care, vocational training and consulting sessions.
- Identification for repatriation was undertaken by the Myanmar Ambassador to Thailand
- A request was made by the Thai government to have high-ranking officials of Myanmar to receive the victims at the border and to ensure that they would be provided with an appropriate social integration program.

Many agencies were involved in all these undertakings. They were, for example, the police, immigration, social welfare, public health, NGOs as well as embassy and the ministry of foreign affairs. Effective contributions were evidently crucial.

In late 2000s, steps suggested in Table 10 were subject to follow by authorities concerned to provide services for victims of commercial sexual exploitation and trafficking:

Table 10 : Steps of Services for Victims of Commercial Sexual Exploitation and Trafficking

Steps	Action as Provided by the Laws	In Practice,
Rescue	Police plays a major role in rescuing women and children out of an exploitative workplace.	In most cases, the police have closely cooperated with NGOs in the raid and rescue after a trafficking case is reported.
		In a number of provinces in Thailand, NGOs played a role in identifying if the case was a trafficking case where rescued persons were entitled to services detainees in the immigration detention center, as in many cases, trafficking victims were identified as illegal migrants and were subject to deportation immediately.
		The Provincial Social Development and Human Security Offices in Ranong, Songkhla, Narathiwat and Yala are in charge on protection and provision of rescues for women and children who were the victims of human trafficking there.
		The Provincial Social Development and Human Security Offices in Ranong has set up a community network, of which the functions include : protection of trafficked victims, provision of a training program to provide knowledge on human trafficking and to rescue victims, based on cooperation with NGOs in and outside the area. The major problems and/or obstacles to perform their function included communication with migrants, language and cultural barriers against effective communication with migrant workers and the victims. A safety place at an appropriate size for the victims was also needed.

¹⁰⁶ Kongtreekaew (2000). *Ibid.*; *Burma Issues Annual Report*, 1992; *Human Rights Watch*, 1995.

Steps	Action as Provided by the Laws	In Practice,
		After the rescue, those rescued are identified if they were victims of human trafficking or non-victims.
Orientation	After the rescue, an orientation session for the women and children is crucial.	An orientation was provided in major welfare homes in a number of languages including Khmer, Burmese, Chinese and Vietnamese. The videotape was proved to be extremely useful especially when the language was still a big barrier.
		In a number of provinces in Thailand, NGOs such as Foundation for Women also had their staff distributing information regarding trafficking situation and how to get help to potential victims at the immigration detention center.
Court Procedure and Victim Protection	Governmental agencies have the main responsibility to pursue a lawsuit against employers and traffickers. The police find out the progress of criminal proceedings, and the legal rights of the trafficked persons.	<p>NGOs played an important role in providing information and assistance to trafficking victims in case they need to pursue a lawsuit.</p> <p>In some cases, NGOs sought a lawyer to put a lawsuit against employers and/or traffickers.</p> <p>NGOs supported the trafficked person liaises with police to find out the progress of criminal proceedings, and provide them with information about the legal rights of the trafficked persons.</p>
Recovery	During the process of following the court case, the survivors of trafficking are sheltered at a governmental shelter. At the shelter, they are provided with accommodation, psychosocial support, vocational training and education. The shelters are responsible for contacting countries of origins and coordinating with them to arrange the reintegration.	Governmental shelters have recently expanded the mission to house foreign women and children according to the 1997 trafficking law.

Steps	Action as Provided by the Laws	In Practice,
Reintegration	<p>The government of the country of origin plays a big role in the whole process of reintegration. The process includes the following steps:</p> <ul style="list-style-type: none"> - The embassy of the country of origin in Thailand identifies/proves citizenship of a victim, issues travel document, and communicates with relevant agencies. - Victims return to their home country by agencies in Thailand and country of origin - Victims stay at a temporary shelter/transit center at home country awaiting for reintegration. - Reintegration to family - Follow up by country of origin 	<p>Returning trafficking victims back to their home country requires cooperation with the government of the country of origin and/or NGOs based in the country.</p> <p>Information of cases received by Thailand's Department of Social Development and Welfare would be referred to the country of origin for the benefit of family tracing and assessment for reintegration. A database for case management was initiated to facilitate the information sharing system.</p> <p>Cambodia and Lao PDR established a transit center or a short-term shelter to receive returnees before sending them back to their family. With the help of the country of origin, returnees' family could be found and assessed if they are ready to take the victims back.</p> <p>There were changes to the process of reintegration for victims from Lao PDR for a smooth reintegration. In the past, trafficked victims who were rescued in Thailand and sent back to Lao PDR would be placed in the Immigration Office for interrogation. Now, they were subject to go directly under care of the Ministry of Social Welfare.</p> <p>In Myanmar, there was official cooperation from the Ministry of Social Welfare in return and reintegration of trafficked victims. A few NGOs and informal networks were working actively in facilitating the reintegration process, including family tracing, finding safe houses for victims, as well as follow-up the case and report back to Thailand.</p> <p>Thailand has also returned trafficked victims from China through Myanmar. The Chinese embassy participates in the process by identifying/proving citizenship, and providing travel documents to victims. An office of UN-IAP in China facilitates reintegration and following up process in the country. Public Security Bureau and China's Woman's Federation were the main focal points.</p> <p>These NGOs were active in the problem of human trafficking from Myanmar: Save the Children UK, World Vision.</p> <p>Case monitoring and follow-up in the country of origin could only be done in cooperation of an agency in the country of origin.</p>

Source: Adapted from "Thailand Country Report, The Progress Report on the Status of Implementation of the EAP Regional Commitment and Action Plan Against CSEC" Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan Against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok, Thailand; Samarn Laodumrongchai (2007). "Trafficking for Sexual Exploitation into Ranong"; Nuttapot Yuenyong and Supaphan Tangtrongpaioj (2007). "Trafficking for Sexual Exploitation into Sadao, Songkhla Province"; Saikaew Thipakorn (2007). "Trafficking for Sexual Exploitation in Betong"; Supaphan Tangtrongpaioj (2007). "Trafficking for Sexual Exploitation into Sungai Kolok District, Narathiwat Province."

In each study sites, there were many provincial agencies involved in the problem of trafficking. Key actors included Provincial Labour Employment Office, Provincial Welfare and

Labour Protection Office, Provincial Social Development and Human Security Office, and Provincial Health Office. Table 11 lists major responsibility of those key actors.

Table 11: Key Actors in the Problem of Human Trafficking in the Study Sites

Key Authorities	Responsibility
Provincial Labour Employment office	Registration of migrant workers and law enforcement, including investigation of illegal migrant workers in workplace. The office is in close cooperation with local police and immigration authorities.
Provincial Welfare and Labour Protection Office	Welfare and protection of registered migrant workers in each province concerned.
Provincial Social Development and Human Security Office	Protection and provision of rescues for women and children who are the victims of human trafficking.
Provincial Health Office	Health care to Thai and migrant workers, documented as well as undocumented.

Of the four study sites, Ranong was the only one with NGOs taking an important role in human trafficking problem. As an NGO in the area, the World Vision Foundation provided health care service and rescue to migrant workers, particularly the undocumented in Ranong, in close collaboration with the Provincial Health Office. The major problem and/or obstacle to perform their function includes the difficulty to reach out to undocumented migrant workers who hide from Thai authorities. This included migrant sex workers.

In practice, those were major shortcomings in policy implementation. Despite the awareness of the new laws and the MOUs, efforts to improve the capacity to match the competence of criminals in recent years remained limited, normally by the following factors:¹⁰⁷

- Limited resources
- Red tape management
- Corruption
- Lack of understanding those new laws and legal tools in handling trafficking
- Lack of systematic data collection, database and analysis for monitoring purpose
- Lack of sufficient evidences for the police to charge recruiters under the Prostitution Act and to punish traffickers under the Trafficking Act.
- Trafficked victims were too scared to make a complaint against the owner of sex service establishments, pimps, recruiters, traffickers, etc.
- Trafficked victims were unaware of the laws or guidelines of witness protection to help abate the fear and frustration.
- Difficulty to access the most vulnerable victims: underage sex workers, particularly those migrating into Thailand on an undocumented basis, and those who are children of undocumented migrant workers. This was particularly revealed in Ranong and Betong study sites.
- Cooperation from the employers to bring migrant workers to register
- Migrant workers are highly mobile. Those in Rayong, for example, tended to migrate to an inner area of Thailand, such as Samutsakorn and Bangkok.
- Difficulty to follow up health services to sex workers because the latter often change the workplace or hide themselves from Thai authorities.

¹⁰⁷ Kongtreekaew (2000). *Ibid.*; "Thailand Country Report, The Progress Report on the Status of Implementation of the EAP Regional Commitment and Action Plan Against CSEC" Post-Yokohama Mid-Term Review of the East Asia and the Pacific Regional Commitment and Action Plan Against Commercial Sexual Exploitation of Children (CSEC), 8-10 November 2004, Bangkok, Thailand; Samarn Laodumrongchai (2007). "Trafficking for Sexual Exploitation into Ranong"; Nuttapot Yuenyong and Supaphan Tangtrongpaioj (2007). "Trafficking for Sexual Exploitation into Sadao, Songkhla Province"; Saikaew Thipakorn (2007). "Trafficking for Sexual Exploitation in Betong"; Supaphan Tangtrongpaioj (2007). "Trafficking for Sexual Exploitation into Sungai Kolok District, Narathiwat Province."

- Prostitution or sex trade is not protected by law. Relevant authorities, accordingly could not provide them with appropriate protection.
- Language and cultural barriers against an effective communication with migrant workers.

Besides those shortcomings incurred to governmental authorities, NGOs also faced difficulties in dealing with the problem. This was particularly the difficulty to reach out to undocumented migrant sex workers who hide from Thai authorities. The shortcoming incurred to NGOs latter was particularly revealed in the Ranong study site. There was no NGO to provide information on either HIV/AIDS knowledge or self – prevention from human trafficking in Sadao, Betong, and Sungai Kolok.

6. Conclusion and Postscripts

The south of Thailand was an under-researched area, particularly when dealing with trafficking for sexual exploitation. The situation of trafficking for sexual exploitation into Southern Thailand was part of the overall picture of human trafficking problem in Thailand, which has recently turned into a country of destination, origin, and transit for human trafficking.

The degree of human trafficking into Southern Thailand was still unknown. There were almost no reliable estimates of the number of women who are trafficked or on from where and to where they are trafficked. Trafficking was not reported on a systematic approach.

Despite the limited information obtained and the limited period of time during the investigation, this study argued that there was a changing face of sex trade in Thailand with unabated continuation of people making their fortunes via sex trade, despite intervention measures. Among others, these were key points: sex trade being expanding in form; less brothel-based sexual services; sex services becoming more mobile in nature with or without employers; less force being used; soft tricks proved to be more effective in trafficking strategies; more routes of trafficking being used, including expensive ones with relatively easy transportation; better communication between sex workers and their people back home via mobile phones than in the past few years. In the meantime, the trend of trafficking women and girls from hill tribes in Northern Thailand and its neighbouring countries continued - - particularly from Myanmar.

Sexual exploitation into Southern Thailand was along six routes:

- A flight-land-water-land transport route from Yangon in Myanmar
- A Land-water-land transport route from Mawlamyine
- A land-transport route from northern Thailand
- A land-transport route from northeastern Thailand
- A land-transport route from China to connect the land-transport route from northern Thailand neighbouring.
- A flight route from China

Those routes of trafficking for sexual exploitation were also shared by migrant workers for other laboring services. The study also found the most common method of migration and/or trafficking along those routes was through agents or brokers. They were mostly experienced sex workers from the same place of origin as the migrant sex workers, sent by sex establishment operators or owners to deliberately recruit girls and women who were looking for a life change to replace a constant turnover of workers in sexual service business, while guaranteeing customers with new attractions. In many cases, they were relatives and friends to the victims or their family. It is an untold story if any of them were a person of authority who runs a syndicate. To lure the prospective victims into sexual services, most of them made themselves appeared as successful sex workers with a happy life changing.

The sex workers traveled along those routes in an organized group, accompanied by the agents/brokers. Those traveling along the routes in Thailand were in a relatively small organized group to avoid being noticed by the police. This reflected a changing trend from

the past when a big organized group dominated the trafficking ring. A transfer of responsibility from one group of agents/brokers to another along the way was found in certain cases, particular those from China along the land-transport routes via Myanmar into Thailand. This study found that those from Myanmar were from Yangon city, Mawlanyine, and Dawei. They got into Ranong via Kawthaung, which was a major border pass controlled by the Tamadaw, or the Burmese army, and immigration officials on the Myanmar side, and Thai immigration, customs, and Border Police Patrol units on the Thai side. Kawthaung was also a centre for human trafficking.

During 1990s-early 2000s, girls and women from China traveled into Betong by land. The route started from Simao and Xishuangbanna, as the major prefectures of origin for Chinese commercial sex workers in Thailand, passing through three to four crossing along the China-Myanmar border. They included Daluo, Menga, Mengman, etc., due to the available roads and geographical features. The roads in Dalua, a town in Jinghong, were convenient, allowing the gangs to take the victims by motorized vehicle all the way to Kengtung in Myanmar.

During the journey, the gangs sometimes transferred the victims to responsibility of new persons to enter Thailand through Mae Sai checkpoint in Chiang Rai province, before moving on to other provinces. Some went to Bangkok in Central Thailand, others went to Sungai Kolok district in southern Narathiwat province, Hat Yai district in southern Songkhla province, and Betong district in southern Yala province. An earlier study maintain that there were a few details concerning the locations of the victims in Thailand.

Currently, the popular route of trafficking of Chinese prostitutes into Betong has turned to be by plane. They were flown in on a tourist visas. The Chinese prostitutes are still extremely popular among the elderly Malaysian-Chinese tourists who frequent Betong's hotels. As in the case of those from Myanmar into Ranong, those from the northern and northeastern parts of Thailand into Sadao were also lured by the prospects of a better income to support the family back home. They were accompanied by sex-business agents from their places of origin to provide sex services in Dan Nok. Unlike those from Myanmar, they did not migrate in a big group as in the 1990s or the early 2000s, but rather in a very small group each time. This was to avoid being noticed by the police. Buses and trains were the current popular transportation from the places of origin. This represents another shift from the pattern of trafficking in the 1990s or the early 2000s, when a private van was mainly relied upon for trafficking a big group of victims.

The most popular route of trafficking was currently by a public bus from the places of origin in the north or the northeast passing to Bangkok to catch another public bus to Hat Yai, then changed to a private van to Sadao. Some of the victims were accompanied by sex-business agents to catch a train from Chiang Rai to change a train in Bangkok to Hat Yai terminal, then were transported by a private van to Sadao.

Most of the interviewed sex workers considered it quite easy to travel to the workplace. They found no problems/ obstacles in their trip from the place of origin.

The victims of human trafficking were brought into sexual services business in Muang District - - or Ranong District - - in Ranong Province; Sadao District in Songkhla Province; Sungai Kolok District in Narathiwat Province; and Betong District in Yala Province.

This study found that those areas do not limit themselves as destination but also serving as transit points to other destinations within and outside Thailand. This was particularly the case for Malaysia, which may also be either a receiving area or a transit point to Singapore and elsewhere. The case was clear for experienced sex workers looking for higher income.

It was an untold story if a network established by experienced sex workers plays a part in trafficking sex workers from one place to another within Thailand and/or to Malaysia, Singapore, or elsewhere. What this study found is that to move on to Malaysia, a modified pick-up with cover on top of the back and seats with enough spaces underneath for the victims to lay down to hide while passing the crossing border to Malaysia. Some were voluntary

expecting for a better income while others were forced. Those border crossing are undocumented. From Sadao to Malaysia, most sex workers who wanted to move to earn money there found no obstacles in migration.

This study found that the pattern of the sex trade at Dan Nok links with that in Sungai Kolok and Hat Yai. The latter was the major district in Songkhla province. It was a fast booming city in trade, business and a popular tourist spot, while serving as a transportation and communications hub of the South, linking with various destinations in neighboring provinces as well as in Malaysia. Sex workers are likely to move from Dan Nok to work in Hat Yai and Sungai Kolok for a short time, then return to Dan Nok when their income in two places declines.

Most of the victims in the study sites were tricked rather than forced to get into this lucrative business in Thailand. While the information on a better income and working conditions in the lucrative sex industry was the incentive, they were mostly pushed by unemployment, low wages/income to support their family. Some were also pushed by community insecurity and human rights abused back home. This was particularly the case for those from Myanmar.

The current sexual services were not limited to direct and indirect sex services, but also included freelance, and those in the guise of mistress. Direct and indirect sex establishments opened from twelve to twenty-four hours a day with sex workers to keep themselves available at all times during the opening hours. Freelance sex services and those in the guise of mistress were not on that regular basis.

Direct sex service establishments belonged to the lowest socio-economic status with the lowest rate of services and involved foreign sex workers rather than domestic ones. This was followed by the indirect or sex entertainment services with employed service workers, freelance services, and those in the guise of mistress, respectively. Sex services in the form of mistress are found in Sadao and Betong. Such services were mostly catered to Malaysian-Chinese men. The latter have bought houses for their mistress in the study sites. Certain people in this latter category earned an extra-income in freelance sex services as well.

Indirect, freelance and mistress sex services involved more domestic than foreign sex workers. Rather than getting out of the business, sex workers tended to prefer moving up from the lower status of sex trade into a new market of a higher status that charges more for the services with more luxurious working conditions. This was particularly for the domestic migrant workers since the new markets of freelance sexual services and those in the guise of mistress were not readily open for illegal foreign workers. The latter rather tended to uplift their status into brokers to earn more money and even to set themselves as partners of sex business owners.

Estimates of the numbers of sex workers in Thailand varied widely, depending on the source of the figures and the method of estimation. In the study sites, the accurate number of sex workers remained unknown and were difficult to estimate due to their mobile nature. Key points reflected clearly from this study were that: There was a changing pattern of those involved in sex trade in the study sites from the past, particularly from the perspective that sex workers in the study sites were of more varieties, in terms of place of origin than what was found in the existing literature during the early 1990s and early 2000s; There were more migrant sex workers from within the kingdom than foreign sex workers, this was particularly true in study sites along the Thai-Malaysian border; Underage prostitution still existed in 2007, despite an untold story in certain sites.

Poverty was not the only driving force for engaging in prostitution. Materialism and the problem of uncertain and/or insufficient income - - fear from want - - were among key driving forces in most cases. The problem of community insecurity - - fear from threats, i.e. from being killed, persecuted or abused - - also added for those from Myanmar. Besides the social, economic and political conditions in Thailand, the pulling factors included the growing tourism, the demand for sex trade in the study sites as well as the possibility that sex trade offered fast and more money than other labouring services.

To be liberalized from the varied human insecurities back home, a decision was made either to take the risk of venturing in a new pathway of life or to take a new pathway of life chosen by the parents. Engaging in sex trade was the first step towards an unknown end. Such a decision was made unknowingly if it was a winning formula or if it was a choice towards another aspect of human insecurities. The case study of sex trade in the four study sites in southern Thailand suggested that engaging in sex trade was expected to be a part of life to lead towards a better life or a relatively human security thereafter once an opportunity avails.

Rather than physically locked up in a premise, sex workers in the study sites were debt bondage. The case was relatively serious for those from Myanmar with high cost of transportation. Sexual transmission diseases were still a major problem in all of the four provinces under investigation. Songkhla was the province with the highest morbidity rate, followed by Yala, Narathiwat, and Ranong. Among those provinces, Ranong was the only province where foreign workers were more affected with sexual diseases than the local people.

This was despite the official campaigns, a '100% condom' program enforcing a mandatory use of condoms in brothels, and an MOU between the public health office in the area and entertainment venues there to bring service workers for medical check-up at least once a month. An irregular use of condom was the major problem of those sex workers. The risk behavior increased among those using drugs.

Those most difficult to provide health services were mobile sex workers who had been infected with HIV/AIDS before migration, and foreign sex workers. The difficulty in the former was mainly due to their experiences of stigmatization and discrimination. For the foreign sex workers, the major explanation to the difficulty to provide health services was their fear of being arrested by the police.

Many agencies were involved in the prevention and suppression of prostitution as well as providing assistance to victims of trafficking for sexual exploitation in Thailand. Local actions in the study sites were part of the policy agenda at the national level. Key actors include the police, immigration, social welfare, public health, NGOs as well as embassy and the ministry of foreign affairs.

Of the four study sites, Ranong was the only one with NGOs taking an important role in human trafficking problem. As an NGO in the area, the World Vision Foundation provided health care service and rescue to migrant workers, particularly the undocumented in Ranong, in close collaboration with the Provincial Health Office. The major problem and/or obstacle to perform their function included the difficulty to reach out to undocumented migrant workers who hide from Thai authorities. This included migrant sex workers.

In practice, those were major shortcomings in policy implementation. Despite the awareness of the new laws and the MOUs, efforts to improve the capacity to match the competence of criminals in recent years remained limited, normally by the following factors: Limited resources; Red tape management; Corruption; Lack of understanding those new laws and legal tools in handling trafficking; Lack of systematic data collection, database and analysis for monitoring purpose; Lack of sufficient evidences for the police to charge recruiters under the Prostitution Act and to punish traffickers under the Trafficking Act; Trafficked victims were too scared to make a complaint against the owner of sex service establishments, pimps, recruiters, traffickers, etc.; Trafficked victims were unaware of the laws or guidelines of witness protection to help abate the fear and frustration; Difficulty to access the most vulnerable victims: underage sex workers, particularly those migrating into Thailand on an undocumented basis, and those who are children of undocumented migrant workers, particularly in Ranong and Betong study sites; Cooperation from the employers to bring migrant workers to register; migrant workers are highly mobile; Difficulty to follow up health services to sex workers because the latter often change the workplace or hide themselves from Thai authorities; Prostitution or sex trade was protected by law; Language and cultural barriers against an effective communication with migrant workers.

Besides those shortcomings incurred to governmental authorities, NGOs also faced difficulties in dealing with the problem. This was particularly the difficulty to reach out to undocumented migrant sex workers who hide from Thai authorities. The shortcoming incurred to NGOs latter was particularly revealed in the Ranong study site. There was no NGO to provide information on either HIV/AIDS knowledge or self – prevention from human trafficking in Sadao, Betong, and Sungai Kolok.

Sex trade in all study sites varied according to the supply and demand of sexual services, as well as to political and economic environment within and outside each area. This led to the need for further investigation, at least in a medium term from now about the future prospects of sex industry as well as the problem of trafficking for sexual exploitation in Southern Thailand. This is particularly the case for Betong, new local policy measures to turn the brothel town into a cultural and education hub, to push for a new Betong airport, an improved highway between Betong and Yala to facilitate a new university plan, as well as new zoning laws to force many of the brothels and karaoke bars that currently dominate the heart of the town to another district.

This study was still unable to reflect the tip of iceberg of the actual number of women and children who are involved in the sex industry, trafficked into sexual exploitation, and abused in the study sites. It was unable to search for those most difficult to outreach - - freelanced sex workers, those in the guise of mistress, migrant sex workers with HIV/AIDS. Those represented issues in need of further investigation as well.

Besides the dominant approach to focus on the destination or receiving areas of human trafficking, an intervention measure is encouraged here to adopt a proactive approach to reach the socially vulnerable segments of the population in the light of human security in the places of origin with a highlight on empowerment. That is to make the people prone to vulnerability the best agents for protecting and improving their own lives, rather than just passive recipients of policies made elsewhere.

Empowerment was raised by Amartya Sen as a key, besides protection from threats, to respond to those threats in a positive manner. Human security, according to Human Development Report 2007/2008, is closely linked to the development of human capabilities in the face of change and uncertainty.

Given the changing faces of human trafficking and sex trade in Thailand, empowering individuals and communities to respond the challenges of uncertainty through mitigation and adaptation is an important strategy against human trafficking for sexual exploitation, this study maintains. Based on the notion that trafficking in persons is an international crime, governments concerned are encouraged to strengthen their coordinating efforts to address this problem. Existing legislation should also be strengthened and strictly enforced. Feasibility of establishing of a regional convention on combating the crime of trafficking in women and children for prostitution should be examined.

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