

TRAFFICKING IN WOMEN FOR SEXUAL EXPLOITATION IN THAILAND

*Professor Dr Parveen Shah**
Mukesh Kumar Khatwani†

Abstract

*T*rafficking in women has become one of the serious and dangerous problems of the world. Thailand is a primary source, transit point, and destination for uncounted numbers of women and children trafficked from rural areas as well as out of national boundaries. Thailand's sex industry has absorbed countless poor rural women from Northern and Northeast areas of Thailand. This paper puts the light on the nature and intensity of trafficking in women, and the factors which forced these poor rural women being trafficked. Through this paper it has also been tried to find out the relations between trafficking in women and prostitute industry in Thailand, and the socio-cultural factors behind the existence of prostitute industry and trafficking in women in Thailand. Finally paper also tries to overview legislative measures taken by Thai government to combat trafficking in women in Thailand in response to UN initiatives in 1960 when UN declared abolition of prostitution.

Introduction

Trafficking in women is not a new phenomenon, trafficking in women for the purpose of prostitution was already known in public in late 19th century, but in the recent decades, it has emerged as one of the serious problems throughout the world. Today, trafficking has become an international industry. Trafficking is an extremely

* Director, Area Study Centre, Far East & South East Asia, University of Sindh, Jamshoro

† Lecturer, Area Study Centre, Far East and Southeast Asia, University of Sindh, Jamshoro

complex problem in nature and volume. Human trafficking is closely linked to the existence of a market for sexual services¹. Trafficking is complicated phenomenon and linked to organized crime and corruption at international level. Trafficked victims often refuse to testify against their traffickers due to fear, intimidation, and psychological and emotional trauma. There are estimations that about two million people worldwide are being trafficked each year, majority of them are of women and children. According to U.S. State Department statistics, within the Southeast Asian region alone, over 225,000 women are transported across borders each year². UN's reports warn that minor girls and women from South and Southeast Asia are particularly at high risk today.

Thailand is a primary source, transit point, and destination for uncounted numbers of women and children trafficked from within and out of country for sexual exploitation and forced labour. The internal trafficked Thai women are mostly 12-16 years old from hill tribes of North and Northeast rural areas. A survey conducted nationwide in January 1998 showed 54 percent of prostituted persons were from the North, 28.90 percent from the Northeast and 9.67 from the Central region³. The great majority of trafficked women in the Thai sex industry are from Burma, and again most of these women are from Burma's ethnic minority peoples, including Shans, Akha, Lisu, Lahu and others. The remainder is a heterogeneous group, including Thai hill tribe minorities, women from Laos, Yunnan Province of China, Cambodia, Uzbekistan, and other Central Asian Republics, while Australia, Bahrain, Japan, Malaysia, Singapore, Taiwan, India, Netherlands and Germany of European Union, nations of the Middle East, South Africa and North America are destination points for Thai trafficked women. Human Rights Watch said in its report, "Owed Justice: Thai Women Trafficked into Debt Bondage in Japan," the women are typically promised lucrative jobs by traffickers in Thailand, but arrive in Japan to find themselves trapped in "debt."⁴. Brothel owners in Thailand prefer foreign women because they are easier to control and more loyal.

Traffickers often use local people in community or village to find out young women and children, and target families who are poor and vulnerable. Most of young girls are enticed and lured to have a good job in cities as well as in abroad. Many of them are trapped into the trade, because the women and children are young, illiterate and vulnerable. Once they reach at destination their passports are snatched and forced to become prostitute or slave. To prevent women from escaping, they are put under close surveillance of organized syndicates who often are affiliated with gang groups. They are confined to an apartment or a bar and forced to take numerous "customers" day in and day out. If they protest they are inflicted or raped as punishment. These factors, as well as lack of effectiveness of existing laws and poor understanding of this crime among those charged with protecting victims and prosecuting traffickers, serve to make it difficult for the Thai government to effectively combat trafficking.

In spite of national , regional and international laws against the trafficking in women and persons, number of non-governmental organizations (NGOs) working for the promotion of human rights the situation of human trafficking in general and trafficking in women in particular is getting worse and critical day-by-day. Trafficking in women is burning problem and requires the concentration of civil society and political parties to develop the comprehensive strategy to address the problem at earliest and on priority basis to save the life itself.

What is Trafficking?

There is no any comprehensive definition but trafficking is defined on the basis of purpose of trafficking. Many of the social experts and human activists believed and focused trafficking as for the purpose of prostitution because the available figures show a great number of trafficked persons is engaged in sexual services, and information on trafficking for other purposes is lacking. The Global Alliance against

Traffic in Women (GAATW) defines trafficking as:

*“All acts and attempted acts involved in the recruitment, transportation within or across borders, purchase, sale, transfer, harbouring or receipt of a person involving the use of deception and coercion including the use or threat of force or the abuse of authority or debt bondage for the purpose of placing or holding such person, whether for pay or not, in involuntary servitude (domestic, sexual or reproductive), in forced or bonded labour, or in slave-like conditions, in a community other than the one in which such person lived at the time of original deception, coercion or debt bondage.”*⁵

From the above definition it is concluded that trafficking is an illegal trading of human beings for the purpose of exploiting their labour and putting them into forced and unwanted labour like prostitute and slavery by violating the humanitarian rights and state laws. There are three core elements of trafficking; a) movement of a person, b) with deception or coercion, and c) into a situation of forced labour, servitude or slavery- like practices.

Background to Trafficking in Women

The trafficking in women for prostitution is not a new concept. In the late 19th and early 20th century Jewish women fleeing pogroms in Eastern Europe were transported through London to prostitution in Buenos Aires⁶. In the 1920s Russian women were trafficked into China as a result of the poverty and feminine of the immediate post-revolutionary period. In late 19th century a strong feminist movement initiated to combat trafficking and in the result the special committee of the League of Nations devoted to ending trafficking in women and further this became the foundation to 1949 UN Convention against Trafficking in Persons. In 1950s many brothel were closed down in many countries and the convention recognized that prostitution was not just the destination of trafficked women but the reason the traffic occurred⁷. The term trafficking in women resembles to the term 'white slavery'⁸ in western countries for centuries ago.

For some reformers, 'white slavery' came to mean all prostitution and demanded banned; others saw 'white slavery' and prostitution as distinct but related phenomena.

Cultural Background and Emergence of Prostitute Industry

Domestic prostitution has for centuries been a part of the Thai tradition and culture. In the Ayutthaya period (1352-1767) women were given as rewards for military achievements and exchanged or taken as concubines by the elite men⁹. During that period promiscuity was common and one of the hobbies of aristocrats, polygamy was also acceptable and there were three orders of wife in Thai society, 1) the principal, 2) the secondary and 3) the slave; slave wife can be sold and purchased frequently.

King Rama V (1853-1910) started to build relations with west and initiated to modernize its policies and laws. He brought some reforms one of these was abolition of slavery. He abolished slavery in stages to reduce the social impact and forced labour and by 1905 it was totally abolished. In the result a great number of rural uneducated women sought work for their livelihood in small towns and cities. Having no alternate means of livelihood for these newly freed slaves women, they started to provide 'special services' to elite by joining the bars, restaurants, parlours and saloons. As it is very much cleared and defined that the majority of women are trafficked for the purposes of sex industry and now a days in Thailand civil society organizations and human activists are demanding for legalization of prostitution, on the other hand there are also experts who are against this position and present their arguments that prostitution is one of the main reasons for illegal human trafficking particularly trafficking in women. In Thailand, prostitution was legalized in 1934. There was taxation of prostitutes and brothels called "tax for the road."¹⁰. Thai government introduced 'The Act to Deter Prostitution' replacing the 1934 law in 1960 when United Nations declared the abolition of prostitution. This new act

prohibited trade in sex either heterosexual or homosexual. However, the prohibition was seldom enforced but the government set up a system of monitoring sex workers in order to prevent their mistreatment and to control the spread of sexually transmitted diseases (STIs)¹¹. The Entertainment Places Act of 1966, still in effect today, provides Thais to render 'special services'¹² and the Vietnam War in 1967, when Thai government agreed to provide "rest and recreation"¹³ services to American servicemen, boosted up the prostitution and it became as a huge profiting industry. Trafficking in women is a growing market like the drug and weapon. In Thailand, trafficking is a Bt500 billion annual business, which is 50%-60% of the government's annual budget and more lucrative than the drug trade¹⁴. About two to three decades ago, Thailand was a sending country for trafficked women, now it is a destination country for trafficked women. A great number of women trafficked forcibly or voluntarily is engaged in sexual services in bars, brothels, massage parlors, hair salons, restaurants and golf clubs. There are 200,000 to 300,000 prostituted persons in Thailand. Prostituted persons are mainly adult women, but there are also male, transvestite and child prostitutes, both girls and boys, up to 400,000 children under the age of 16 are believed to be working in brothels, clubs or bars. Bangkok, the capital city has 1,421 sex venues that employ 26,361 workers and attract 36,473 patrons per year. In the provinces, there are 6,338 venues employing 38,525 workers and attracting 67,789 patrons per year¹⁵, while according to local NGO there are more than 60,000 brothels and other sexual services centers throughout Thailand. About 300 millions dollars are transferred yearly to rural families by women engaged in prostitution in urban areas, a sum that in many cases exceeds the budgets of government-funded development programs.

Reasons behind Trafficking in Women

Many people in the northeast provinces, known collectively as Isarn, Thailand's poorest area are not in position to meet with their basic

life requirements and livelihoods. Poverty enforced these rural tribes to migrate to towns and cities. There is no provision of social security in Thailand. In these circumstances, rural people even knowing the conditions and danger of trafficking are prepared to take a risk for their and children's better future.

The low social status and discrimination against women particularly widowed, divorced and raped in Thai society has also enforced these women to leave their native places and settle in urban areas for only purpose to have a better employment, but unfortunately they are trapped and lured by the traffickers for offering special services to elite Thai men and tourists. One of the most important reasons behind the trafficking in women is that the most of Thai men especially government officials support and promote sex industry that requires young girls from rural areas and neighbouring countries. Illegal trafficking in women only meets with the demand of sex industry in Thailand. Thai politicians also support prostitute industry, politicians give Viagra to elderly Thai men during election campaign in exchange for their votes¹⁶. There are many reported cases of involvement of police officials in sexual activities with young trafficked girls without their consent. Some trafficked women, who were detained at immigration offices, were escorted out of the office at night with permission from officers or ordered to have sex with officers. In one case four Laotian girls were gang-raped by inmates at a Rayong police station where the women were detained on charges of illegal entry and gambling¹⁷. The demand factors are deeply rooted in cultural attitudes, economic interests, and legal policies that support the infamous Thai prostitute industry¹⁸.

Health Consequences

The Trafficking in Women and girls for the sex industry has generated a complex and politically sensitive range of health threats and prevention challenges for the women involved, local and national health authorities, and the international community. The

crime of sexual trafficking and slavery is widespread. Thailand is one of the major importers and exporters of the trafficking women in Southeast Asia. The rate of HIV infection is higher among female prostitutes in six upper Northern provinces Chiang Mai, Chiang Rai, Lamphun, Lampang, Phayao and Mae Hong Son. Northern Thailand accounts for about half of the countries 800,000 cases of HIV¹⁹.

In 1990 there were fewer than 200 reported AIDS carriers, and only a handful of AIDS patients. By 1997, the number of reported carriers is believed to have far exceeded one million, with more than 30,000 deaths recorded in official papers. The AIDS epidemic has threatened to overwhelm at least six upper Northern provinces - Chiang Mai, Chiang Rai, Lamphun, Lampang, Phayao and Mae Hong Son²⁰. Thailand has the fourth largest number of AIDS cases in the world with nearly 60,000. This is only the number of officially reported cases and health workers say that the actual number is several times higher than this.

Protective and Preventive Measures

Thai government needs to take some concrete measures to protect trafficking victims particularly women and children in order to demonstrate significant efforts to eliminate severe forms of trafficking. However, the Thai government has taken some measures to control trafficking in minor boys of both sexes under the age of 18 years. The Prostitution Prevention and Suppression Act 1996 decriminalizing prostitution reduces the penalty to a fine not exceeding 1,000 baht. This law prohibits sex with children under the age of 18 years. The Measures in Prevention and Suppression of Trafficking in Women and Children -1997 considers forced and lured trafficking for prostitution as a crime and gives punishment to offender and abettor equally and also provides victims with temporary shelter and necessities including vocational trainings. In 2003 the Thai government declared a national campaign against criminal organizations in Thailand including traffickers of women

and children, the first time the issue has been publicly raised to a national level priority. The Thai government has signed anti-trafficking memorandums of understandings (MoUs) with Cambodia and Laos and a wider agreement between government and NGOs to help regularize the protection and repatriation of foreign trafficking victims. By the year 2003, 97 shelters were operating to provide protection to abused women and children throughout country. The Thai government supports an array of projects to prevent human trafficking for sexual and labour exploitation and sex tourism²¹. The government disseminated handbooks in Lao, Burmese, Khmer, and Thai to educate migrant workers on restrictions on labour broker fees and regulations for foreign guest worker programs²². The government also supported programs to prevent trafficking of children by funding vocational training programs for high school students. The new Measures in Prevention and Suppression of Trafficking in Women and Children Act only grants authorities the right to detain suspected victims of trafficking, not the suspected traffickers.

At the regional level Thai government has also been taking efforts to combat trafficking in women and children. Within the framework of Asia-Pacific, Thailand, Sweden, and the Philippines have formed a core group of Asia-Europe Meeting (ASEM) countries to draft the ASEM Plan of Action to counter trafficking in women and children. The cooperation initially focuses on the protection of victims and the reintegration process. The Asian Regional Initiatives against Trafficking in Women and Children (ARIAT), a forum of more than 20 countries and several NGOs has developed an Action Plan to combat trafficking in women and children. Thailand as the part of UNDP supported programme of cooperation in the Mekong sub-region has established the National Secretariat on Trafficking in Women and children to coordinate work with countries in Mekong sub-region. Thailand being the member of ASEAN has also joined to develop and implement to ASEAN Plan of Action to prevent and combat trafficking in women.

Suggestions

- Public awareness regarding the trafficking in human in general and trafficking in women in particular should be raised at large scale, so that the common people particularly women who are being trafficked for the purpose of better employment and work become conscious and well aware of the illegal trafficking;
- The prejudice against women in general and women who work in sex industry in particular should be eliminated through mass mobilization and awareness activities at community level;
- Trafficked women should be given residence because the human rights abuses against them have been committed on Australian soil. Residence visas are also crucial to the prosecution of traffickers;
- Thai government must revise the national, provincial and local legal mechanism considering the 'supply and demand' factors in sex market. Until and unless the demand factor is not being addressed properly the trafficking in women could not be controlled or even minimized;
- The federal police would also need to work with Interpol to protect the families of trafficked women in their countries of origin;
- The government must take concrete measures to reduce trafficking-related corruption in the police and immigration services;
- Sex trafficked women are in particular need of shelter, trauma counseling, vocational training, language courses and financial support. It is important that the Australian government recognizes the scale and seriousness of the human rights abuses involved in the trafficking of women

and children, and the implications of the Australian government's inaction towards ending this cruel international trade; and

- Thai NGOs should launch mass mobilization and awareness campaign against the trafficking in women and build pressure on government to take concrete steps to eliminate trafficking in women and also create conducive environment for sex workers by providing them with social security, health facilities, and other all benefits which are fundamental humanitarian rights of every citizen in civilized and cultured society.

Conclusion

Trafficking in women is not a national problem but an international problem and is happening with hidden support of government officials. Majority of trafficked women are forced to serve in the sex market and bonded labour. The social and cultural acceptance of prostitution industry in Thai society has provided ground for the frequent trafficking in women. Thai government is considering legalizing the prostitution which was banned in late 60s, when United Nations declared the abolition of prostitution. A great number of rural young girls either migrated or trafficked to provide special services to American armies during the Vietnam War. There is a common perception that women who work in sex industry 'work of their own will', but the studies suggest that they actually are trafficking survivors and work because of their poverty and impoverishment. Thai government has done well to combat trafficking in women introducing legislative measures, but yet the situation is very much critical because of the corruption at official level. The reasons behind the trafficking in women are supply and demand factors in sex industry, poverty in rural Northern hilly areas, social and cultural acceptance of prostitution in Thai society, search of better employment and future, unskilled and uneducated

rural girls, lack of public awareness about the realities and the lack of implementation of existing laws and regulations.

References

- ¹ OTSUKA Nami and HATANO Keiko, Japanese Perception of Trafficking in Persons: An Analysis of the 'Demand' for Sexual Services and Policies for Dealing with Trafficking Survivors, *Social Science Japan Journal*, Vol. 12, No. 1, Summer 2009, pp 45-70
- ² Mikel Flamm, UN Chronicle, June-August, 2003, http://findarticles.com/pl/articles/mi_m1309/is_2_40/ai_105657548
- ³ <http://www.uri.edu/artsci/wms/hughes/thailand.htm>
- ⁴ <http://www.hrw.org/en/news/2000/09/21/thousands-thai-women-trafficked-japan>).
- ⁵ GAATW, "Human Rights in Practice: A Guide to Assist Trafficked Women and Children," Bangkok, 1999, p. 11.
- ⁶ Dorman, Linda, "Trafficking Women and Girls in Asia," *Together*, April-June 2000, p. 7
- ⁷ Sheila Jeffreys, Trafficking in Women versus Prostitution: A false distinction, www.catwa.com
- ⁸ Jo Doezema, Loose Women or Lost Women? The re-emergence of the myth of 'white slavery' in contemporary discourses of 'trafficking in women, International Studies Convention Washington, DC, February 16 - 20, 1999, *Gender Issues*, Vol. 18, No. 1, Winter 2000, pp. 23-50.
- ⁹ <http://www.thailawforum.com/articles/Trafficking-in-Thailand-2%20.html>
- ¹⁰ <http://www.sexwork.com/Thailand/traditions.html>
- ¹¹ http://www.bookrags.com/wiki/Prostitution_in_Thailand
- ¹² *Ibid.*
- ¹³ *Ibid.*

¹⁴ Surita Sandosham, Sirinya Wattanasukchai, Flesh Trade Shrugs off New Risks, *The Nation*, 1 May 1997, <http://www.nationmultimedia.com>

¹⁵ 'Opening our eyes to the Aids problem', *The Nation*, 20th May 1997, <http://www.nationmultimedia.com>

¹⁶ http://www.bookrags.com/wiki/Prostitution_in_Thailand

¹⁷ 'Sex Industry Census Shows more Venues', *The Nation*, 29 July 1997, <http://www.nationmultimedia.com>

¹⁸ <http://www.thailawforum.com/articles/Trafficking-in-Thailand%20html#FN1>

¹⁹ <http://www.uri.edu/artsci/wms/hughes/thailand.htm>

²⁰ <http://www.state.gov/g/tip/rls/tiprpt/2004/33191.htm>

²¹ Sheila Jeffreys, op. cit.,

²² *Ibid.*