

Trafficking in Women for Prostitution: Thailand

Each year, somewhere between 700,000 and 4 million women, children, and men are trafficked into modern forms of slavery worldwide.¹ Trafficking is a growing phenomenon internationally, and the problem is fueled by poverty, conflict, inadequate female education and economic opportunity and the low value placed on women and children in many parts of the world. It is considered to be a gross violation of women's rights and a contemporary form of slavery by the international community.²

Although trafficking occurs in countries all over the world, Southeast Asian countries are especially notorious for their involvement. Thailand, in particular, has developed into both a sending and receiving country for trafficking victims. The total number of migrant workers who enter and exit Thailand each year totals 1.5 million people, or approximately 5 percent of Thailand's work force.³ Most of the migrant workers travel illegally, recruited by agents aided by corrupt police and other government officials in airports and other offices.

What is Trafficking?

Definitions of trafficking vary. Many NGOs focus solely on trafficking for the purpose of prostitution, since this area comprises the majority of trafficking cases, and information on trafficking for other purposes is lacking. Trafficking can occur across international borders or within the borders of a country. Women are trafficked internationally for prostitution, forced domestic labor, illegal labor, servile marriages, false adoption, sex tourism, entertainment, begging, and criminal activities.⁴ 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

Who are the Victims?

Trafficking is largely a result of gender inequality. Although some men and boys have been trafficked for labor purposes, the majority of victims are women and girls. Agents and recruiters see women and young girls not as human beings, but as objects to be bought and sold. Gender discrimination fuels the trafficking industry, since women have few opportunities and are seen as “lesser” people.

¹ United States Agency for International Development, Office of Women in Development. “Trafficking in Persons: USAID's Response,” September 2002. p. 1.

² GAATW, “Human Rights in Practice: A Guide to Assist Trafficked Women and Children,” Bangkok, 1999. preface.

³ Phongpaichit, Piriyaarangsarn, and Treerat. “Guns, Girls, Gambling, Ganja: Thailand's Illegal Economy and Public Policy.” O.S. Printing House, Bangkok, 1998. p. 157.

⁴ Dorman, Linda. “Trafficking Women and Girls in Asia,” *Together*, April-June 2000. p. 7.

⁵ GAATW, “Human Rights in Practice: A Guide to Assist Trafficked Women and Children,” Bangkok, 1999. p. 11.

The number of women and children who are affected by trafficking is difficult to assess, since it is an illegal activity. Thailand is the main receiving country in the Mekong region for trafficked persons, and the largest numbers come from Myanmar, followed by Yunnan (China) and Lao PDR. In 1999, an estimated 80,000 women and children were trafficked into the commercial sex industry in Thailand, of whom 30 percent were under 18 years of age.⁶ In total, the International Organization for Migration estimates that around 300,000 women and children are trapped in slavery-like conditions in the Mekong Delta region, which encompasses Cambodia, Lao PDR, Thailand, Myanmar, Vietnam and the two southern Chinese provinces of Yunnan and Guangxi.⁷ It is believed that 90 percent of trafficking in the Mekong region is related to forced prostitution, and that 50 percent of women in the commercial sex industry have been trafficked.⁸ Within Thailand itself, most of the trafficking takes place from the hill tribes of the north/northeast to Bangkok, Pattaya or Phuket, and involves mostly girls aged 12-16.⁹

Thailand is a major hub for international trafficking to other parts of South East Asia. From Bangkok, foreign and Thai women are sent to other countries, including Japan, Taiwan, Hong Kong, Germany, Australia and the United States. Thai women are frequently trafficked to Japan to work in domestic service and the “entertainment” industry. In 1993, The Thai Embassy in Tokyo estimated that there were between 80,000 and 100,000 Thai women working in Japan’s sex industry.¹⁰ In 1997, a Japanese gang leader was arrested in Thailand for smuggling over forty women through the airport inside large suitcases!¹¹

The U.S. State Department in 2001 stated that 50,000 people were trafficked annually to the U.S. and that the highest percentage of these were women from Thailand. These women are kept hidden and often moved from state to state. In 2001 an NGO called FIZ in Germany said that there were 80,000 Thai women officially living in Germany and that twenty to twenty-five percent above that figure were illegal.

The trafficking of Burmese women and children into brothels in Thailand is also a critical problem. During the 1990’s, the organization Human Rights Watch documented over 50 cases of Burmese women and children being lured by Thai recruiters with promises of good jobs and a cash advance, usually paid directly to the girl’s parents.¹² The girls are forced to work off their debt, often with 100 percent interest, in sweatshops or through prostitution. The girls live in debt bondage, confined to their brothel or factory, and generally experience some level of rape or violence to keep them subdued. Burmese women working in low-class brothels work 10-18 hours per day, 25 days per month, and serve anywhere from 5-15 clients per day.¹³ In most brothels that have been raided, between 50 and 70 percent of the women tested HIV positive. Thai NGOs estimate that over 20,000 Burmese women and children are currently in Thai brothels, with 10,000 new recruits entering the country each

⁶ International Labor Organization, “Getting at the Roots; Stopping Exploitation of Migrant Workers by Organized Crime,” Turin, Italy, 22-23 February, 2002. p. 10.

⁷ UNICEF, “Every Last Child: Fulfilling the Rights of Women and Children in East Asia and the Pacific.” p. 31.

⁸ Dorman, Linda. “Trafficking Women and Girls in Asia,” *Together*, April-June 2000. p. 7.

⁹ UNICEF, “Every Last Child: Fulfilling the Rights of Women and Children in East Asia and the Pacific.” p. 36.

¹⁰ Id.

¹¹ Phongpaichit, Piriya-rangsana, and Treerat. “Guns, Girls, Gambling, Ganja: Thailand’s Illegal Economy and Public Policy.” O.S. Printing House, Bangkok, 1998. p. 166.

¹² <http://hrw.org/press/1994/01/thaiburma.htm>

¹³ Id.

year.¹⁴ Women are also trafficked from Vietnam, Laos, Cambodia, and the Unnan Province of Southern China.

Contributing Factors

A multitude of factors contribute to trafficking, including poverty, the desire for a better life, the low status of women and children, lack of education and employment opportunities for women, official corruption, and the substantial amount of profits to be gained from the industry. Many young trafficking victims come from dysfunctional homes and were already looking for a way out, making them an easy target for recruiters. In addition, naiveté, lack of information, lack of education or employment opportunities, and the Thai cultural expectation that the eldest daughter will support her family financially all play a part.

Traffickers lure women with little economic opportunity to travel abroad for what they are led to believe is a good job in a hotel or restaurant, or work in a factory. The agents will advance all of the costs of travel, food, and lodging and make the woman pay off the debt in the destination country. Upon arrival, the agents or brothel owners confiscate their passports, and they have little choice but to comply with the demands of their captors since they are working and traveling illegally. Unable to speak the local language, it is nearly impossible for these women to escape their situation.

Once they are trapped in an illegal migration environment, many women find themselves living in inhumane conditions, locked in debt bondage to a brothel or restaurant owner who has no consideration for the women's basic human rights or health care.¹⁵ Many women are threatened with violence or raped if they do not comply with the brothel owner's demands. Some women are denied the right to enforce condom use, and many others are prevented from seeking medical treatment for STDs or other illnesses. In Japan, to prevent women in bondage from running away, the brothel owners, or mama-sans, commonly seize the women's passports and confine them to the establishment, allowing them outside only when necessary.

In the mid-1990s, three Thai women who had been lured to Japan on false premises and forced into prostitution united together and murdered their Thai mama-san in order to confiscate their passports so that they could escape. They were found and tried in Japan and sentenced to ten years in jail. The case became well publicized when several NGOs helped them appeal, and they were awarded compensation for the damages they suffered. However, such cases are not uncommon. Between 1991 and 1992, Thai women were involved in nine cases of murder in Japan.¹⁶

Personal Accounts

Pung went to Japan from Thailand after signing a contract with a canning factory. She had been suspicious of the agent at first, but felt reassured by the formal contract.

¹⁴ Id.

¹⁵ Dorman, Linda. "Trafficking Women and Girls in Asia," *Together*, April-June 2000. p. 7.

¹⁶ Phongpaichit, Piriya-rangsana, and Treerat. "Guns, Girls, Gambling, Ganja: Thailand's Illegal Economy and Public Policy." O.S. Printing House, Bangkok, 1998. p. 171.

*She was taken to a snack bar in Yamanashi prefecture where her Taiwanese madam told her she owed 30 million yen (US\$ 38,000) and the only way to pay it back was to work as a prostitute. She was penalized 15,000 yen (US\$ 150) for working with no makeup, 1,500 yen for a broken glass and 10,000 yen for every minute she was late returning from being with a client. All of these were added to her debt.*¹⁷

*Sang, a 27 year old woman, was born to a poor family in Northeast Thailand. One of five children, Sang was not able to go to school, and could not read or write. When she was 17, Sang moved to Bangkok to care for an elderly person. Wilai, a friend of Sang's relatives, worked for the Forest Authority of Thailand. She told Sang that she had a friend who owned a Thai restaurant in Berlin, and wanted many Thai girls to work there as cooks. Wilai contacted several Thai girls, including Sang, to go to Berlin, and it was arranged that Sang would go there as a tourist. When Sang arrived in Germany on December 28, 1994, Nong, the restaurant owner, and Thomas, her German husband, were waiting for her at the airport. They took Sang to a house where eight other Thai women, also working for Nong, were living. At this point, Nong told Sang that she owed her 150,000 Baht for traveling expenses and for her visa. Sang was told that she would have to pay this money back by working as a sex worker. Thomas would procure the customers. Sang was told that the client fee would go to Nong and Thomas, and sang could only keep her tips. Sang was very frightened and asked Nong to send her back to Thailand, which Nong refused.*¹⁸

Legal Initiatives and Prevention Programs

Strategies to address trafficking fall into three categories: prevention of trafficking, prosecution of traffickers, and protection of human rights for trafficking victims. Within the past decade, Thailand has made significant headway in all three areas.

Thailand has adopted substantial legislative reform to suppress trafficking in both women and children. In 1996, the Prostitution Prevention and Suppression Act was revised to include a section that applies penalties for agents involved in cross-border recruiting for sex work. Section 9 stipulates penalties of one to ten years of imprisonment and a fine of 20,000 to 200,000 baht for “any 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 of the Kingdom.”¹⁹ Moreover, in 1997, the *Measures in Prevention and Suppression of Trafficking in Women and Children Act* established penalties for crimes related to trafficking and granted more power to law enforcement officials to suppress crimes already prohibited by earlier legislation.²⁰

In June 1999, the *Memorandum of Understanding (MOU) on the Common Guidelines for Agencies Concerned with Cases where Women and Children are Victims of Human Trafficking* was signed by the Prime Minister's Office, the Director General of the National Police, and the Director General of the Public Welfare Department. The primary purpose of

¹⁷ GAATW, “Trafficking of Women in Asia,” *Voices of Thai Women*, Issue 15, April 1997. p. 22.

¹⁸ GAATW, “Human Rights in Practice: A Guide to Assist Trafficked Women and Children,” Bangkok, 1999. p. 10.

¹⁹ Human Rights Watch, *Owed Justice: Thai Women Trafficked into Debt Bondage in Japan*, 2000. p. 191.

²⁰ *Id.*

creating the MOU was to set guidelines for government agencies to deal with trafficked women and children, both Thai and non-Thai, in order to ensure that the human rights of trafficking victims were protected. Before the signing of the MOU, trafficking victims who were non-Thai were treated as illegal immigrants. The MOU created guidelines for state agencies to provide humanitarian assistance for trafficking victims, including access to shelter and a safe passage home.²¹ Since 1999, several further MOU's on anti-trafficking measures in the larger Mekong Region have been signed, the most recent being October 28, 2004.

In addition to legal initiatives, the Thai government has created several programs to prevent trafficking in women. The National Education Act, adopted in 1999, aimed to keep girls in school longer by extending the compulsory level of education from six to nine years. The Thai government has also tried to give women training for a wider variety of jobs through vocational training programs. The Occupational Assistance Division of the Department of Public Welfare, for example, offers three to six -month courses throughout the country for women aged 14-35 years old.²² Programs such as these were specifically designed to give poor women more employment options so that they are not forced into prostitution.

What You Can Do:

Other Links

The Foundation for Women (FFW)

Global Alliance Against Traffic in Women (GAATW)

<http://www.gaatw.org>

United Nations Development Fund for Women (UNIFEM)

www.unifem.org

State Department Trafficking in Persons Report:

<http://usinfo.state.gov/topical/global/traffic/>

Collection of resource & links on initiatives against trafficking in persons:

http://www.hrlawgroup.org/initiatives/trafficking-persons/biblio_links.asp

Human Rights Watch

<http://www.hrw.org>

UNICEF East Asia and the Pacific

Trafficking Watch

The International Rescue Committee

²¹ GAATW, *Alliance News*, Issue 18, July 2002. p. 38.

²² Human Rights Watch, Owed Justice: Thai Women Trafficked into Debt Bondage in Japan, 2000. p. 188.

www.theIRC.org

UNESCO Trafficking Statistics Project

<http://www.unescobkk.org/culture/trafficking>

Stop-Traffic

<http://fpmail.friends-partners.org/mailman/subscribe/stop-traffic>

Coalition Against Trafficking in Women, (CATW)

USAID