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Addressing the Sex Trade in Thailand: Some Lessons Learned from NGOs. Part I¹

This is the first in a series of articles stemming from Project Hope International's month long visit to Thailand in June 2002. Project Hope International is a non-governmental organization based in greater Washington, D.C., which fights against child sexual exploitation and trafficking in girls and women into the international sex trade, specifically in Thailand and the United States. Thailand undeniably deals with serious problems of child sexual abuse and exploitation, as well as trafficking of children into the sex trade. However, the sex trade in Thailand today is not the same as it was thirty years ago. There has been a gradual decrease in the numbers of Thai women and girls in the sex trade, and an increase in the numbers of females from neighboring countries in the Mekong sub-region, as well as non-citizen, hill-tribe girls from Northern Thailand. The goals of our research trip to Thailand were threefold: first, we wanted to learn about the current problems of the sex trade and how they have changed over the last ten years; second, we wanted to visit the child welfare centers, and meet the most prominent activists in Thailand who are targeting the political, social, and economic problems surrounding the child sex trade in Thailand; and, finally, we wanted to be able to bring the information we acquired to dispel myths promulgated by many nearsighted NGOs who work on trafficking issues.

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In this article, problems of researching the sex trade in Thailand are discussed, and a brief overview of the current situation surrounding the trafficking of females into Thailand is provided. In examining the extraordinary efforts of non-governmental organizations and international organizations, we place these issues in the context of how Thailand fits into the broader international anti-trafficking movement. We then provide some information on the most recent court cases that have prosecuted sex offenders and pedophiles and look at some of the reasons why girls get involved in prostitution, albeit on an increasingly voluntary basis in certain regions. Finally, evidence is provided that the government and police are slowly committing themselves to fighting trafficking in females for sexual exploitation.

Introduction

In June 2002, a group of university students traveled to Thailand for a working research trip with the organization Project Hope International (PHI). PHI is a non-governmental organization (NGO) based in the U.S. and Thailand, which seeks to promote dialogue among Thai NGOs and the U.S. government, and American NGOs and the Thai government. It also seeks to facilitate the flow of accurate information about the situation of voluntary and forced prostitution, cross-border and internal trafficking for the purposes of sexual exploitation, and the growth of sex tourism in Thailand. The goals of the trip were to study how Thailand combats child prostitution, sex tourism, and trafficking of females into Thailand for sexual exploitation. The long-term goal of the organization is to raise funds to build a safehouse in Northeastern Thailand, *Issarn*, for girls who are trafficked into prostitution from Laos to Thailand primarily. We realize that there are both women and children in the sex trade, and differences in handling both. This trip primarily focused on the issues of children in the sex trade.

We set out to cover a number of issues in this article. First, we provide an overview of the current situation in Thailand regarding prostitution and trafficking of females into the sex trade. We discuss how Thailand fits into the broader international anti-trafficking movement, and then discuss the work of the local, regional, and international players involved in combating the sex trade in Thailand. We highlight a number of court cases, which have prosecuted violators of the prostitution and trafficking acts in Thailand. By briefly discussing the social, political, and economic reasons why trafficking for sexual exploitation has occurred since the 1960s, we discuss the greatest risk factors for girls to be trafficked into Thailand today. Finally, we discuss the challenges ahead for Thailand.

We realize that this is an incomplete story of the extraordinary complexities of the sex trade in Thailand taken from our research trip. This article only scratches the surface in terms of theorizing on social movements in Thailand; of highlighting the important work organizations do in Thailand; and of the social, political, and eco-

conomic factors that contribute to the sex trade in Thailand. One major contribution that this article makes is the highlighting of case information that has not been previously published in the United States. It is our hope that this relevant information will change some of the misperceptions in the United States and elsewhere that Thailand is not doing enough to fight child sexual exploitation and trafficking of women and children into Thailand. Of the many people we spoke to in Thailand, not one ever denied the problems that exist there, nor did they claim that the police are not corrupt in some instances. However, what is impressive is the commitment on the part of Thai activists, academics, and some politicians and police to address a problem which serves to break down the very fabric of society.

This article is the first in a series of articles that highlight the positive and ongoing work by many actors in Thailand who address issues of trafficking for sexual exploitation and child prostitution. In this article, we were not able to address all of the NGOs that deal with women in the sex trade and women's rights; the Thai government's role in combating trafficking; and the entire history of social movement activity, foreign or domestic, against trafficking. We would like to explore these issues in publications to follow.

Research Methods

One of the primary research methods for this article is the use of conversations and interviews in Thailand with numerous people who span the social spectrum. We spoke with activists, policy makers, and academics, as well as Thai and American government officials. At the outset, the objective of our research was to conduct interviews with victims (or former victims) of human trafficking and/or sex tourism in Thailand. The questions were designed under a general four-part theme. These questions were: how old were the victims when they became involved and for how long; how did they become involved—were they sold, lured, tricked, or otherwise coerced; general demographic information relating to family and extended family; how did they escape exploitation or become rescued; and what are they doing with their lives at this point.

The interviews would be possible because of a proficiency in spoken Thai of one of the members of the trip and an already established network of Thai women friends and colleagues who could help arrange the interviews. Several events took place, however, that made us re-think the idea of personal interviews in favor of other methods of data collection. One of the reasons we rethought these methods was because of the negative experience of one of the Thai NGOs, FACE (Fight Against Child Exploitation), and its Executive Secretary, Sudarat Sereewat, with journalists from Channel 4 in the United Kingdom. Channel 4 is currently being

sued for breach of promise to protect the identity of former victims interviewed on tape. This is coupled with a general negativity toward the U.S.-based NGO, the International Justice Mission (IJM) for its cowboy-style operations in Thailand and its proclivity for inappropriately sharing overly sensationalized stories, video footage, and pictures of women and girls, many times without keeping confidentiality agreements. These reasons were taken into consideration and we decided that it would be wise not to further antagonize the mood of Thai NGOs by seeking this type of interaction and documentation opportunity.

Fortuitously, we were able to meet with a number of prominent Western academics who are not only fluent in Thai (having lived in Thailand for many years), but who also have a profound first-hand knowledge of the type of research done by academics studying the “sex industry” in Thailand over the past twelve years or more.² The knowledge-base these individuals share, coupled with a deep, personal understanding of Thai culture allowed for a more authentic understanding and expression of the complex and multi-layered issues involved without additional racist or overly simplistic explanations. Marc Askew³ pointed out that many Western writers repeat ideological/cultural/political/economic truisms and lack any ethnographic or Thai language capability, and this is a problem when these individuals become touted “experts” on Thailand. In an effort not to make similar mistakes, we sought advice on how to best frame our research, and in the process we learned a great deal about methods of interviewing and data collection that would be better NOT to use, which ultimately changed the focus of our month-long working trip in Thailand.

Marc Askew has done very recent work in Southern Thailand, and he highlighted the importance of not collecting data by doing ‘interviews’ as such, but that real information is obtained by gaining the trust of the locals, and, once accepted as part of the “scenery,” so-to-speak, then in everyday conversations the true stories are revealed, not simply tailored to what the interviewer wants to hear. The obvious point here is that this type of work and authentic detail can only be accomplished without time restraints. Marc Askew gave examples of the different types of responses he has known people to get from women, depending on the position of the person asking the question. If a woman working in a brothel, bar, or karaoke place is approached with questions from an educated Thai woman, the answers will be one set; if questioned by a foreign aid worker through a translator, the stories will often be another flavor entirely, as they will be when questioned by a reporter or simply by a man. These women and girls, for the most part, are savvier than their interviewers realize, and will play into the hands of the person at the moment. Awareness of this reality, and of the sheer amount of time needed to get intimate enough to get real accounts, led us to abandon the interviews we had originally set out to do. An interview is only as good as the truth it tells, and if a lack of time would cause us to

engineer roles and perpetuate common, stereotyped information, then we would not accomplish anything real.

What we did in place of interviews with victims (or former victims) was to acquire information on judicial cases tried in Thailand and other social welfare case histories, in order to use this information to complement academic research in various regions throughout Thailand. This would help us assess demographic information and outline common trends and patterns between cases regionally. A regional comparison within Thailand was one of the end goals of this research-working trip. We spent a great deal of time visiting child welfare centers. Visiting these centers allowed us to gather information from the social workers who deal with recovering victims on a daily basis and permitted us to gain an understanding of the basic situation in various regions throughout Thailand.

Another key realization as a result of this trip is the number of “strut statistics” circulating both in Asia and with regard to Asia about the trafficking of girls and women, as with the rest of the problem globally. These statistics often assume a reality that they don’t have in life, and worst of all, policy and funding decisions become based on these numbers. We use “statistics” sparingly in this article because we have discovered through research and through conversations with other researchers that the current numbers⁴ circulating on numerous websites, as well as in the speeches of policy makers the world over, cannot be traced back to any accurate source. Therefore, we remain with the knowledge that trafficking in females is a serious problem for those involved and wait until those with the proper tools can accurately calculate the numbers.⁵ As with any illicit market of goods, it will always be difficult to acquire an accurate number.

Overview of Current Situation in Thailand

Thailand experiences a “problem” with prostitution, as do the majority of countries in the world. There is a perception that the problem is much worse in Thailand because of the reputation of Bangkok being “Asia’s brothel.” It is unlikely that the number of sex workers in Thailand is greater than a similar country of its size. However, the sex industry has been linked over the last thirty years to a thriving tourism industry in Southeast Asia. This industry has many root causes. The first is that Thailand’s sex tourism can be traced back through local forms of prostitution and concubinage (Truong, 1990). The second and much more important is the role of the American military in Thailand during the Vietnam War during the 1960s and 1970s. This began in Thailand in 1967, when the Thai government and the U.S. military signed a treaty to allow U.S. soldiers stationed in Vietnam to come on “Rest and Recreation” (Miller, 1995: 279). This created an economic boom, with

tourism being Thailand's main source of foreign capital. At the end of the war, there was a need to keep this industry going. People needed to be enticed to come back to the region. Massage parlors opening up around military bases in the U.S. expanded after the Vietnam War ended because of returning military troops looking for sexual services they had received and had become accustomed to in Southeast Asia (Bryant and Palmer, 1975). Men now returning to areas known for its sex tourism include "businessmen" who spend their vacation and work time participating in sex tours.

It is no secret that Bangkok and other areas of Thailand, such as Pattaya and Phuket, have large, visible sex tourism industries where Thai and other Southeast Asian women are employed in the sex trade. It is generally understood that these females "choose" this employment because of the lack of economic opportunities. For example, during our visit with the activists of EMPOWER in Bangkok, an NGO that works for sex workers' rights and protections, we were told that many of the women are college students during the day, and work as bar dancers at night to support themselves. Beyond the fact that prostitution is an unfortunate economic decision that is exploitative to any woman or girl, serious problems arise when girls and women are trafficked within or into Thailand for sexual or labor exploitation. By definition, if they have been trafficked, they are being physically and/or psychologically forced or coerced to work. It is this extremely serious problem which concerns our research.

The issues are complex that surround the prostitution and trafficking in girls/women into Thailand. Prostitution is part of the trafficking issue but not the whole part (more on this later). There is trafficking of people following irregular migration flows into industries where there is a demand for cheap labor. This mirrors irregular migration flows all over the world. Along with the social, political, and economic circumstances, exploitation—debt bondage, low or no wages, excessive working hours, and unsafe working conditions—can and usually does characterize the work. Industries characterized by a high proportion of irregular migrants include factory work, fisheries, and domestic labor. The degree of exploitation varies and it may often not even be seen as such by the "victim," who may see themselves as being no worse off than if they had stayed home (Marshall, 2001: 8).

Trafficking is a problematic concept, which must be briefly addressed. The official definition of trafficking from the International Convention Against Transnational Organized Crime with its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, is:

...recruitment, transportation, transfer, harboring or receipt of persons..." by improper means, such as force, abduction, fraud or coercion, for an improper purpose, like forced or coerced labor, servitude, slavery or sexual exploitation. Countries that ratify the Protocol are obliged to enact domestic laws making these activities criminal offences, if such laws are not already in place (Art.3).

The concepts of smuggling and trafficking are often confused. Particularly for the situation of girls who cross the borders from Burma, Laos, Cambodia and China into Thailand, it has been said that girls are not trafficked, but they become trafficked.⁶ Technically in many cases, the girls and women agree to be transported across a border (smuggled) to work as prostitutes, domestic servants and factory workers, but become “trafficked” when there are elements of force, fraud or coercion in the transaction. This includes girls and women who may know that they will be prostitutes in Thailand, but when they arrive, they find themselves in conditions they did not expect. This is the problematic nature of the concept of trafficking, which must be taken into account if anti-trafficking policies made are to be effective. The problem in the Mekong sub-region, as in many other places,^s is that it appears that, in the vast majority of cases, the actual movement across borders, by and large, is “voluntary” in the sense that the person has made the decision to travel for work, within the often limited range of choices available. It is the end outcomes—the nature, the terms and conditions, of work at the destination point, which defines most cases as trafficking (Marshall, 2001).

There has been a steady decline in ethnic Thai women in prostitution because of the relatively positive economic development of Thailand vis à vis other countries in the Mekong sub-region.⁷ Predictably, the result of economic development is that some people move out of less desirable jobs and industries. This does not necessarily remove the demand, but needs the supply of workers to come from someplace else. This supply usually is found in populations of illegal migrants, those who are more vulnerable to exploitation, and those who are looking for almost any kind of work.

From where are the girls and women coming who end up in Thailand’s sex industry? Women and girls from Yunnan Province, China, for the most part, go to the south of Thailand because of a demand for lighter-skinned women to service the ethnic Chinese Malaysians who drive across the Malay-Thai border for tourism.⁸ Women and girls from Burma, for the most part, stay in the north of Thailand. Females from Laos and Cambodia go to Bangkok and northeast Thailand. This is the voluntary aspect of trafficking: One is not trafficked, one becomes trafficked. This leads us to a re-realization that a great deal of the prostitution in Thailand is voluntary. Of course there are many instances where girls are in brothels against their will, but in the same brothel there may be girls who have chosen to be there. In these cases, those who are involved in raiding brothels must take this into consideration when “rescuing” girls. We will touch upon ways of dealing with this below.

One of the discoveries made during the trip was the extent to which Thai teenage girls and women choose to be in the business of prostitution in Thailand, specifically in the infamous sex trade in Bangkok. Many of the girls come from the

North of Thailand to make money in order to support themselves and sometimes to support their families. There is a great deal of evidence that Thai girls/women reject the “victim” status afforded to them by scholars and other writers (Askew, 1999).

Pat Pong, Soi Nana, and Soi Cowboy are Bangkok *soi* or streets whereby the bars advertise the services in menus from which one can purchase. In the middle of the street, vendors sell souvenirs, clothes, music, handbags, sunglasses, and other paraphernalia enticing to tourists. As one walks on the periphery of the labyrinth of vendors, one can look in the entrances of bars and see approximately thirty girls in each bar. Music blares as topless girls dance with facial expressions of boredom.

Members of EMPOWER, a Thai NGO that works to protect sex workers rights in Thailand, informed us that many of the bars do not require the girls to sexually service men on a nightly basis, though if a man wants to take a girl out, he may. Much of it is voyeuristic on the part of the frequenting men. Mostly single white males ranging from ages 35 to 65 sit in the bars’ stadium-like seating and watch the girls dance. Some of the men will be approached by the dancers in the bar, but not all. As was mentioned earlier, we were also told that many of the girls/women danced in the bars by night, and attended college by day. An increasingly materialistic atmosphere in Bangkok, due to aggressive foreign marketing, designer clothes and new malls are a cause. Many Thai’s recognize “designer prostitution” by college girls who wish to buy new jeans, make-up, and accessories.

Before we discuss the dedicated work of NGOs, we would like briefly to review the history of the movement against sex tourism in Thailand. Then we will review the social, political, and economic factors of why there is trafficking of girls into Thailand today for the sex trade.

Comments on Social Movements

In a search of academic contributions to the social movement theory in Thailand, one encounters discussion of the relationship between state and citizen, and the growth and opening of democracy in Thailand over the last twenty years. These, of course, are very important conversations to be having and it is obvious still that Southeast Asia, in general, is left out of most conversations in the burgeoning social movement literature.⁹ The discussion of the rights of women and children do fall into the overarching social movement atmosphere in Thailand, yet it is one that has been sorely ignored by Western and Asian academics alike. We would like to place the anti-trafficking movement in Thailand into a broader framework of social movement theory and, eventually, transnational social movement theory.

However, there are pitfalls when looking at social movements in non-Western countries through Western lenses. Until very recently, there was little written on

social movements in Southeast Asia in general, and Thailand in particular. In the last two years, a handful of prominent Thai scholars have conducted research on social movements, civil society and NGOs in Thailand. This is quite significant because of the culturally specific words, theories, and frames associated with societal issues. These Thai academics have had to translate phrases like “social movement” and “civil society” into Thai, then translate back into English the ways in which these words and frames take on new meanings.

Pasuk Phongpaichit, a well-known economist in Thailand, has made a contribution to the theories of social movements as they apply to developing countries in general, and Thailand in particular. Her research may help us understand some of the nuances of the movement against sex tourism, prostitution, and trafficking in Thailand.

From the 1960s and 1970s onwards, the U.S. and Europe saw a surge of protests and demonstrations against governments, government policies, and social conventions. The people involved in these protests often cut across class divisions, and the issues involved new demands such as anti-nuclear, anti-armaments, women’s movement, and movements which demand that society recognise and accept different lifestyles, such as gay and lesbian. Theorists tried to understand these protests, to situate them in the debate on theory, and to predict their future course (Phongpaichit, 2002). A mainstream explanatory variable in the study of Western social movement theory is mobilizing structures (or the groups, organizations, and networks through which social movements garner followers and resources) (McCarthy, 1996). This variable focuses not on why the movements take place (this was seen as being self-evident), but on how the movement is organized, and why some of them were more successful than others. Success also depended on the movement being able to link to other networks of groups and organizations. The resource mobilisation theory’s stress was wholly on the *strategy* to make the movement succeed in demanding for a change in government policies or legislation. Thus, it is sometimes said that the theory focused on political action, or the realm of politics, rather than on civil society (Phongpaichit, 2002).

Another explanatory variable in the study of Western social movement theory, political opportunities (including formal structures as well as informal power relations), focuses on the political rather than the civil society realm (McAdams, 1996). This approach sees openings in the political process and establishment, which will allow new ideas and groups to enter to voice their concerns. The chances of the movement achieving success are discussed in terms of the “opportunities” that are available. If the government is strong and committed to repression, social movements are likely to fail. But if the government is weak, political opportunities may arise which allow the movement to be successful. Those who adopt this political process or political opportunities approach pay less attention to the “resource” as-

pects of the movement. They focus wholly on the interaction between the movement and the state and on ways in which the political system frames the failure or success of the movements (Phongpaichit, 2002).

The American- and Euro-centric theories of resource mobilization and political opportunity structures offer some, but not many, tools for understanding the origin and role of popular movements in the Third World in general, and Thailand in particular. The rise of the modern state, market-oriented economy, and new forms of global power (hegemonic states and dominant multinationals) have caused conflicts over resources, dislocation of communities, and erosion of ways of life in Thailand. The significant fact about the social movements in Thailand over the last decade is the large participation by the underclasses, which have traditionally been denied a political voice. These include hill-tribe peoples, small fisherman, marginal peasants, slum dwellers, and working women. The Thai society has had little or no experience of mass political mobilization. However, the role of women has increased in political life over the last decade. This includes involvement in movements on specifically female issues: abortion, HIV/AIDS, and violence against women. Traditionally, women had a strong role in Thai society. The strong and often leading roles taken by women in modern popular movements represents a reassertion of traditional female power (Phongpaichit, 2002).

The movements against child prostitution, and as a result trafficking, have their roots approximately fifteen years ago with the work of ECPAT. Even in the late 1980s women activists in Thailand understood the importance of linking with women's movements in other countries. However, because of the particular constellation of global attitudes and actors, it was not until the mid-1990s that Thai women felt ready to work closely with NGOs and other organizations. However, because of the experience of women and men in social movements in Thailand over the last two decades, NGOs today are well-organized, well-established, and well-respected in and outside of Thailand. They have learned to work well with international organizations and their unique way of networking within the country has allowed them to be pro-active in terms of setting the agenda with international funding agencies.¹⁰

The Beginnings of a Movement¹¹

In mid-1985, Sudarat Sereewat worked as a volunteer in the Ecumenical Coalition on Third World Tourism (which published a study on human slavery in 1990). The goal of the Coalition was to study the negative impact of tourism on Third World countries. The research center of the coalition approached her at the end of 1987 to do a study on the negative impact of tourism on children. They did not have the hypothesis yet that the negative impact of tourism on children was prostitution.

This came out in the findings of the project. Three countries were selected for this project: Thailand, Philippines, and Sri Lanka. The country selection was not made based on the fact that there was more child prostitution in these countries, but because this organization had partners in these countries researching the negative impact of tourism on the environment, social/cultural changes, and women. Sudarat was the director and researcher for the project on children in Thailand. She formed a consulting committee to do research made up of three NGOs in Thailand: the Foundation for Women, Center for the Protection of Children's Rights (CPCR), and Friends of Women.

In May of 1990, the findings were published in five countries total (India and Taiwan had been added later when they were able to find researchers in those countries). Seventy people participated in the study. Once the findings came out, the participants agreed that this research and work should not end, and decided to take further concrete action on a multi-country level. So, the international campaign to End Child Prostitution in Asian Tourism, or ECPAT, was created in 1990. In January of 1991, Sudarat was invited to work as the first Executive Secretary of ECPAT in Thailand. Ron O'Grady became the international coordinator for ECPAT. It was significant because it was not just an organization, it was a "movement" and they called it such. As a movement whose headquarters were, and still are, in Bangkok, other organizations would have to be involved such as children's NGOs, women's NGOs, church groups, development groups, even homosexual rights' groups wanted to distinguish themselves from pedophiles.

The first side of the campaign was the sending countries—Western countries of Europe and North America, as well as Japan. The second side was the receiving countries: Thailand, Philippines, Sri Lanka, and Taiwan. Those involved in the campaign argued that the sending countries should be responsible for these tourists who come to rape children of other countries, and they received letters of support. More and more, the governments of the sending countries started to look at their own laws and the existing extra-territorial laws. Officials in Thailand could not prosecute tourists; they had to extradite them, which made it more complicated, and almost impossible to prosecute pedophiles. Therefore treaties were needed between countries. Thailand had to decide if it wanted to send citizens back to the sending country to be tried. Then the sending countries could use their own laws to try people who committed crimes in Thailand.

As a whole, the movement spearheaded by the campaign against sex tourism for child prostitution has been relatively successful. Gradually, Thailand began arresting more foreigners. ECPAT needed someone to monitor arrests of foreign pedophiles. Because no one was monitoring the situation, most jumped bail from the country. Then cases would be over because Thai officials could not chase the

criminals from country to country. Sudarat was specifically interested in the effectiveness of law enforcement. For example, if there was an arrest in Pattaya, she would go and start to work with the police. These were very new experiences for both an NGO and the police, everyone was just learning how best to deal with these difficult situations.

The police were, at first, a little indifferent to Sudrat's interest in the cases. They would just do their job; they would give bail if they wanted. They would not consider holding them. As her work with ECPAT progressed, she linked with higher levels of the court when they had custody, and convinced the courts that they needed to consider these cases more carefully, otherwise people would simply jump bail. Some judges who thought this issue was important ordered the holding of the pedophiles.

In 1994, however, the structure of ECPAT changed. Sudarat wanted to continue to monitor cases. However, ECPAT, whose vision and development of an international movement against child exploitation, was not necessarily interested in allocating resources to monitoring cases of pedophiles in Thailand. By 1995, there were approximately five staff members who were working on the Thai side of the movement. When they had set up their office in 1991, the issue of studying child prostitution was quite dangerous. They didn't want to reveal the location of their office. They used a P.O. Box, and would not let other people visit the office. Gradually, however, other members of ECPAT wanted the office more visible, so they moved to downtown Bangkok. It became difficult for Sudarat to maintain her work in relative safety. She knew, however, the importance of her work because, in order to prosecute foreign pedophiles, Thailand had to develop relationships with Germany and France. For example, in 1995, a French man was arrested in Thailand. French ECPAT contacted Sudarat and asked her what they could do to help.

Unlike her colleagues in ECPAT, Sudarat wanted to use the monitoring of cases in Thailand as a basis to continue the international campaign. Therefore, with the permission of authority figures in Thailand—Dr. Saisuree Chitikul, Advisor to the Office of the Prime Minister; Dr. Kanit Na Nakorn, then Attorney General; Prosecutor Wanchai Roujanavong, then Deputy Director of Mutual Legal Assistance for Criminal Matters Division; Mr. Seree Wangpaijitr, then Governor of Tourism Authority of Thailand; Ms. Srisawant Phuavongphatya and Ms. Srisak Thaiarry, Thai NGO activists—Sudarat created FACE (Fight Against Child Prostitution) as a separate Thai organization carrying out work at the national, regional, and international levels in April 1995.

FACE, made up of Sudarat as Executive Secretary and Wanchai Roujanavong as head prosecutor, set up the monitoring of legal cases. They worked with police. They continued work on an on-going case of a Swedish man who had been arrested in 1993 for pedophilia with a Thai boy. He jumped bail, but in 1994 he was found in

Thailand and re-arrested. Police and a prosecutor came from Sweden to Thailand and interviewed the child and the police involved in the arrest. They sent video back to Sweden, and then, in June 1995, contacted Sudarat and asked that the boy be brought to Sweden. Wanchai, because he was a lawyer, went with the boy, who was already sixteen years old. This was one of the first cases in the world that used extradition to prosecute child sex offenders.

Currently, monitoring every single case is not a goal of FACE. It is impossible for a small organization to keep track of every case in Thailand. Therefore, FACE tries to work with authorities at a structural level to make police aware of the laws in Thailand to deal with child prostitution, pedophilia, and trafficking of children. Monitoring cases is just learning the loopholes of laws, and coordination and cooperation in the legal mechanisms. Recommendations are given to the authorities on how to handle certain cases. FACE is involved in trying to encourage amendment of the Thai law so that the Thai government will set up a special police unit to deal with these kinds of cases. This work is in addition to the tireless efforts of Dr. Saisuree Chitikul on this issue.

Where Improvements can be Made in Thailand

Child abuse, child prostitution, and trafficking in females are all major problems in Thailand. In the mid-1990s, fifteen was the age of consent in Thai law. Over fifteen, it was negotiable. However, this is applied to children used in commercial sex. If a child was twelve to fifteen years old and got paid, it was deemed acceptable to abuse them, with or without their consent. Now, if NGOs are helping children who have been in brothels or in entertainment places, they can use the 1996 law on Prevention and Suppression of Prostitution, which was amended from a previous law. In November 1997, the Thai government passed a law called Measures to Prevent and Suppress the Trafficking of Women and Children, which also was amended from an existing law. These two laws are enacted, and now can be invoked in cases involving brothels. The new procedural law on child witness investigation made the process less abusive to the children. In the past, interviewers would harass the children, ask them to explain what the man did to the child and repeat it at least five different times with the social worker, police investigator, prosecutor, courts, and doctors. Also, there would have to be a confrontation between the child and abuser, procurer, or brothel owner that was extremely intimidating for the child. The fear was that they may lose the witness by the time the court hearing came because of the long time before a court date is set. If they recorded videotape at the time of the first testimony at the police station, perhaps the court would accept it as testimony.

By videotaping the interview, it, first, avoids having the children repeatedly tell their story, and, second, makes sure there is testimony to use in court in case the child refuses to testify or disappears before the court date. In the process of videotaped interviews of the children, social workers are involved in the investigations.

Who Are the Local, Regional, and International Players Involved in Combating the Sex Trade in Thailand, and What Are They Doing?

It is clear that different responses are needed for different situations. It is hard to tell where trafficking begins and ends. Some cases involving the sale or abduction of girls and women clearly involve victims of trafficking because of force or coercion. But, in others, the distinction between (poor, innocent) trafficking victim and (nasty) economic migrant is much less clear. Even when we have a clear definition, difficult situations can arise, such as when a raid on a brothel identifies 17-year-old migrants as trafficking victims and 18-year-olds as illegal migrants and illegal sex workers (Marshall, 2001: 8). This view of trafficking in Thailand may help us as we begin a discussion about the work that is being done in Thailand by a few key organizations.

It may be useful to disaggregate the problem of trafficking and prostitution, and the responses to it by local NGOs (non-governmental organizations), INGOs (international non-governmental organizations), IGOs (international governmental organizations), and GOs (governmental organizations) by looking at the different regions of Thailand. It is apparent that there is a great deal of variation within Thailand as to the demand for certain kinds of girls in certain places who provide sexual services. This is important for understanding the problem with greater clarity, as well as crafting effective processes to deal with trafficking and prostitution. What we discovered is that, although different regions of Thailand deal with various problems, Thailand, over the last fifteen years has slowly, but carefully, created an impressive network of cooperating organizations to combat child prostitution and trafficking in girls for sexual exploitation. Our goal is to illuminate the complexities of this network and suggest that it could possibly stand as a model for other Southeast Asian countries. There are many organizations in Thailand, both local and international, which are working on trafficking and prostitution related issues.¹² For the purposes of this article, we have chosen to discuss some of the most prominent, and the ones whose work, we believe, stands as models for other countries in Southeast Asia. The work done is primarily targeted to the girls who are deemed to be there against their will, either by the testimony of the girl or by an assessment of their working conditions.

Bangkok

Fight Against Child Exploitation (FACE) has been one of the many local NGOs working in Thailand over the last seven years. We decided to study closely the work that FACE is doing in Thailand. FACE, founded by Ms. Sudarat Sereewat, and chaired by prosecutor Mr. Wanchai Roujanavong, was born out of the fact that some people were not pleased with the way that cases of international pedophiles were being monitored by ECPAT. It was thought that a new organization was needed to be exclusively responsible for monitoring cases, and FACE was created out of this need. The responsibilities of FACE include: (1) monitoring the cases of arrested pedophiles; (2) advocacy; and (3) campaigning and awareness raising. FACE has been successful because it is providing a service of case monitoring that is indicative of an open democratic space. Sudarat and Wanchai coordinate and encourage law enforcement officers to perform their tasks more actively and effectively, and assist in obtaining evidence, especially from victimized children if necessary. They also may accompany children to court, and act as counselors to the family. Because there are so few people in Thailand working on these legal issues, Sudarat and Wanchai often travel to the courts to attend hearings in other provinces in Thailand. Another point of the success of the work of FACE is the fact that they coordinate closely with other governmental agencies, especially the National Commission on Women's Affairs, the Public Welfare Department, the National Youth Bureau, the Royal Thai police, and the Ministry of Justice, in order to suggest reforms in the law and improvement of legal procedures. FACE also participates by campaigning for awareness of the problems and the work that is being done. The end goal of the advocacy activities is for the government to create a comprehensive National Plan of Action addressing child sexual abuse, prostitution, and trafficking into and out of Thailand. To be fully implemented and have full commitment, this Plan of Action must include all sectors of society and government, which is a daunting but slow task.¹³

Bahn Kred Trakarn¹⁴ is a children's shelter funded and directed primarily by the Department of Public Welfare, Ministry of Labor, and Social Welfare of the Thai government. There are two categories of children presently staying at the shelter. The first group is comprised of former child prostitutes who either voluntarily left prostitution, escaped, or were "rescued." The second group is comprised of children with social problems, who are at risk for being abused by family, or girls who find themselves pregnant. If police find children on the streets of Bangkok begging without any adult supervision, they take children to this shelter.

While the children stay at the shelter, they are able to participate in vocational training in music, dance, sewing, masseuse, and cooking. If they create handicrafts, they are able to sell the goods through the Center and make a twenty percent profit.

Bahn Kred Trakarn relies on international organizations to fund particular programs in the child shelter: IOM (International Organization for Migration), UNICEF, and Hope World Wide. Bahn Kred Trakarn also works with local NGOs: FACE (Fight Against Child Exploitation), CPRC (Center for the Protection of Children's Rights), and other governmental organizations, such as Foundation for Children's Development in Thailand. IOM pays for the counseling office and the translation office.

Bahn Kred Trakarn is the only shelter in Bangkok that takes care of foreign victims of trafficking. Most of these foreign victims are from Lao PDR, Burma, Vietnam, Cambodia, and China. What does it mean to take care of foreign victims of trafficking? The Center must process their identity, figure out where they come from and what their experiences are, keep them at the shelter for up to six months for vocational training, and then repatriate them to their home country. In order to repatriate girls, the staff of Kred Trakarn must determine that they will be taken care of in the country of origin if they are repatriated. Therefore, the staff at Kred Trakarn contacts the shelters in the country of origin, and if there is no room for them in the foreign shelters, they will be permitted to remain in Thailand. For example, while we visited Thailand, Bahn Kred Trakarn was to repatriate twenty girls to Laos who had been trafficked into Thailand in order to work in domestic service, prostitution, or factory work. The International Organization for Migration (IOM), an intergovernmental organization based in Geneva, paid for the three vans necessary for transport of girls at Nong Khai, a Thai town on the Laotian border.

The Center for the Protection of Children's Rights Foundation (CPCR) is another child welfare facility in Bangkok. Unlike Baan Kred Trakarn, CPCR is privately funded. It exclusively houses girls who have been victims of child abuse, forced child labor, and child prostitution, and it has far fewer girls than Bahn Kred Trakarn. Through discussion with the director of CPCR, Khun Atchara Chanokul, we found that it has taken nearly twelve years for CPCR to create a viable system of cooperation in which it works closely with local Thai NGOs, as well as with international organizations, the Thai government, public health facilities, and the police. It is a pioneer child welfare agency in Thailand working on children's rights. It defines child welfare as good nutrition, an education, and providing a happy and safe living environment. The director runs the shelter as if it was a large, extended family. The girls are taught chores and have responsibilities to the other girls.

One very successful process created at CPCR is the multi-disciplinary team which addresses the problems of each girl individually. This team is made up of doctors at hospitals, social workers, medical forensics, psychologists, and psychiatrists. The British Council pays for training of members of this team. Another workable tactic is the concentration on working with the family of the girl and assessing if

anything in the history of the family would explain what has happened to the child. This also prevents further abuse to other siblings, if abuse is found in the home.

There are many international organizations working in Thailand and based in Bangkok which address trafficking issues. The two organizations, which we would like to discuss for the purposes of this article in order to highlight their projects, are UNESCO, and the UN Inter-Agency Project on Trafficking (UNIAP). UNESCO (United Nations Educational, Scientific, and Cultural Organization) has a Geographic Information Service—a social sentinel surveillance project which, essentially, aims at developing an epidemiology of trafficking. UNESCO wanted to develop a way to train villagers to track out migration of women and then to map these in relation to other factors. For example, people have talked about the relationship of trafficking and AIDS, but no one has ever mapped the relationship. UNESCO has the only AIDS map done in Thailand.

Another project UNESCO organizes is radio soap operas aimed at highland minority people in Burma, Thailand, and Southern China who don't receive very much information in their own languages. These soap operas are targeted specifically for teenage girl who may be at risk for being trafficked into prostitution. They are composed in their languages and use local music. The first has been a series of thirty soap operas in the Shan language. The girls named it themselves: "Tears of the Wild Orchid." It will be broadcast by Radio Chiang Mai, a very powerful radio station, which broadcasts all the way into Burma—the country which is the main source of girls trafficked into Thailand—and into southern China. The next group of soap operas will be done in Akha, a hill-tribe language. The Akha are a hill-tribe people in Burma, Thailand, southern China, and Laos. Then UNESCO will continue making soap operas in a number of minority languages.¹⁵

They also have a project that deals with numbers. One of the problems when studying trafficking is there are many statistics that are continually re-published, but have no validity. One example is the statistic from South Asia, which shows often in some publications, that there are between five and seven thousand girls a year trafficked from Nepal. The statistic was traced back, and it was found that the major scientific source for this number was a *Times of India* article written in 1986, which gave no provenance for the number.¹⁶

The UN Inter-Agency Project (UNIAP), established in 1999, aims to reduce trafficking of women and children in the Mekong sub-region through improving national and regional co-ordination, identifying and filling gaps in program implementation, and adding value to existing initiatives. It does this by: supporting community-based initiatives on prevention, recovery, and reintegration to assist women and children who are at risk of or have been trafficked; stimulating dialogue, information collection and sharing, and coordinated action on sub-regional, cross-bor-

der, national, and local levels; and increasing national capacity and sub-regional cooperation to strengthen legislation, policies, and enforcement of laws to respond to trafficking. The five countries in the Mekong sub-region are Cambodia, China, Lao PDR, Myanmar, Thailand, and Viet Nam.¹⁷

UNIAP is comprised of the United Nations agencies—ESCAP, ILO, OHCHR, UNAIDS, UNDCP East Asia and Pacific, UNDP Thailand, UNESCO Asia-Pacific, UNFPA, UNHCR, UNICEF, UNIFEM E&SEAPO, UNOPS Asia Office—and international non-governmental organizations—Oxfam International, ECPAT, FACE, GAATW, Mekong Regional Law Center, Save the Children Alliance, World Vision—as well as the international governmental organization the International Organization for Migration (IOM).

We have highlighted these two projects, one an organization and the other a network of organizations (of which the first is a member), because in our field work in Thailand, we found the work of these two to be very relevant in the fight against trafficking in the Mekong subregion in general, and in Thailand in particular. It is our opinion from observation that the local NGOs are the best equipped to address the complex abuse problems because of obvious reasons: better understanding of culture, knowledge of language, capacity to cooperate with police, ability to influence policy. However, it is also evident that the local NGOs, such as FACE and CPCR, are in need of the financial assistance provided by international organizations and foreign governments. It is to the credit of the local NGOs that they have learned how to communicate their needs clearly to foreign donors in order to be able to best implement the kinds of programs that the local NGOs deem appropriate and feasible given the particular circumstances.

Northern Thailand

The CPCR has an affiliate organization in Chiang Mai in northern Thailand, CCPCR, where the director, Mr. Ben Svasti, has created a highly successful network of approximately twenty organizations in order to combat the trafficking of children into northern Thailand from Burma and China. The network is called TRAFCORD. The primary shelter, which coordinates the CCPCR activities, is Bahn Pingjai. This center, supported by the Division of Child Welfare Protection, Public Welfare Department, performs six primary activities: (1) it serves as an emergency home/temporary shelter for children zero to eighteen years of age and for pregnant women; (2) it is a counseling center open twenty-four hours a day where women and girls can call and ask for advice; (3) it is a coordinating center between NGOs and the Thai government; (4) it is the place where people can call to report an incident of sexual abuse; (5) it is the first place a child will be taken if she is found

sexually abused at home and where the investigation process with police will begin; (6) it provides services to women and children victims of trafficking.¹⁸ Those involved in CCPCR are decisive about attacking child abuse through a multi-disciplinary approach, much like the CPR in Bangkok. The multi-disciplinary team involves medical doctors, social workers, attorneys, and police.

The most impressive aspect of the work of the CCPCR and TRAFCORD is their capacity building measures over the last several years. After police are trained to work with the NGOs, a protocol goes into effect to work together. In 1990, children and women found to be trafficked, exploited, or abused were interviewed separately by a public prosecutor, a social worker, a doctor, etc. This process was, in itself, deemed to be abusive and, by the time the possibility of a court case emerged, the girls and women resisted participating in it. In 1996 and 1997, the laws changed in Thailand, and the victims of sexual abuse were no longer seen as criminals; their actions were decriminalized. Therefore, the CCPCR created a situation where there could be "one-stop services." In addition to a physical exam being taken in the same building, the CCPCR and TRAFCORD, with the help of other organizations and the United States government, built a specialized interview room where a girl's testimony to various actors could be videotaped, all within a very short period of time.¹⁹ In provincial courtrooms, there are also separate child courtrooms.

The challenges that still face the CCPCR network are many. They need to hire a legal advocate who can be available when a brothel is raided so as to immediately assess who in the brothel is an illegal migrant, an ethnic Thai, a child, or a member of a Thai hill-tribe. Even within the same brothel, it may be found that there are a variety of cases and each need to be handled quickly, but with care; therefore, a triage unit is needed. The types of medical, judicial, and social services that are available to Thai citizens are not equally available to hill-tribe girls and illegal migrants. If an illegal migrant is found in Thailand, decisions need to be made about deportation, and prosecution of the victim and/or her trafficker. These decisions must be made carefully between the members of the TRAFCORD network and the police.

The New Life Center is a child welfare house in Chiang Mai. Missionaries Paul and Elaine Lewis, who were in northern Thailand and Burma from 1947 to 1966, founded it. The mission of the New Life Center is to assist at-risk hill-tribe girls by giving them a safe place to live with a family-like environment, educating them, and helping them acquire Thai citizenship. With these tools, it is likely that these girls will integrate in the larger Thai society because they will be able to find well-paying jobs in the mainstream economic sector.

The New Life Center has four houses with a total of 160 residents. There is a scholarship program for four to five years so that the girls can remain long enough to obtain primary and secondary degrees. However, each girl can decide individu-

ally how long she would like to stay until she feels ready to be on her own. The girls partake in small income generating activities by making dolls, which represent their particular ethnic affiliations. The dolls are sold through the website of the Center, which may soon be maintained by the girls themselves once the funding comes through to supply the Center with a number of computers. The New Life Center also receives money from numerous organizations, international church groups, and governments for short educational courses such as reproductive health, human rights training, an HIV/AIDS education. Because the New Life Center has existed for many years, it is a well respected, albeit American, NGO working in northern Thailand. It has an excellent working relationship with the hill-tribe communities, the local authorities, and, finally, is able to tap into the strong NGO network in northern Thailand.

The Daughters Education Program and Development Center in Mae Sai (DEPDC) is another child welfare center funded exclusively by private donors, international government agencies, and international NGOs. This center houses both boys and girls.²⁰ Like CPCR and CCPCR, DEPDC works with a multi-disciplinary team in the northern most part of Thailand—the Burmese border town of Mae Sai. The Center's director, Mr. Sompop Jantraka (also an Ashoka Fellow) has built the DEPDC for children who did not have safe home environments to which they could return. This Center, because of its renown, has been able to get the financial and voluntary aid from the International Labor Organization, the Japanese Government, the Canadian government, a Canadian volunteer organization, and the Australian government, as well as Australian Volunteers International and a British volunteer organization. It relies on the short-term and long-term commitments of young international volunteers to aid the small, permanent staff at DEPDC. Because of the tremendous need of a shelter, especially at the point of entry of many Burmese children into Thailand, DEPDC has been lauded around Thailand for its success.

Pattaya

The Redemptorist Work for the Poor in Pattaya supports a unique child welfare center located in an area of Thailand (approximately a two hours drive south-east of Bangkok) that has unfortunately developed a serious problem of resident pedophiles. According to Khun Jaa of this Center, there are approximately 200 pedophiles in Pattaya. Pattaya has the ignominious reputation of being near the place where the American military landed to take advantage of their “rest and recreation” in Thailand in the 1960s and 1970s. This welfare for street children is privately funded by international donors and serves a specific need in this community. When we visited the Center at the end of June 2002, they were putting the finishing

touches on a new building, which would house approximately 100 children, both boys and girls. We were particularly impressed because of the tremendous care and detail that was being put into the construction and maintenance of this house.

Many are aware of the scourge of pedophilia as it is related to sex tourism in the Pattaya area, but are unaware of what is being done to counter the problem, such as Khun Ja and his tireless efforts to protect these children from (largely) foreign predators. It is foreign men who have not stopped their illegal activity despite efforts on the part of Thai NGO's and individuals to stop them. It remains a daunting task. Even a cursory search done on the website of the *Bangkok Post* provides an obvious indication as to the seriousness with which sex tourism and human trafficking are viewed and addressed from the perspective of Thais and others within many circles in Thailand. Those who suggest that "not enough is being done to combat trafficking in Thailand" might consider spending more than a few days in transit there in order to witness the wide array of activities, organizations, initiatives, and arrests of pimps, traffickers, and pedophiles which have been made, especially since 1996. Currently, we are in the process of disaggregating data gathered from court case documents, in cooperation with Sudarat Sereewat, in order to make this information available to those who are currently unaware of the proceedings of Thai courts in recent years, with relation to human trafficking cases and serious and sustainable efforts to combat trafficking locally.

A Brief Sampling of Prosecuted and Sentenced Human Trafficking Cases in Thailand Between 1996–2002

A two-year research project conducted by the NGO Fight Against Child Exploitation (FACE) was supported by the Department of Social Welfare, the ministry of Labor and Social Welfare of the Royal Thai Government, to enable Sudarat Sereewat to monitor the enforcement of human trafficking and prostitution laws in Thailand, particularly since the passage of legislation: the Prostitution Prevention and Suppression Act (1996), the Measures in Prevention and Suppression of Trafficking in Women Act (1997), and the Penal Code Amendment Act (No. 14) (1997). It should be noted that Thailand preceded the United States in passing anti-trafficking legislation.

The study showed that there were sixty-eight cases where arrests were made between December 1996 and December 1998 alone. Of these cases, thirty-two sentences were handed down, and cases closed. The two most severe sentences given were forty-three years and twenty-eight years imprisonment, respectively.

Between January 1999 and May 2002, FACE monitored thirty-two cases and assisted with six rescues. At the time of this publishing, Thai courts have reached

verdicts and passed sentences in ten of these cases, while the other cases are still pending. Of the adjudicated cases, the three most severe sentences given were thirty-four years, twenty years and three months, and six months imprisonment. Cases tried were both sex trafficking and labor trafficking related. Of the cases brought to court, there were thirteen cases of trafficking for prostitution, which involved 134 female victims, nine Laotian women, sixty-one Burmese and Shan women, and the remaining were Thai women. Nine of the cases monitored were related to trafficking for labor, which involved fourteen Lao girls and thirty-three Burmese girls. Of this total number of human trafficking cases, there were fifteen cases of physical and sexual abuse by both Thai and foreign men. Six of these men were foreign pedophiles who victimized a total of thirty-one children.

Cooperation Between Police and NGOs: Memorandum of Understanding

A Memorandum of Understanding (MOU) has been developed between the police and NGOs, which was prompted by the passage of the Trafficking Act in 1997. The implementer of the Trafficking Act is the Welfare Department, which means that they have to help the children and set up the shelter to take care of the victims of trafficking. There have not been many problems with the local victims, the Thai girls, but many problems with victims who were migrants or non-Thai (hill-tribe girls with no identity cards). With the Immigration Act, the authorities did not consider who was a victim or not. They were migrants and they entered the country illegally. Therefore, they were charged with illegal entry and placed in the International Detention Center (IDC).

Some of the cases went to court, or the migrants had to pay a fine. But it was usually the case that the migrants had no money to pay the fines, so they were put in jail until they could finish paying off the amount of money. If girls were deported, they might be trafficked again by the same procurer or agent.

Sudarat and other activists asked the police not to charge illegal migrants who had been sexually exploited in Thailand. The police told the activists that they would very much like not to have to put the girls in jail; however, they were trying to uphold the law. This attitude on the part of the police signifies somewhat of a compassionate stance, as it is the case in Thailand, as in many other countries, that some police are of a good nature, and others are not. Although police corruption exists, police need to be handled on an individual basis when dealing with the issues of trafficked girls and prostitution in Thailand.

Finally, some police said that if the Public Welfare Departments' shelters were willing to accept the illegal migrant girls, the police would honor "the measures in Prevention and Suppression of Trafficking in Women and Children Act (1997)" by using

the Trafficking Act *before* the immigration laws. With the MOU, NGOs could begin to talk about repatriation, locate their families in other countries, and work together with embassies in the victims' countries of origin. Police in certain regions of Thailand have stated that the MOU is not the law, and that the Immigration Act is the law; they did not want to recognize the MOU. Finally, a directive has come from the head of the Royal Thai Police in Bangkok, which asks that the MOU be enforced seriously. Sudarat has been given a formal document by the head of police in Thailand which enables her to pressure police in certain districts who still insist that the MOU is not the law. She recognizes that it is not the law, but it is an order from the head of police. Normally, police will cooperate with her. The MOU has been very helpful for migrant children.

The most significant aspect of the MOU is that trafficked persons are to be considered "victims," and treatment after their detection must recognize that status. Whenever government authorities find trafficked children, they must be accorded the rights and treatment specified in the MOU. Foreign children must be accorded the same rights as Thai nationals, which has not been the case previously (ECPAT International, 2001).

The authority in the government that deals with trafficking issues is the National Committee on Combating Trafficking in Women and Children, which is a Subcommittee of the National Youth Bureau. The high level of this National Committee makes it possible to link with various ministries on these issues. It used to be housed in the Office of Women's Affairs, but after restructuring, the National Youth Bureau was asked to take care of this Committee, even though trafficking involves women as well as children. Both the National Youth Bureau and Office of Women's Affairs are under the office the Permanent Secretary of the Prime Minister. In the National Committee there are many local and international organizations working on this issue: FACE, the International Organization for Migration (IOM), ILO-IPEC, and ECPAT, to name a few. It is significant and interesting that international organizations have been integrated into a Thai governmental structure.

With the authority vested in FACE by the National Youth Bureau, FACE is the monitoring organization on any case involving child abuse, pornography, prostitution, and trafficking for prostitution and/or child abuse. Sudarat Sereewat works on legal matters starting with the police, prosecutors and even judges. She can use the appointment letter to link with any regional Thai governor from whom she needs assistance. Some cases need help, some do not. However, the task of monitoring every single case in an entire country is daunting. Therefore, it is the hope that with training of police, hospital staff, social workers from the Public Welfare Department, and attorneys that the implementation of the MOU will be sustained by committed practitioners. Sudarat attends and runs police trainings periodically in order to educate them on the workings of the MOU.

Social, Political, and Economic Factors which Contribute to Trafficking in Thailand

It was the field visits which prompted us to spend more time in the North than originally planned, and it was because of this that we discovered the issue of utmost importance in combating human trafficking in Thailand: the lack of citizenship registration for hill-tribe and other ethnic minority populations. Currently, in Thailand, there are more than 400,000 persons without citizenship. Lack of citizenship is the single greatest risk factor for minorities in Thailand to become trafficked for sex work or to be otherwise exploited. Meeting the Thai requirements for registration and citizenship is a tremendous task in itself, let alone the gathering of documents in order to prove birth in Thailand and family status.

The Hill-Tribes of Northern Thailand: A Fight for Citizenship

Historically, northern Thailand has been peppered with hill-tribe and minority people. Many have been born in Thailand; however, because of the practices of Thai police and government officials over the last thirty years, they are now being denied citizenship. Thirty years ago, when the Thai government decided to pave roads in the northern hill areas and set aside protected forests, their policies and activities disregarded the people already living in these areas. Because they were ignored, they were not given citizenship cards. Children born to ethnic hill-tribe people were not automatically Thai citizens.²¹ Part of the reason for the disregard was the somewhat racist and fearful attitudes of Thai people towards the hill-tribe ethnic groups (there are approximately twelve separate ethnic groups living in the northern part of Thailand, eastern Burma, Laos, and western China). Three decades of neglect and outright discrimination on the part of the police and local government structures incited hill-tribe people to mobilize their resources and become activists for their social, human, and land rights. Local police have not met their activism positively, and the situation is currently at a head. There have been instances of local police harassing a prominent activist leader and her family to the extent where she has been forced into hiding.

Dr. David Feingold, an anthropologist who has been living in the Mekong sub-region since the late 1960s, has identified, through his research, that one of the greatest risk factors for hill-tribe girls to be trafficked into the middle and southern parts of Thailand for sexual and labor exploitation is their lack of citizenship. This factor has been seen as the main reason that the majority of girls are trafficked into Thailand, mostly from Burma. Because of an inability to acquire all of the boundless paperwork to become a citizen and the lack of funding necessary to pay the

bribes that many Thai officials require for registration, these minority peoples are denied citizenship when they try to apply for it. As a result, they cannot own land, work, receive a high school diploma, or attain a marriage license. Without citizenship, these people are illegal in every way. Government corruption does not stop with the amount required to cover the “price tag” of citizenship. Just recently, the Thai government revoked the citizenship of 1,243 of these people.

Burma’s political situation is another international factor of the trafficking of girls into Thailand. The inability, or unwillingness, of the Thai and Burmese governments to come to an agreement on migration has created a great deal of tension, and has opened venues for traffickers across the borders. This is coupled with the U.S. policies of non-engagement with the Burmese government. Girls are also extremely vulnerable in Burma to rape from the Burmese military and para-military groups. Many chance their luck by agreeing to be trafficked into Thailand, rather than face the uncertain life of exploitation, violence, and abject poverty in Burma. Failure on the part of the Thai government to address the political instability wrought by the military-led government in Burma and the drug trafficking out of Burma is a sore on the political landscape of the region.

Conclusion

Again, we would like to reiterate that our findings and conclusions come from our visit in Thailand and our conversations with key experts in Thailand who study trafficking of women and girls for sexual and labor exploitation, as well as with those who are NGO activists. We hope that this article will illuminate some unknowns about the anti-trafficking efforts in Thailand. It is our expectation to expand upon this article by writing about the important roles of the police and the government in combating trafficking in Thailand, as well as on other NGOs working in Thailand.

Notes

1. We thank Sudarat Sereewat of FACE for her invaluable help and time in Thailand.
2. We thank Marc Askew, David Feingold, Simon Baker, and Chris Beyrer for their work and their time spent dispelling many myths and misinformation.
3. Professor in the Department of Asian and International Studies, Victoria University, Melbourne, Australia.
4. The numbers 700,000 to 4 million girls and women are trafficked every year into sexual exploitation are those that are most frequently cited, however, they are not based on any study ever done on trafficking.
5. UNESCO (United Nations Educational, Scientific and Cultural Organization) is utilizing a participatory project to track out-migration over time from selected villages in Northern Thailand, which is Geographic Information Service-linked.

6. Interview with Dr. David Feingold, June 26, 2002, UNESCO – Bangkok.
7. *ibid.*
8. Interview with Mark Askew, June 7, 2002, Prince of Songkla University, Pattani, Thailand.
9. See Samudavanitja, C. 1993. “State-Identity Creation, State-Building and Civil Society.” In Craig J. Reynolds (Ed.), *National Identity and Its Defenders*. Bangkok: Silkworm Books.;
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10. Personal conversation with Sudarat Sereewat, Case Monitoring Officer, FACE.
11. The next section of this article is taken primarily from an interview with Sudarat Sereewat on June 30, 2002 in Bangkok, Thailand.
12. For a fairly complete list of these organizations, see <http://www.humantrafficking.org/countries/eap/thailand/index.html>
13. “Brief Profile of FACE,” April 12, 2001. This was given to us during our visit with Sudarat Sereewat in Bangkok in June 2002.
14. translation: House on the Beautiful Island.
15. Interview with Dr. David Feingold, June 26, 2002. Bangkok, Thailand.
16. *ibid.*
17. The United Nations Inter Agency Project on Trafficking <http://www.un.or.th/TraffickingProject/TraffickIntro.html>
18. Discussion with Khun Daeng Rusakorn, Director of Bahn Pingjai, June 21, 2002.
19. The CCPCR network is trying to get permission to use these videotaped testimonies in a court of law.
20. We actually slept in the same house as the children when we visited.
21. This stands in contrast with Thailand’s neighbors in the Mekong sub-region. In all of these countries, citizenship laws follow *jus soli*.

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