

Human Trafficking For Sexual Exploitation In Southeast Asia

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HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION
IN SOUTHEAST ASIA

by

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ABSTRACT

This study centers on the political aspects of human trafficking and sexual exploitation in Southeast Asia. Specifically, the human trafficking is a security studies concern because it is not only a social issue, but also a security threat. Just as with drug trafficking, human trafficking has security consequences. The study analyzed human trafficking issues in the following three countries in Southeast Asia: Thailand, Myanmar, and Cambodia. These three countries were chosen due to the high levels of human trafficking.

In each of the chosen cases, there is an examination of human trafficking issues in terms of political structures, political policies, economy, and international aid. Findings showed that individual economic status was the most important factor in human trafficking. Regime type, although important, did not show as significant results when compared to individual economic status. However, there was a positive relationship found between international organizations and human trafficking.

Recommendations were made concerning the formulation and implementation of political policies. If international organizations take action in each of the three countries, then the problem of human trafficking can decrease.

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CHAPTER ONE – INTRODUCTION

Background

Some scholars and practitioners frame human trafficking as a human rights issue because of the inhumane conduct against trafficking victims, especially in terms labor and sexual exploitation. Thus, over the last two decades, human trafficking has become a critical human rights concern. The UN Palermo Protocol of 2000 stands out as the first widespread instrument used as an international law. The preamble of the protocol starts with the following paragraph to emphasize the necessity of a universal instrument to address all the aspects of human trafficking: 148 countries signed and 95 countries ratified or acceded to the Palermo Protocol so far (United Nations, 2002, p. 28). This issue of human trafficking tends to be rendered as a major threat within Southeast Asia. The specific countries that will be studied are identified as Thailand, Myanmar and Cambodia. Human trafficking rates in these countries are among highest in the world.

In the 1948 Universal Declaration of Human Rights, it is clearly stated in Article 4 that "no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." Traffickers use fraud promises, deception, and/or coercion about alleviating their economic situation. Yet, exercise of means such as coercion, fraud, deception, or misuse of power has an exception for child trafficking. Article 3 (c) and (d) of the UN Palermo Protocol defines child trafficking as follows: They might be exploited by being charged exorbitant prices for their journeys; by having their money and

belongings stolen; by having their identities stolen (i.e., passports, other travel documents, or identity cards); and/or by being trapped into debt bondage).

Similarly, Bales (2006) argues that the interrelationship between conflict and enslavement underscores the nature of human rights violations. Beyond being simply a migration, an organized criminal activity, or a human rights violation, the phenomenon of trafficking human beings has a much more complex and asymmetric composition, mostly covering these three areas. Thus, it is obvious that to promote the protection of human rights trafficking victims, the provisions of the UN Palermo Protocol must be integrated. Harsh treatments against trafficking victims violate a wide variety of international human rights norms. Yet, governments primarily focus on strengthening law enforcement enterprises and migration controls to combat trafficking and see the issue of protecting victims' rights as a secondary concern. As a result of the human rights approach to combating trafficking, the victims will gain advocacy. It is important to note that, remedying the violations of victims is a multidimensional issue, with solutions ranging from medical assistance, psychological treatment, shelter, temporary resident status, and legal assistance. In addition, many of these protection measures must be prolonged until victims' are repatriated to their home countries

The growing extent of transnational organized crime operations in the globalized world has raised security concerns in many countries. As a natural result of globalization and open economic markets around the world, organized criminal groups can

successfully build their domains and develop the tools and means to organize within these transnational networks. Given the transnational and transient nature of the crime, which now involves not only the starting and ending destinations; the traffickers and the trafficked; the middlemen and third parties; and the intersection between national and international aims. Practices, beliefs, and definitions of crime must also be included in the relationship. Scholars and practitioners conceive of human trafficking legislation as deterring an illegal activity across geographical and political boundaries (GAO Human Trafficking Report). Human trafficking is one of the most prolific types of cross-border criminal activity. Under the heading of global trafficking activities, the escalating link between organized crime and human trafficking has become much more dramatic.

When we look at the process of human trafficking, at each stage there is a strong connection between traffickers and international criminal networks. Human trafficking weakens the public safety by hindering the integrity of law enforcement personnel and the rule of law. Law enforcement personnel might corrupt the rule of law by providing fraudulent documents to immigrants, thereby allowing illegal border crossings or undermining the brothels and sweatshop workplaces. Some view the smuggling of goods and human trafficking as advantageous businesses in today's world.

Human trafficking is one of the most profitable and lowest risk activities in comparison to other forms of trafficking, such as drug trafficking. For example, the US Federal Bureau of Investigation (FBI) estimates that human trafficking is contributing

\$9.5 billion USD to the underground economy. The nature of human trafficking and the actors involved make human trafficking different from other organized crimes. Unlike other organized crimes such as the drug trade or money laundering, human trafficking requires systematic and organized exploiters at destination points (Weitzer 2007, p. 451).

Moreover, since humans are traded as a commodity, their transport requires extra care, such as feeding and lodging. Despite its inhumane nature, shipping humans is not the same as shipping drugs, weapons, or other commodities. Thus, the heterogenic nature of organized criminal activities in transnational organized crime requires coordinated, strategic, and well-defined responses for each of them. Thinking of trafficking human beings as a criminal act and exploring the correlating factors may not entirely account for the causes of it; instead, it gives us the opportunity to understand its origin. As long as large profits continue to be made from human trafficking, it will remain a part of the malicious agendas of transnational organized crime groups (Weitzer 2007, p. 451).

Purpose of the Study

Before moving forward, it needs to be clear that human trafficking in the context of this study is defined as human beings traded solely for the purpose of forced labor or for sexual pleasures. Human trafficking also extends itself to the extraction of certain body parts from the individuals for trade purposes.

Human trafficking is considered the dark side of globalization. Individuals who are trafficked are economically and socially vulnerable; hence, they are easily exploited

in the context of the global economy. People are pushed out of the countries that lack economic opportunities and pulled into more developed and wealthier countries. Such mobility can lead to labor exploitation, and human trafficking is one of the worst forms of such exploitation. Global human trafficking also involves smuggling people within the territory of one country or across the border to a neighboring country. The latter is especially the case with people who agree to be smuggled to other countries and end up in brothels or are coerced into some form of slavery. There is no substantive theoretical framework to address the problem of human trafficking. Definitional disparity as well as a lack of comprehensive and substantive reviews limit the formation of a consistent theoretical framework on human trafficking.

As such, international politics and the academic arena examine the phenomenon, based on the consequences of actions by those involved, and try to understand the complete story behind these consequences. Thus, scholars have applied different models to the phenomenon of human trafficking. The economic approach emphasizes human trafficking as a business inside the international migration flow. The economic model contends that the rise of capital and technological mobility in the global economy not only boosted the conventional markets, but also escalated the market in human trafficking. A second model underscores human trafficking as a criminal activity (United Nations 2000, p. 499). According to the criminal model, the issue of human smuggling is now an issue attracting attention from the governments and international organizations because of

its threats to public security. A third model presents human trafficking as a migration issue. Like many markets, the human trafficking market is subject to the supply and demand of business economics. The supply is caused by a variety of factors such as dramatically increasing the number of unemployed, working poor, and those most vulnerable to trafficking. The economic recession in the lesser developed countries such as Laos and Vietnam affects countries all over the world and is among the major contributing factors to increases in human trafficking. Increasing economic stress is causing many more young women around the world to search for work away from their home and abroad, increasing their risk of falling victim to trafficking. Throughout the world, workers are earning low wages. Increased poverty and economic crisis are major factors in the supply of this exploitative business. On the other end of business economics is the demand (Stotts & Ramey 2009, p. 71).

Research Questions

This study centers on the following research questions:

1. How do the countries such as Thailand, Myanmar and Cambodia, according to the respective political regime types, contribute to the strengthening of the sex trafficking industry?
2. What value may be placed on recent national and international social, political, and legal developments regarding anti-trafficking measures?
3. How do competing interests and conflicting policy debates inhibit anti-trafficking initiatives?

4. How do international organizations, NGOs, and other instruments affect sex trafficking issues in Southeast Asia.

The Three Case Studies

As the examination of the four research questions begins, the exact magnitude of human trafficking is still fuzzy. One of the reasons for this is that a standard and common operational strategy to create a credible roadmap in combating trafficking among countries is lacking. Countries have different perceptions and different approaches to this problem. Secondly, not all of the Asian countries have endorsed UN conventions. Finally, Asian-Pacific countries are not institutionalized to combat trafficking. Although some initiatives have been taken, the authors conclude that there is still a need for Asian-Pacific countries to be linked together in a mutually supporting and reinforcing framework. After the adoption of the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially women and children (UN 2000, p. 500), and the supplementing Convention Against Transnational Organized Crime, Palermo (it will be called UN Palermo Protocol in the remaining chapters), governments around the world sought to address this global threat. Since the UN Palermo Protocol became effective in 2003, more than 115 countries have ratified the protocol. The signatories have developed anti-trafficking programs and adopted laws that brought harsh penalties for trafficking. The countries developed governmental and/or non-governmental programs to protect trafficking victims and created new administrative or bureaucratic institutions to prevent

human trafficking and prosecute traffickers. However, the political implications must be studied, based on empirical results produced from social and political studies. In combating human trafficking, policies and legislation are expected to be shaped by empirical results. One hypothesis of this study is that the ability of a country (or entity) to protect the victims of trafficking, prevent trafficking, and prosecute traffickers may be determined by social and political factors. Moreover, the country that would be brought into focus includes Thailand, Laos and Vietnam (US Department of Justice 2009, p.11).

The definition of human trafficking has evolved over time and still has a sense of ambiguity that provides for confusion that leads to uncertain data. Musto (2009) highlighted the influence of social issues, political agendas, and governmental issues on human trafficking definitions, as well as related policies. The majority of the attention given to human trafficking has been focused on the trafficking of women and children for the purposes of prostitution. According to Chuang (1998), the definition of human trafficking includes forced recruitment and slavery like conditions (excluding some victims). Chuang also believes that as immigration rises, trafficking becomes more complex. The international laws surrounding human trafficking protect those who are coerced into prostitution, but those victims whose trafficking experience does not fall under this narrow definition do not receive the protections they need and deserve. Issues regarding immigration laws, the definition of coercion, the definition of smuggling, and

the differences between international and national laws are among the issues that result in the lack of consensus on a definition of human trafficking (Rieger 2007, p. 251).

The current and most comprehensive definitions of human trafficking are taken from the local level, the Trafficking Victims Protection Act (TVPA) of 2000. However, as of the 2007 United States report on human trafficking, there was not an agreed upon definition concerning human trafficking. Musto (2009) viewed the changes in definitions of human trafficking based on political agendas within countries and described the United Nations Protocol's definition of trafficking as a guideline, rather than a formula.

Theoretical Framework

The theoretical framework defines the footings on which the whole understanding of human trafficking is made. Moreover, this study will analyze the role of the UN and the role of different factors such as globalization. Thus, a theoretical approach encompassing institutionalized networks and the processes of trafficking should be inclusive enough to comprehend and remedy the consequences of trafficking. This study will examine the social and political determinants of transnational variation on the basis of human trafficking scores by combining the following two theoretical perspectives: (1) Bales's theory of modern slavery and (2) the institutional theory of migration.

As a natural consequence of globalization and the resulting open economic markets in the world, organized criminal groups can successfully build their domains and develop the tools and means to organize within transnational networks. Clarke and

Cornish (2000) propose that it is essential to provide the police, legislators, and policy makers with conceptual tools that enable them to anticipate and respond to complexity, change, and innovation in organized crime (Rieger 2007, p. 237).

Therefore, an effective, well organized, and institutionalized response is crucial at the international level in order to fight this global threat. The traditional theoretical framework of international migration involves a two-sided relationship. On one side, there is an individual or a group seeking to enter a country for the purposes of working and/or settlement; and on the other side, there is a government that tries to control these movements according to its political and security concerns.

Prostitution Debate

The majority of the research and emphasis on human trafficking has surrounded women's rights issues and prostitution. Since the beginning of the identification of human trafficking, the leading feminist debate has been if coercion to prostitute is necessary to qualify as human trafficking. Women's organizations in this century fought human trafficking from the standpoint that any woman who engages in prostitution was coerced or influenced in some way. Britain's National Council of Women and the International Council of Women focused on the abolition of prostitution in the 1920's based on the premise of sexual morality. Prostitution in the 19th century was seen as immoral and the root cause of social problems. However, groups like the Network of Sex Work Projects,

which was made up of 40 international organizations, promoted the health and human rights of sex workers.

Weitzer (2007) emphasized the influence of feminist and religious organizing on the policies human trafficking. He discussed the tendencies of United States policy regarding human trafficking to be consistent with the views of the religiously conservative and feminist abolitionists. While abolitionists view prostitution as inherently exploitative to women, feminists would argue that a woman has the right to choose to prostitute. Domestic anti-prostitution laws can interfere with the implementation of international anti-trafficking laws as victims may be held criminally liable for prostitution. Gozdzia and Collett (2005) suggested that a shifting focus from sex worker's rights to anti-trafficking campaigns leaves ambiguity in law enforcement practices (U.S. Department of Justice 2009, p.11).

Bales Theory of Slavery

Bales (2004) highlighted the necessity of violence and captivity in a trafficking experience when establishing the difference between trafficking and smuggling. It is also important to distinguish between these two terms because they are different offenses which elicit different responses in legislation, policy, and law enforcement. Due to the historical emphasis of trafficking on prostitution of women, men trafficked for other forms of labor may be overlooked and dismissed of their rights as victims of human trafficking. Musto highlights the likeliness of exploitative behaviors within the acts of

smuggling, as well as the impact of stricter immigration laws on the increase of smuggling and trafficking alike. Another aspect of the discussion of definitions of human trafficking is the differences between smuggling and trafficking. Trafficking distinguishes itself from smuggling due to the necessity of conditions that are equated to that of slavery, as well as the inclusion of deception and coercion. Illegal transportation does not alone distinguish the difference between human trafficking and smuggling. Gozdzia and Collett (2005) stated that trafficking includes the movement of humans within national borders; smuggling, however, necessitates the crossing of international lines.

Modern Day Slavery

While previous definitions of slavery were focused on ownership and were racially charged, today's definitions of slavery are directed toward the profitable exploitation of individuals until they are no longer seen as a means of profit, at which time they are disposed. Modern day slavery and human trafficking are terms that can be used interchangeably to express the absence of human rights and dignity. In fact, Cole (2009) referred to modern day slavery and human trafficking as equal terms. Modern day slavery is subject to wavering definitions, but it is largely discussed in a human rights framework. Due to its wide-scale circulation, it receives increased attention and critique. Stotts and Ramey (2009) and Farrell and Fahy (2009) asserted that modern day slavery stems from issues of poverty, vulnerability, inequality, and immigration. Musto (2009)

described modern day slavery as encompassing aspects of human trafficking, while human trafficking includes individual aspects of slavery.

Issues with the definitions of severe forms of trafficking include the circumstance of an individual who agrees to work in the sex industry in the United States, but upon arrival finds him/herself in slave-like conditions. Rieger (2007) pointed out the denial of TVPA services to migrant workers who may have agreed to work, but not the abuses to which they are subjected. It is also important to declare the definitions of force, fraud, and coercion, as these are key factors in the definition of severe forms of human trafficking. Stotts and Ramey (2009) identified fraud as it pertains to human trafficking as employment offers that are artificial in nature. Coercion includes the involvement of threats and psychological manipulations, as well as debt bondage. Use of physical and sexual violence, and detention used for controlling the victim, constitute the definition for force. The use of terms *victim* versus *survivor* of human trafficking is the result of the tendency of children to view trafficking experience from a migration standpoint rather than as victims.

The Institutional Theory of Migration

Trafficking human beings challenges traditional theories of migration. A blurry boundary exists between voluntary migration and migration based on fraudulent promises, as mentioned in the UN definition of human trafficking, and the exploitation process calls for a wide ranging approach to the understanding of trafficking in human beings. Beyond

being a transnational organized crime, human trafficking is regarded as one of the major human rights violations threatening all people. Before advancing to the theoretical framework, these approaches will be reviewed.

Many victims of human trafficking find themselves being trafficked after seeking better lives and opportunities, which turn into experiences of exploitation. These individuals, however, do not lose the drive to make money and send it home to their families. Kalergis (2009) pointed out the role of labeling "victims" of human trafficking as crucial in "mobilizing an appropriate response from the criminal justice and social services systems. Experts were of the view that the necessity of the law to conceptualize children as victims of trafficking for proper prosecution of their perpetrators; however, they also established the term as counter-productive in a therapeutic setting, as well as highlighting the resilience that victims demonstrate. Caseworkers who have worked with child victims of human trafficking have commented on the children's appreciation of their conscious use of the word, survivor (Yakushko 2009, p. 163).

Literature Review

The Sex Sector: The economic and social bases of prostitution in Southeast Asia (Lim, L & International Labour Office, 1998) provides information about human trafficking and prostitution trends in Asian countries. Organized human trafficking groups misuse the entertainer visa status as a trafficking channel in the sexual industry in Southeast Asia. This book also explains other aspects that affect the issues of prostitution

and human trafficking in Southeast Asia. For example, another factor that helps to explain the supply of women that work as prostitutes in the sex industry in Thailand is the value of “virginity.” According to the social aspect, many Thai women have become prostitutes because they feel that they do not have social value (as a good spouse or wife) anymore. Skrobanek stated in this book that two reasons why Thai women decide to enter into the sex industry was the loss of virginity before marriage (Skrobanek, 1986) or being separated from their spouses. “In both situations, Thai women felt like they have lost their values that are associated with socially accepted role (as a wife) but still hold economic value which can be accessed through working as a prostitute” (Boonchalaksi & Guest, 1998, p. 133). The book also provides the comprehensive economic analysis of the sex industry, especially in Southeast Asian countries. This book also points out ways in which not just poverty but also the growth and inequality of individual economic circumstances might be linked to prostitution and sex industry. However, this book does not provide data in each specific countries to substantiate the relationship between the sex industry and people who work in the sex industry in Southeast Asia.

Aronowitz, A. A. (2009), wrote a book entitled *Human Trafficking, Human Misery: The global trade in human beings*. This book decodes the conceptualization of human trafficking as a violation of human rights, a migration problem, and a transnational organized crime problem. This conceptualization suggested that a theoretical approach, encompassing institutionalized networks and processes of

trafficking, ought to be inclusive enough to comprehend and remedy the consequences of human trafficking. Existing theoretical approaches to political science correlate with the prevalence of human trafficking in a given country. These approaches include Kevin Bales' theory regarding modern slavery and the institutional theory of migration. Based on these theoretical approaches, the work focuses on the related literature as well as providing definitions and the basic concepts of human trafficking.

Lee, M. (2011) wrote an article entitled "Trafficking and global crime control." The author views time as evolving with the rise of new issues and problems for the global society. Thus, the world has seen many new laws being formulated and many new regulations being inducted to combat human trafficking. This work explains historical connotations that helped human trafficking grow into a major problem. Thus, it would be safe to state that this work analyzes the notion of human trafficking from different perspectives in order to decipher the subject appropriately.

Ikeya, C. (2011) stated that human trafficking is an important issue in the profession of social work. Police mistakenly arrest victims of human trafficking and immigration or prostitution laws are applied against them. Human trafficking is a very complex problem in the author's view. It involves a great deal of coercion, brainwashing, and fear installed in the victims. The cross-cultural relevance of this project is inherent in the very nature of this crime. The issue of human smuggling is a world-wide problem that

moves billions of dollars, and increased immigration laws along with increased demands for cheap labor contribute to the rise in human trafficking.

In a report created by the International Organization for Migration (2000), human trafficking was separated into the following six categories:

1. Trafficking for prostitution
2. Trafficking in a migration context
3. Trafficking as a labor issue
4. Trafficking as a criminal problem
5. Trafficking as a human rights issue
6. Trafficking of children

This report is useful for this thesis in order to focus on one category that is a major concern in Southeast Asia, which is trafficking for prostitution. However, this category may be combined with other categories, such as trafficking as a human rights issue and trafficking of children.

Louise Shelley, the author of “Human Trafficking: Global perspective” (2010) and director of the Terrorism, Transnational Crime, and Corruption Center at George Mason University, provides an excellent overview of the current situation of human trafficking with a strong focus on sex trafficking. However, attention is paid on all aspects of the smuggling and trafficking issues such as, labor trafficking, organ trafficking, and human smuggling. The details in the book have been cited from personal conversations, media

releases, governmental (and non-governmental organization) documents and works of academic scholarship. In this book, the author divided “Human Trafficking” broadly into three parts including 1) The Rise and Costs of Human Trafficking 2) The Financial Side of Human Trafficking and 3) Regional Perspectives. In the first part, “The Rise and Costs of Human Trafficking,” the author broadly outlines issues that have been raised by trafficking. For instance, globalization has been the central part in promoting economic competition, international mobility, trade, and communication. At the same time, economic and biographic forces have created pressures for emigration, barriers to entry into the affluent societies in the developed states. Criminals have been able to link those who cannot immigrate legally with the demand in richer locales for cheap labor and readily available and affordable sexual services.

Historical and International Context

Human trafficking and slavery are international social problems that date back to the 1800's. Throughout the 19th and 20th century, human trafficking was viewed largely as women's issues and feminist organizations influenced any anti-trafficking movements. In a detailed review of the history of the kidnapping and sale of Vietnamese women and children, Lessard (2009) asserts that although the Vietnamese were rumored to be heavily involved early in the 1800s, it was not a widespread problem until after 1865. Prior to this, there are missionary accounts that report Portuguese involvement in trafficking of Japanese women as early as the 16th century. Lessard alleged that human trafficking

grew significantly within the first 50 years of French Colonial Rule in Vietnam (between 1885 and 1935), in the forms of kidnapping and selling women as prostitutes, paid brides, and concubines.

Early recording of the trafficking of Vietnamese children was for marriage or to wealthier families to give them a better life, rather than slavery, and was seen as a cultural practice. Vietnamese scholars purported that instances of human trafficking were scarce before 1885 when it grew into the blatant kidnapping and sales of Vietnamese women and children. However, Lessard (2009) detailed reports of frequent kidnappings and markets bartering women and girls as early as 1873 (Musto 2009, p. 285). This period marks some of the earliest reports of human trafficking as it is defined today. Vietnamese women and children were deceived into thinking that they would sell goods for more economic profit in Chinese markets. These women and girls would often trust Vietnamese mediators but would be held against their will once they arrived in China. Lessard also reported of intricately established trafficking networks involving Chinese inns and hotels used during the transportation phase of trafficking as early as 1898.

Once the Contagious Diseases Acts were suspended in 1883, activists worked together to fight the new objective against child prostitution with what became known as white slave trade in which white British girls were held in brothels overseas. Publications of stories of child prostitution caused public outcry leading to the passing of the Criminal Law Act of 1885, which criminalized the solicitation of sex from a female under 21, the

detainment of women or girls for the purposes of unlawful sex, the operation of a brothel, and even criminalized homosexual acts among men. According to Cree (2008), the NVA was a voluntary organization established to oversee the Criminal Law Act and engaged in activities on local, national, and international levels. She explains that on the local level, affiliates of the NVA engaged in a campaign, in conjunction with law enforcement, to prevent prostitution. In their law enforcement campaign, they worked to restrict sales of contraceptives and engage in prosecutions of indecent advertising, as well as investigating brothels and removing at risk children in suspected brothels (U.S. Department of State 2007, p. 39).

Their prevention campaign included rallies warning girls about the dangers of pre-marital sex. Campaigners patrolled streets, docks, bus, and railway stations. They gave loans, safe lodging, and helped girls trying to emigrate to North America and Australia seeking employment. They influenced national legislation to punish men living off the earnings of prostitutes and extended the length of time a victim of sexual assault could file a complaint. The NYA worked on an international initiative to undertake white slavery, which led to the establishment of the International Bureau for the Suppression of White Slave Traffic in 1899. In the 1920s and 1930s, the International Bureau worked with the League of Nations (now known as the United Nations) and the NVA to promote inter-country agreements on re-patronization of trafficked women and children, eradication of regulated brothels, and assistance for foreign prostitutes.

By looking at the process and policies in the United States that surround human trafficking, the evolution of the definitions of human trafficking can be observed as well as the increased influence of the criminal justice system on this topic. Farrell and Fahy (2009) used newspaper articles to examine the evolution of the attentions given to human trafficking in the United States over a 16-year period. In this study, they reviewed 2,462 United States newspaper articles that discussed national and international human trafficking notions. The evolution of defining the human trafficking problem has taken the focus through trafficking as human rights, criminal, and national security concerns. This process, according to Farrell and Fahy (2009), begins with the first stage from 1990-1999, when issues of exploitation and slavery were not yet defined as human trafficking, which was relatively unknown. At this time, human trafficking was viewed as a human rights issue and towards the latter part of this period, it began to be publicly recognized and addressed as a result of United States political figures.

The Presidential Interagency Council of Women publicized sex trafficking as a problem in the 1990s, contributing to the United States focus on women trafficked into the sex industry. This marks the period prior to the passing of federal human trafficking legislation when the main focus of human trafficking was predominantly descriptive. The term "human trafficking" was adopted in the mid-1990s in the United States, and establishes the links between human trafficking, poverty, domestic violence, inequality, and the spread of HIV. Farrell and Fahy's (2009) second stage of the evolution of human

trafficking within the United States ranges from 2000 to 2002 and are highlighted by the influence of feminist advocacy and fundamental Christian organizations challenging the definitions of human trafficking. Debates over the language differentiating forced from consensual prostitution emerged. In order to create reform, the definitions of human trafficking needed to be expanded to include forced as well as unforced, prostitution (U.S. Department of State 2010, p. 104).

This time period marks a response to human trafficking and establishment of first attempts to create official definitions under the law. At this time, human trafficking started to be identified as a criminal justice issue, leading the way for sex and labor trafficking to be discussed as a joint issue. Cooperation between different government pillars and anti-trafficking activists led to further development and ultimately influencing the legal definitions of human trafficking established in the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA established human trafficking as a new crime that included multiple types of trafficking, as well as enhancing penalties for violators of this crime. It also established a new visa which tilted the balance in favor of victims to become eligible for the services, in the United States, pending their cooperation with law enforcement in the prosecutions of traffickers. Gozdzia and Collett (2005) also pointed out that in the establishment of the TVPA, the United States set international levels of expectation regarding the prevention of human trafficking, prosecution of traffickers, and protection for victims. The United States took on the role of oversight of these topics in

other countries. This period also includes the September 11 attacks on the United States and the initial aftermath of reactions that affected attitudes regarding human trafficking.

CHAPTER TWO – HUMAN TRAFFICKING AND PROSTITUTION IN THAILAND

According to the Royal Thai Police annual report of 2012, Thailand is faced with the challenges of globalization and the changes it brings. These changes affect both the opportunities and constraints of threats, especially in regards to the merging of economic groups. Changes in technology, the emergence of social movements, and the free migration of people resulted in many kinds of economic crimes. Examples of these economic crimes include human trafficking, diminishing natural resources, and the pollution of the environment.

As times changed, Thai society has failed to apply and adapt its knowledge to the modern times due to the country's low quality of education. The development of the rural and urban areas is fragmented and lack balance, resulting in the neglect of culture and good values being passed to younger generations. Helping others and being empathetic towards others has declined in the community because of the rise in materialism, consumerism, and imitation. The changes are reflected in the imbalance of the structural development that are sensitive to the rapid changes and effects of fluctuations in external factors. These changes can lead to new crimes that affect human rights and the equality of individuals. These crimes are often destructive to the human pride as well. Widespread calls for human rights led to the passage of the Universal Declaration of Human Rights in 1948. Numerous countries use the declaration as a guideline to protect the rights and liberty of the people. This leads to the origin of treaties, conventions, and universal

declarations, such as the Convention on the Rights of the Child (CRC) and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); and the Beijing Declaration and Platform of Action. As a participating state or member state, Thailand is obliged to follow, support, and, implement these commitments with assistance from the public sector (NGOs) and the general public. As for the situation of human trafficking, although Thailand – via the government and all related sectors, including the Royal Thai Police – is seriously and continuously integrating the work done by the various sectors, key threats remain that feed the problem of human trafficking (Royal Thai Police, 2012: 1).

Shelley (2010) considers the sex industry in Thailand as a form of development capital. Thus, there has not been an attempt to discourage the investment that contributed to the rise in trafficking (p.161). According to the report of “Human trafficking in Persons” by the U.S. Department of State, Thailand is a source, transit, and destination country for human trafficking and has the longest history among countries in Southeast Asia of dealing with human trafficking issues in all of its diverse facets. “In anti-human trafficking’s perspective, women are viewed as vulnerable victims in need of rescue and rehabilitation” (Zheng 2010, 154).

Historical factors and of human trafficking issues in Thailand

In order to explain the human trafficking and prostitution problem in Thailand, knowledge of the historical factors and the evolution of prostitution are essential. Before King Rama V abolished slavery in 1905, prostitution was legal and taxed by the government. After the abolition of slavery in Thailand, many slaves voluntarily became prostitutes or remained slaves because of the lack of education and the desire to provide financial support for their families. Historically, the sex industry operated in the urban centers of Bangkok (Mettarikanond, 1983, 53). The following three factors arose with the emergence of the prostitution industry in Thailand: gender roles, economic development, and tourism (Boonchalaksi & Guest, 1998, p. 133).

According to the gender perspective, Thai women are viewed as able to make their own decisions on important issues in their lives such as buying property, choosing careers, and choosing marriage partners. However, Thai society viewed women of lower socio-economic status in the rural areas differently compared to women of higher socio-economic status in the urban centers of Bangkok. Women in rural areas are expected to help their family by working as farmers, harvesters, and/or laborers, especially in the north and northeastern parts of Thailand. Upper-class women in Bangkok were separated from economic activities and were expected to pursue “feminine” interests to support their husbands in social aspects. Upper-class Thai men expected to be served by women, and many men widely accepted and practiced polygamy. This was viewed as successful

and underlines the position of Thai men in society (Santasombat, 1992). Therefore, prostitution was viewed as legal, profitable, and acceptable in parts of Thai society. This helps to explain why women from rural areas moved to the capital city for better opportunities.

The value of virginity is another factor that helps to explain the large supply of women that work as prostitutes in Thailand. Based on the social aspects, many Thai women have become prostitutes because they feel that they do not have social value (as a good spouse or wife). Skrobanek stated that many Thai women decide to enter into the sex industry because “they lost their virginity before marriage” (Skrobanek, 1986) or “they are separated from their spouses” (Thaipakdhi, 1973; Wongchai et al., 1988). “In both situations, Thai women felt like they have lost values that are associated with socially accepted roles (as a wife). These women still hold economic value which can be accessed through working as a prostitute” (Boonchalaksi & Guest, 1998, p. 133).

Lyttleton (2000) noted that prostitution issues in Thailand are connected to the local culture. In order to identify the issues and formulate policies, the local culture needed to be examined. In Northern Thailand, for example, men are supposed to pay a fine for inappropriate sexual activity. Lyttleton explained that sexual activity outside of marriage viewed as a socially accepted form of financial exchange (p.215-216).

Many researchers on prostitution in Thailand have been paying attention to economics as the reason Thai women become sex workers (Boonchalaksi & Guest, 1998).

Economic reform in Thailand has negative effects on society, such as the obstacles of the rural population integrating into the capital city's population and the growing differences between poverty in the rural and urban areas (Boonchalaksi & Guest, 1998). Plambech (2010) argues that many researchers have been paying attention to the complex reasons that brought Thai women to migrate to Western society. This led to the emergence of "Mail-Order-Brides," but the transaction was made illegal because men pay agencies or parents of women for the marriage. There is no actual law in Thailand against "mail order brides" because the society and the parents accept money as dowry; therefore, agencies set up "match-maker" companies to find partners while traffickers use this flaw to legally smuggle women into other regions as brides to avoid punishment.

Phongpaichit (1993) stated that "the growth of urban economic opportunities has led to increased levels of female migrants." Another factor that is associated with Thai female migration is the social control by parents and the community. The desire of earning more money to provide a better livelihood for families and loosen social control can influence young women in the rural areas to become sex workers in Bangkok. Many hotels in Bangkok and major provinces supply sex workers. Door attendants earn profit by soliciting customers for its sex workers. If the clients of the hotel are interested, sex workers will be provided to their rooms. The sex industry in Thailand is closely associated with the tourism industry. The government of Thailand has been promoting tourism because it brings foreign money and job opportunities to hotels and restaurants.

The tourism industry also supports economic development in Thailand (Boonchalaksi & Guest, 1998). Therefore, Thai sex workers and sex activities are significant attractions to many international tourists.

There are many places in Thailand which do not seem to be related to the sex industry but provide prostitution and sex workers for customers. Boonchalaksi and Guest (1998) stated that massage parlors, hotels, motels, tea houses, pubs and members' clubs are key places for sexual services.

Many sex workers work as waitresses and golf caddies to meet potential clients. For instance, massage parlors have become popular since the 1960s especially in Bangkok. These places provide clients with traditional massages, nightclub-style entertainment facilities, dining, and sexual services. The methods of operation in many massage parlors are similar. For instance, massage parlors are located in the same district or the same area of Bangkok. The women are put in a room behind a glass partition waiting to be called by customers. Sexual services are provided in a variety of styles such as orgasm by massage (the women use their bodies to massage certain parts of clients), oral intercourse, and a complete package that includes oral massage and actual intercourse (Boonchalaksi, Guest, 1998, p.140).

According to my personal experience of living in Bangkok, many restaurants provide sexual services. The restaurants on Petchaburi Road in Bangkok provide topless waitresses for male clients. If clients would like to touch the waitresses, a service fee will

be charged. If clients would like to get sexual services, the place and the service charge will be arranged and negotiated by the managers of the restaurants. There are also many garden restaurants in Thailand that hire ethnic minority women, such as “Thai Yai,” Laos, and Shan women from Myanmar as waitresses who will also serve as prostitutes. Some restaurants provide the rooms in the back of the restaurants for sexual activities. Boonyalaksi & Guest (1998) noted that “it is not difficult to identify such restaurants by looking at the number of waitresses and compare to the number of tables in the restaurants.”

Karaoke bars are another example of an indirect place that provides sexual services to clients. The managers of the karaoke bars provide male clients with partners to accompany them and sing along with them. If clients require sexual services, the managers will privately arrange the meeting place and negotiate the service costs for clients.

Thai men have viewed sexual services as socially acceptable and enjoyable activities. Middle and upper class Thai men can take advantage of these luxuries through cocktail lounges, karaoke bars, and massage parlors. Many reports showed that although many Thai women migrated to Bangkok as sex workers, a large number of Thai women work as sex workers in other countries as well. The research also shows that Thai prostitutes are favored in Europe because they are willing to work for less money and they are more submissive than women from other countries (Skrobanek, 1986).

Thailand as a source country

The definition of a source country in human trafficking cases is a country in which the individuals who are trafficked originate. This country is where the product (human beings) is obtained. Disparities of income and industrial growth have brought women from the rural area to Bangkok. As the international labor market for Thai workers has been changing slowly, employers seek to find employees from developing and under-developing countries for cheaper labor cost. Therefore, the demand for international labor is expanding within the region and worldwide. Thailand has reported that the economic system has transformed from an agricultural economy into an economy of exporting industrial goods, tourism, and the provision of services (Sahasakul, 1992). “The Thai economy expanded at one of the fastest sustained rates in the world over the decade from 1985-1995” (Boonchalaksi & Guest, 1998, p.134). At this point, women become more vulnerable to trafficking issues. Thai women with low levels of education hope to find better opportunities in other industrial countries. The demand for Thai women expanded from domestic workers to brides and sex workers, and the demand is higher than the past with over 60 million female migrants today. Japan has been a major destination for Thai sex workers. Boonchalaksi & Guest (1998) stated that “the Thai government spent over \$200,000 to educate and discourage women from going to work as sex workers in Japan. The relationship between transnational marriages (in which Thai women were specifically bought by western men as marriage partners) and trafficking need to be

examined. According to the report by the International Organization for Migration in 2000, “Thai women were first trafficked to Singapore and Malaysia, but the trafficking later expanded to Japan, Taiwan, Europe, North America, South Africa, and Australia. More recently, attention also has been paid to foreign women who are transited through Thailand in order to be trafficked to various destination countries in Asia and beyond.”

Owed Justice, a book by Human Rights Watch, finds that “the trafficking of women from Thailand occurs within the context of large-scale regional migration in Asia.” This book provided case studies from a private women’s shelter in Tokyo. The story centers on Miew, who had spent over 2 months working as a “hostess” and had to accompany clients to nearby hotels to provide sexual services so she could pay off her debt. Miew had been recruited from Thailand believing she would be just a hostess who serves snacks and answers phone calls, but when she arrived, she was told that she owed 5 million yen (approximately \$43,000 in 1999) to the recruitment company. She was forced to work without any payment until her debt is paid off. Another case is Thip, who had been recruited from Thailand believing she would become a waitress at a restaurant. When she arrived in Japan, she was told that she owed 4.5 million yen (approximately \$38,500 in 1999) for the cost of her airfare to Japan and job placement. She was forced to work 15-16 hours a day providing sexual services to 18 clients each day.

Miew and Thip’s cases are among the thousands of uneducated and lower-educated women in Thailand who believed and accepted job offers to work in Japan

during 1990-2000. Almost 99% of these women found themselves burdened with excessive debts and forced to work under brutal conditions and without compensation until they are released (Owed Justice, 2000: P.1). The interviews of women who had migrated from Thailand to Japan showed that Thai women who were uneducated made decisions to migrate for work. They were almost voluntary hoping they would be able to make more money than working in Thailand to provide a better livelihood for themselves and their families. The recruitment agencies (Traffickers) in Thailand assisted Thai women in procuring passports and other traveling documentation. The agencies took care of all travel arrangements such as airfare, airport fees, transportation from provinces in the country sides to Bangkok (to travel internationally from Thailand to other countries, the flights will only be from the international airport in Bangkok), hired escorts, hired translators to accompany the women during their travel, and contacted brokers to receive the women in the destination country.

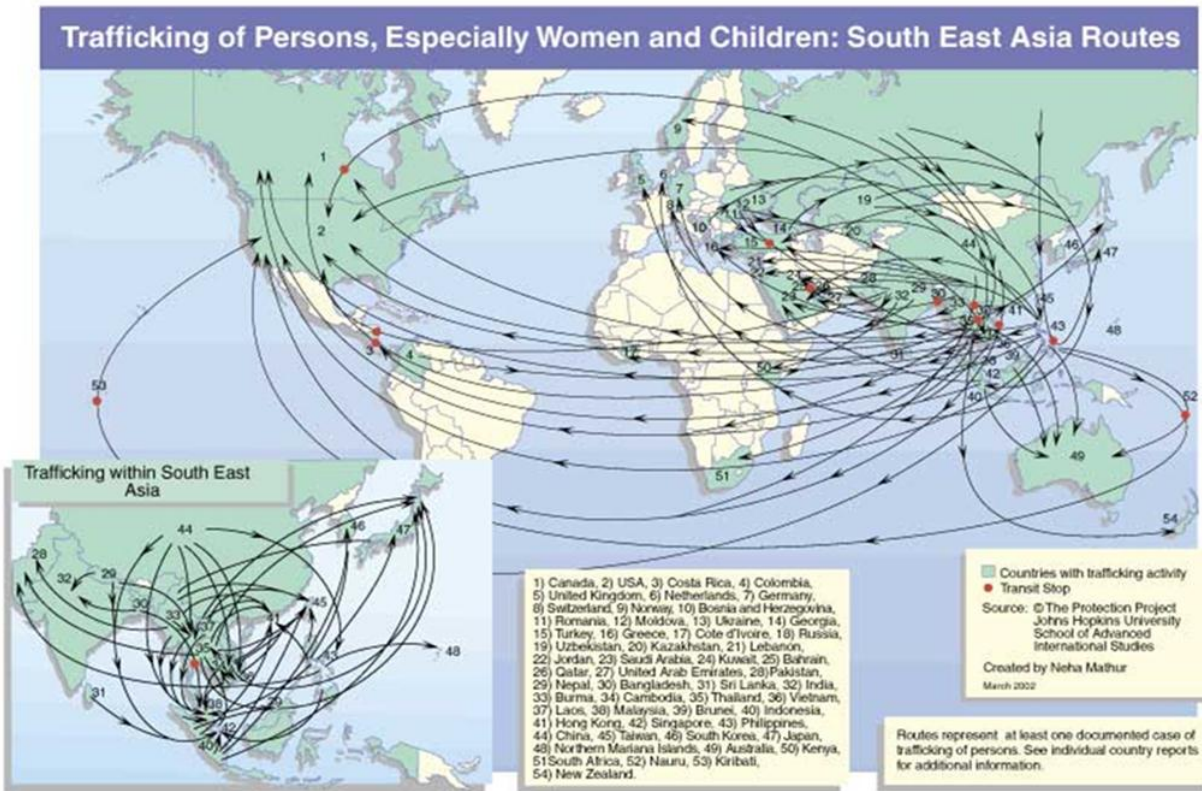


Figure 1: Trafficking routes in Southeast Asia (Source: RTP CWP Center 2012, 26)

Thailand as a transit country

The definition of a transit country is a country in which agencies manage the documents and travel arrangements to bring people from the source country to the destination country. According to the map above (fig. 1), the research provided by the Protection Project at the John Hopkins University School of Advanced International Studies in 2002, showed that Thailand seemed to be a major transit country for human trafficking. The majority of the trafficked women and children in Thailand come from Myanmar. Here, a connection is often made between the political situation and abuses

inflicted upon women and several ethnic groups in Thailand. These people often fall into the hands of traffickers or become victims of other forms of exploitation as sex workers or laborers with little compensation. Yet, the open policy and the flaws of Thai law are also thought to have contributed to an increase in both legal and illegal migration out of the country. IOM stated, “The latter may also apply for Laos. Trafficking from Laos takes place along the lines of (illegal) migration to Thailand, then proceeding to other countries. The linguistic and cultural similarities with Thailand have facilitated various cross-border routes along which migration and trafficking take place.”

Wongboonsin (2007) stated, “The Thai-Myanmar and Thai-Malaysian borders contain sites that have high rates of transiting people in Southeast Asia.” By interviewing a group of immigrant sex workers from Myanmar (Burma), Wongboonsin found that Burmese women were being transported into the southern part of Thailand. The first route is from Yangon city to Kawthaung, Thailand. Airplanes or boats are used as transportation because the boundaries of Myanmar and the southern part of Thailand are connected by the Indian Ocean. Then women are sent by taxi from Kawthaung to the workplaces in Ranong province. Traveling by fishing boat or cars is easier than airplanes because traffickers and women can avoid showing their passports. Many customs authorities cannot easily identify illegal immigrants or will take bribes from traffickers.

A large number of men, women, and girls from Burma, Cambodia, and Vietnam transit through Thailand's southern border to Malaysia for sexual exploitation primarily in

Johor Bahru, which is across from Singapore. Circumstantial evidence also points to an increase in trafficking of foreign migrants for sexual exploitation (SUHAKAM, 2004). Burmese, Khmer, Laos, and ethnic minorities have also been reported as being trafficked from border areas to major urban centers. The people are trafficked through Thailand to other countries such as Malaysia, Japan, Europe, and North America. Women are lured to these foreign countries because they are promised that they will make more money. For instance, Dying to leave (2003) noted that, “many Thai women are lured to Taiwan, Malaysia, the United States, and the Middle East by labor recruiting agencies and are forced into involuntary servitude because of the high debt owed to the agencies.”

Newspapers in Thailand have reported that trafficked women and children come from Burma, Laos, Cambodia, Vietnam, and China. The estimated number of commercial sex workers in Bangkok are 200,000. Approximately 50,000 of these trafficked victims are assumed to be Burmese. The political and economic situations provide limited options for people in Burma, Cambodia, and Laos to seek jobs domestically (Dying to leave, 2010).

In Burma, ethnic Shan women are often rape targets for army troops — a claim denied by the ruling junta. “Being forced to work physically is one thing, but these women were forced to work by their situation,” Hseng NOUNG of the Shan Women’s Action Network (SWAN) told the *Christian Science Monitor*. “The women didn’t feel like they were rescued because they lost their money,” NOUNG said of one U.S.-funded

anti-trafficking raid. Nong continued, “They felt like they were trapped.” Many women from neighboring countries have become prostitutes or sex workers because they feel that even if they are prostitutes in Thailand, they are at least able to make some money and bring a better livelihood for their families. Dying to leave (2010) stated that “the opportunities to go across the border to work on a fruit farm or other alleged businesses is a chance to earn money for a family’s clothes, food, education, and medicine.

Thailand as a destination country of human trafficking problems

According to a human trafficking report by the US Department of State from 2007-2012, Thailand is a destination country for men, women, and children who are trafficked from Burma, Cambodia, Laos, and Russia for sexual and labor exploitation. Children are trafficked for commercial sex and forced to work as beggars, anglers, and fish processors. Sometimes entire families were trafficked for forced labor in sweatshops. Many Burmese victims voluntarily migrate to Thailand and are later coerced to work in agriculture, factories, construction, commercial fisheries, begging, or as domestic servants. The International Labor Organization (ILO) reported that fishing, construction, commercial agriculture, and domestic service are the industries with the most documented migrant workers in forced labor, including children. In September 2011, police raided a shrimp-processing factory in Samut Sakhon and found more than 100 Burmese workers who had been held on the premises against their will. The traffickers were loosely organized small groups with Burmese, Laotian, Cambodian, and Thai

individuals who transported victims along the Thai border for forced labor. *Human Trafficking in Persons* 2011 reports stated, "IOM indicates most crew members on Thai-owned long-haul fishing vessels are undocumented Burmese and Cambodians, many of whom are forced or deceived into working grueling hours for many months, even years, before being allowed off the boats."

Prostitution and human trafficking exist in Thailand because of the social and economic acceptance of men buying sexual services, along with the absence of political power (Shelly, 2010). The large income of labor industries and the rapid growth of the Thai population have increased the issues of human trafficking for sexual exploitation. The human trafficking and prostitution industry have been developing and the amount of people who are trafficked within the country and across countries have been increasing because of the large amounts of money that can be made.

The newspaper, *the Nation*, acknowledged that Thailand is the world's largest sex-tour operator. The research showed that sex tour operators prey on children and women, while Thailand's authorities ignore the reality of prostitution. Vicha Mahakhun, Deputy Chief Justice of the Central Juvenile and Family Court Judge, blames officials for the rise in child abuse" (Srivalo 1997). Numerous places in Thailand provide sexual services and arrange sex tours for foreign tourists. For example, the massage parlors in Bangkok offer discount and special packages to tour groups from other countries (Boonchalaksi & Guest 1998).

Boonyalaksi & Guest (1998) also provided the example of a politician in Thailand who supported the idea of being a sex-tour country. They stated, “This desire to see the sex industry flourish in order to encourage the inflows of foreign exchange helps to explain the government’s supportive attitude towards the entire sex industry, not just that segment frequented by foreign tourists” (p. 137). The sex industry works closely with hotels and restaurants, which contributes to Thailand’s overall economy.

Thai Policies and the Emergence of International Organizations in Combating Human Trafficking and Prostitution

The U.S. Department of State’s Human Trafficking Report of 2010 stated 10 troubling governmental practices including:

1. Complicity of law enforcement officials in trafficking offenses.
2. Legal and administrative penalties imposed on trafficking victims as a direct result of their enslavement, including, but not limited to, penalties for engaging in prostitution or immigration offenses.
3. Guest-worker programs giving “sponsors” or employers inordinate power over migrant workers’ legal status and basic freedoms and denying victims any ability to make a complaint.
4. Lack of meaningful legal alternatives to the involuntary repatriation of victims.
5. Trade policies and agreements/regimes that fail to safeguard against forced labor and labor exploitation, particularly when involving states that have a poor record of addressing labor exploitation.
6. Barriers to citizenship. Without birth certificates, national identification cards, or other identity documents, stateless persons and some indigenous groups are vulnerable to being trafficked.
7. Bilateral labor agreements between source and destination governments that allow employers to confiscate/withhold travel documents and allow summary deportation of workers without trafficking victim protections.
8. Lack of education available to women, girls, and other populations, which blocks them from mainstream economic advancement and leaves them vulnerable to trafficking.

9. Internal migration controls. When populations within a country can move within the country's borders only with special permission, they often turn to the underground economy where traffickers flourish.
10. Clumsily conceived "anti-trafficking" activities, such as wholesale raids of worksites brothel districts without initial investigation to determine whether trafficking is immigration or other activities (in the name of fighting trafficking) for an entire country or nationality. (31)

Boonyalaksi & Guest (1998) stated that Thailand has the following three statutes concerning prostitution: the Contagious Disease Prevention Act of 1908, The Prostitution Suppression Act of 1960, and the Entertainment Places Act of 1966. The Prostitution Suppression Act became effective because of pressure from the United Nations. The United Nations launched international campaigns for the abolition of prostitution and trafficking for sexual exploitation (p.163). However, the Thai government did not seem to seriously endorse this international invention. The Prostitution Suppression Act defined "prostitution" as "the act of promiscuously rendering sexual services for remuneration; and prostitutes as well as who were involved in arranging or profiting are liable for punishment (Boonyalaksi & Guest, 1998, p:163). However, many traffickers, business owners, and its beneficiaries use the flaws of the law to avoid punishment by the government. For example, "pretty spas" in Thailand are open for the purpose of customers' relaxation. On the other hand, the majorities of workers in pretty spas are not expert masseurs and might not even have licenses. According to what I have seen, many workers are college students who provide sexual services for male customers.

Pressure by the international community, regional, and international organizations have had a great effect on pressuring the Thai government and policy makers about human trafficking and prostitution issues. Thailand was highlighted as a place where young girls were exploited for sex along with the rampant spread of HIV/AIDs. This led to the undesired image against Thailand's desire to become a world-class tourist destination (Gangoli, G., & Westmarland, N,2006).

According to "Trafficking in Persons" Report of 2011, "The Thai Government was placed in Tier 2 for not fully complying with the Trafficking Victims Protection Act's minimum standards for the elimination of trafficking but making significant efforts to do so. There are reports of local government officials who are complicit in trafficking. Thai government efforts to combat trafficking remain indeterminate. Direct involvement in and facilitation of human trafficking by law enforcement officials reportedly remained a significant problem in Thailand; authorities reported investigating two cases of complicity involving four officials, including at the police colonel level, though there were no convictions or sentences of complicit officials during the year. The government did not respond to multiple reports of widespread corruption involving the extortion and trafficking of Burmese deportees from Thailand."

In Thailand, the rate of human sex trafficking and prostitution continue and the number do not seem to be reduced because of many reasons. For instance, many law enforcement agencies in Thailand are against the victims instead of the traffickers, the

receivers, statements from prostitutes or trafficked victims don't have enough weight in court and many prostitutes or trafficked victims fear that their illegal status will lead them to imprisonment or deportation (Siriphōn, S., Nataya, B., & Chutimā, C. (1997, P.78).

The newspaper stated, "Thailand is now one of the world's AIDS cities. Suggested strategies include the immediate closure of all brothels in the region because the main route of transmission of AIDS is prostitution. ("Opening our eyes to the Aids problem," The Nation, 20 May 1997). Boonyalaksi and Guest (1998) stated that one of the issues that policy makers encountered in order to create policies that relate to sex industry and combat sex trafficking is that the actual number of people in the sex industry such as prostitutes, sex workers in the massage parlors and sex workers in such "restaurants" are unclear (p.159).

International Organization for Migration (2000) noted that, "in Thailand, an effective fight against trafficking is hindered by incomplete laws, lack of law enforcement, corruption, lack of awareness of trafficking and capacities to properly address trafficking cases among law enforcers, courts and other authorities. Poverty, lack of employment opportunities, lack of education, and a lack of awareness among the general population of trafficking and abuse in migration are important causes for trafficking."

In 1999, the International Symposium on Migration created the "Towards Regional Cooperation on Irregular/Undocumented Migration" program which includes

the governments from many countries. These countries include Australia, Brunei Darussalam, Cambodia, China, Indonesia, Japan, Republic of Korea, Malaysia, Myanmar, New Zealand, Papua New Guinea, the Philippines, Singapore, Sri Lanka, Thailand, and Vietnam. The meeting led to the declaration of many important solutions that would improve the situation on human trafficking issues. The details of the declaration are, “The participating countries and region should be encouraged to pass legislation to criminalize smuggling of and trafficking in human beings, especially women and children, in all its forms and purposes, including as sources of cheap labor, and to cooperate as necessary in the prosecution and penalization of all offenders, especially international organized criminal groups.” The participating countries should exchange information on migration legislation and procedures for analysis and review, with a view of increasing coordination to effectively combat migrant traffickers; greater efforts should be made to raise awareness at all levels, including through public information campaigns and advocacy, of the adverse effects of migrant trafficking and related abuse, and of available assistance to victims; and the countries of origin, transit and destination are encouraged to strengthen their channels of dialogue at appropriate levels, with a view to exchanging information and promoting cooperation for resolving the problem of illegal migration and trafficking in human beings.

Many significant regional and international organizations are associated with programs to combat human trafficking issues. For example, “The Global Alliance against

Traffic in Women” (GAATW) is an Alliance of 106 non-governmental organizations from countries around the world. The GAATW Secretariat is based in Bangkok, Thailand, and coordinates the activities of the alliance, collects and disseminates information, and advocates on behalf of the alliance at regional and international levels . Another well-known organization on combating human trafficking issues is the “International Organization for Migration” (IOM) which is committed to the principal that humane and orderly migration benefits society. IOM is an intergovernmental organization that acts with its international community partners to assist on challenges of migration and advance understanding of migration issues by encouraging social and economic development through migration. This organization also upholds the human dignity and well-being of migrants.

In order to improve the situation of human trafficking, the government should continue to increase its efforts given the significant scope and magnitude of trafficking in Thailand and enhance ongoing efforts to identify victims of trafficking among vulnerable populations, in particular undocumented migrants and deportees. Investigation, prosecution, and conviction of both sex and labor trafficking offenders should be improved. Efforts to investigate, prosecute, and convict officials engaged in trafficking-related corruption are needed. Thailand should improve labor inspection standards and procedures to better detect workplace violations, including instances of trafficking; improve implementation of procedures to allow all adult trafficking victims to travel,

work, and reside outside of shelters; provide legal alternatives to the removal of trafficking victims to countries in which they would face retribution or hardship; implement mechanisms to allow adult foreign trafficking victims to reside in Thailand; make greater efforts to educate migrant workers on their rights, their employers' obligations to them, legal recourse available to victims of trafficking, and how to seek remedies against traffickers; improve efforts to regulate fees and brokers associated with the process to legalize migrant workers in order to reduce the vulnerability of migrants to human trafficking; and increase anti-trafficking awareness efforts directed at employers and clients of the sex trade.

CHAPTER THREE – HUMAN TRAFFICKING AND PROSTITUTION IN MYANMAR

Historical factors and human trafficking issues in Myanmar

The United Nations has stated that trafficking amongst humans is an act that involves the transportation, transfer, harboring, or receiving a person through unlawful means and usually involves threat, force, coercion, abduction, and fraud. This provides another person authority and control over the person for the purpose of mere exploitation. By the term exploitation the major implication is towards prostitution and any other form of sexual exploitation, slavery, forced labor or other hideous purposes like for instance the removal of organs (United Nations, 2000, pg.4). Considering the definition thus provided, it is evident that human trafficking is perceived as a major existing security threat which has caused immense difficulties in the lives of most people living in third world countries. Even though this concept has been known for many years the actual cause and the major factors leading to such activities are consistently unidentifiable, however predominantly the major factors include the national, political, social, and economic conditions.

The concept of trafficking has been common throughout the ages; however, as the trends continue to escalate, various international countries have recognized this happening as a major global catastrophe which is nowhere near eradication, trafficking can be considered as modern day slavery. There is further need to identify the major

initiatives that need to be taken for reducing this issue. It is increasingly becoming important that international interventions are identified in order to eradicate this predicament as soon as possible, this chapter will focus on the region of Myanmar and the problem of human trafficking specifically for the purpose of sexual exploitation (UNODC,2013, p.1).

The United Nations has identified a number of factors that has led to the inception of this problem in the country. Interracial and inter-ethnic conflicts are severely growing throughout the world which has caused human existence various ailments. Myanmar has immense ethnic conflicts within the region, and the government is equally involved in these conflicts by incurring atrocities by specifically targeting ethnic groups. These people are mostly subjected to torture, rape, violence, and even murder. Considering the fact that the government has set such an insidious example has caused these minorities to be subjected to human trafficking. The most common regions where people from Myanmar are being trafficked include South Korea, Malaysia, Thailand, Macau, and China. The primary reason behind this trafficking is sexual exploitation and prostitution. Myanmar is also a transit country for the trafficking of people from various other countries (Ngiam, 2012,p.1).

The case of the Rohingya ethnic minority can be considered in order to help illustrate the extent of discrimination against minorities within the country. The Rohingya people were robbed of their citizenship of the country in the year 1982. This

discrimination is highly visible through the words of Myanmar Consulate in Hong Kong in 2009 that the Rohingya are neither from Myanmar nor are they an ethnic group (Ngiam, 2012, p.1). The people of Myanmar are fair complexioned and beautiful whereas these people have dark complexions. This mere statement indicates the level of discrimination which is usually made on irrational grounds. It is only obvious that the local people who further subject these people to pain and trauma amongst them take the government's behavior towards such people as an example human trafficking is considered the most alarming.

The country of Myanmar is considered a region in which men and women are subjected to forced labor and children are mostly used as sexual objects that are consistently used for sex trafficking to various countries. Many families migrate from Myanmar in hopes of a better future; however, they continue to live their lives of oppression in mostly every country they go to. The poor economic conditions within the country have lead people no other option but to move to other regions in hopes of finding some place where they might be able to live a better life. However, when these people migrate to other countries they are still subjected to forced labor and sexual exploitation. The men are mostly forced into unwanted labor; many other people from different countries who are en route to other countries have to deal with the constant threat of being exploited. Apparently, the government has openly claimed that they have been committed to identifying the key economic and political conditions within the country

which leave these people no other option but to opt for migration, which subjects them to trafficking (USDOS, 2011,p.2).

Government officials still play a major role in the trafficking of people, and this problem continues to grow. Military officials often force children to join the military, which is a form of exploitation since they are being subjected to work for which they never signed up for. Secondly, these people are increasingly being sent off to other countries that increase the cycle of human trafficking and considering the fact that the country's government has a central role in these activities makes it harder to deal with (Martin, 2011).

Another alarming issue is the fact that most of the country has various ethnic groups who are openly discriminated and maltreated. These people are the most vulnerable to such activities and exploitations for instance ever since the dissolution of the Kachin Independence Army in June 2011. The fights and the turmoil has led various Kachin people to go missing, a total of sixty- thousand Kachin residents have been notified as missing which places them in a more vulnerable position in which they can easily be subjected to any degree or kind of exploitation. According to an NGO's (Non-Government organization) research study (2010) that provided useful information that proves that the most profound forms of human trafficking and other exploitations can be witnessed in the state of Chin. The condition is extremely bleak within the region and according the survey conducted of over six hundred households the results clearly

indicated that ninety- two percent homes experienced some form of exploitations. Those homes all had witnessed some form of trafficking and they had all at least lost one family member to either forced labor or sex trafficking. The report published by the NGO was also able to identify the fact that the military owing to the fact that it had the authority was forcing people to join the forces and an increase in the number of younger people forced into military services was witnessed. Yet, a major drawback was over the fact that these military officials were responsible for trafficking these people to different countries without any government intervention. Another major issue is the actuality that the government of Myanmar openly refuses to acknowledge various ethnic groups; hence, these people receive no paper work or documentation. Having no proper identification makes such people more susceptible to trafficking (Donna H. et al. n.d, p.1).

An alarming 200,000 women from Myanmar are trafficked to Karachi, Pakistan, where they are forced into various fields, some of forced into labor whereas the most common future for these women is the adoption of prostitution. The number of women which are traveling to Thailand to enter the sex industry has increased to 60% the most startling fact is that these girls are all younger than 18 years of age (Donna H. et al. p.3). Considering the fragile internal conditions of the country, where there is internal distress and chaos, has led an increased population to opt for other places to live. Women who are migrating are more vulnerable to being trafficked for sex work. One major finding is the fact that in countries like Thailand, the younger the girl, the more successful she will be

for prostitution. This has increased the demand for younger girls; the girls from Myanmar who are trafficked are mostly from the regions of Ta Khi Lek, Tung, Chiang, and Yong. Thailand has increased its demand for sex workers since the local availability of northern Thai girls has reduced significantly. Moreover, since the girls from Myanmar were similar in appearance as girls from Thailand, there was an increase in their demand.

The methods through which these girls are trafficked are extremely astonishing since they are mostly lured through deception. Many are subjected to deceptive job placements, and agents tend to take them away apparently for jobs, but they end up as sex workers in other countries. During the green rice season when most the families are out of money, the condition is extremely austere and it is the time when the most number of girls are picked and trafficked. Since most families are on the verge of losing everything because they do not have money, some families have sold their daughters in order to make some money. Hence, this proves that people are playing with the frail condition of the people who are forced to choose and who are still openly exploited while the government allows such actions from happening (Robinson, 2013, p.3). Ever since Myanmar made the drastic move of shifting into a market economy in the year 1988, the country has ever since faced an increase in prostitution. Many local people believe the government and the national tourism have caused such conditions to increase in the country.

Repression is increasingly considered as one of the major reasons that have led to such an increase in the number of women sent to brothels in various places around the world and specifically in the region of Thailand. The reason behind such events could be the improved economic relations between both the countries. Thailand has recently reduced the number of Thai women which were being forced into prostitution. This occurred due to an increase in laws and regulations. However, prostitution is a major source of income for Thailand that left them no other alternative but to traffic women into the country.

The constant human rights violations, countless wars, and the open discrimination that certain ethnic groups faced in Myanmar resulted in an inner chaos that leads various families and women to flee the country. When Ne Win took over in 1962, the coup caused a series of protests against the government specifically in the region of Rangoon. These chaotic conditions led the military to breakdown that was an extremely disordered time and mass murders took place. Approximately 3000 people were killed for no apparent reason, and fearing their own deaths, various others simply fled the country in hopes of saving their lives. However, little did they know that it placed them in greater chances of being trafficked to other countries. An increased pressure by international organizations and officials resulted in elections to be held. The biggest issue during that time was the military who maintained a firm control over the people, causing more

people to flee to Thailand and join the ethnic groups which were formed at the border (Anonymous, 2012, p.43).

Unfortunately, the condition continues to be as bleak as it was back then, by the year 1991, another revolution began. This revolution was led by the military which was against the minorities and their ultimate goal was to promote a Buddhist culture making sure that ethnic groups all gave in. Fearing their future in the country many people were forced to leave the country. By the year 1993, the condition had ameliorated and the State Law and Order Restoration Council (SLORC) had made countless efforts to reduce the conflicts between the various ethnic groups in the country. However, the military continued to cut all food and other supplies that were secretly being transported to the minorities living on the border, families and communities were left with no other option but to move to Thailand.

The biggest change was felt once the United Nations Commission on Human Rights (UNCHR) started making an effort in investigating the situation and trying to understand the circumstances as they actually were. The first ever report which was presented to the General Assembly regarding the condition in the country clearly indicated a clear violation of human right in various aspects. Many political leaders were still in jail, and most ethnic groups were still clearly disowned and forced to change their faith (UNHCR, 2012, p.16).

Many international efforts were enforced since the major crackdown that took place in 1988. The situation at hand needed extreme attention considering the countless human right violations within the country. Although with the absence of foreign aid, the country faced an extremely difficult time SLORC was desperate for foreign exchange and in order to deal with the situation they were left with no other option but to turn to their neighbor that was Thailand. Myanmar had to offer various concessions to Thailand for their assistance that included economic concessions on various activities. Most of these concessions resulted in the exploitation of natural resources. Apparently establishing such a relationship was viewed as necessary considering the conditions within Myanmar. The existences of such economic relations led to a greater increase in border crossings which ultimately began on an informal basis. The establishment of such a condition led to greater number of people easily moving from one country to another without any difficulty.

Even though Myanmar had a reason to encourage such conditions to prevail within the country, what they overlooked was the fact that there was no checking on the people who were entering and leaving the country. This resulted in an increase in the illegal distribution of weapons and drugs within the country. The opening of the border to Thailand, apparently for the purpose of trade and commerce resulted in an increase in the trafficking of women, children, and men from Myanmar. The traffickers followed the same routes which were used for transporting goods; hence, there was little or no

checking. The most common region for trafficking between Thailand and Myanmar is the town of Mae Sai that links to Thailand on the north and makes access into the country a lot easier. A rough estimate clearly indicates that the number of women from Myanmar living in Thailand is somewhere around twenty to thirty thousand. An NGO actually monitored the trafficking activities taking place in Mae Sai provided evidence that a total of seven girls from Myanmar were being taken to Thailand for prostitution on a daily basis.

During this time, trade was flourishing between both countries, and some of the rural areas were openly disregarded by the government of Myanmar. This made it seem quite attractive to be able to get a job in Thailand. On the other hand, Thailand saw an increase in immigrants into the country that resulted in an economic boom in the country. Since they had an increase in the number of forced workers available, the sex industry was also flourishing. Thailand progressed significantly due to the economic relationship, but the same cannot be said for Myanmar. Once the conditions in Thailand began improving, tourism also increased the demand for prostitutes. Thailand needed younger women who were also free from any diseases like HIV. Irrespective of all the happenings, the sex industry was hardly affected since the local industry was enough to cater to considering the fact that seventy-five percent Thai men have sex with prostitutes. The local market for sex was so vast that the need for young women was constantly on the rise and Thailand had no issue in supplying those women considering that they had easy

access in and out of Myanmar. Brothels have been identified as an extremely lucrative business, considering the minimal wages that the business owners are required to pay the girls provides a substantial profit to the owners. Another factor that needs to be considered is that there is such a high demand for prostitution in the country that people willingly opt for this business (O'Toole, 2012, p.13). The situation was extremely miserable for those women in Myanmar who had no idea they were being pushed into prostitution.

In lieu of viewing the situation of human trafficking issues in Myanmar in a more general sense, it proves that while considering the faltering economic and political conditions, the situation had left people with no other option but to identify ways in which people could make their way out of the country without any difficulty. The Thai government has given proof of the fact that at least five hundred thousand people from Myanmar are residing in Thailand illegally and considering this issue proves that illegal immigrants are all liable to abuse. Officials argue on the very fact that the people are dealing with such situations because they chose this life for themselves. However, this problem is all the more interesting considering the fact that the officials of both countries encourage people to migrate into Thailand. Since the Thai government saw people migrating into their country as cheap labor, it was viewed as beneficial for the economy.

One important factor is that these people are in actuality illegally present within Thailand and if the situation goes out of hand, the government is not appeased with the

current situation there is always the possibility that the government officials can formally arrest the illegal immigrants under the Thai Immigration Act.

Presently this immigration act is seldom used to control the influx of people migrating into the country, but it is used to ensure the people's behaviors according to their laws and regulations. This law is specifically used for the women in prostitution and in case they deviate from proper behavior they can be easily sent back home, even though the amendments made in the immigration act in 1980 stated that illegal immigrants into the country are considered as criminals and will face trials accordingly. Considering this, most Thai officials ignore the facts and only use it once the people start behaving unacceptably.

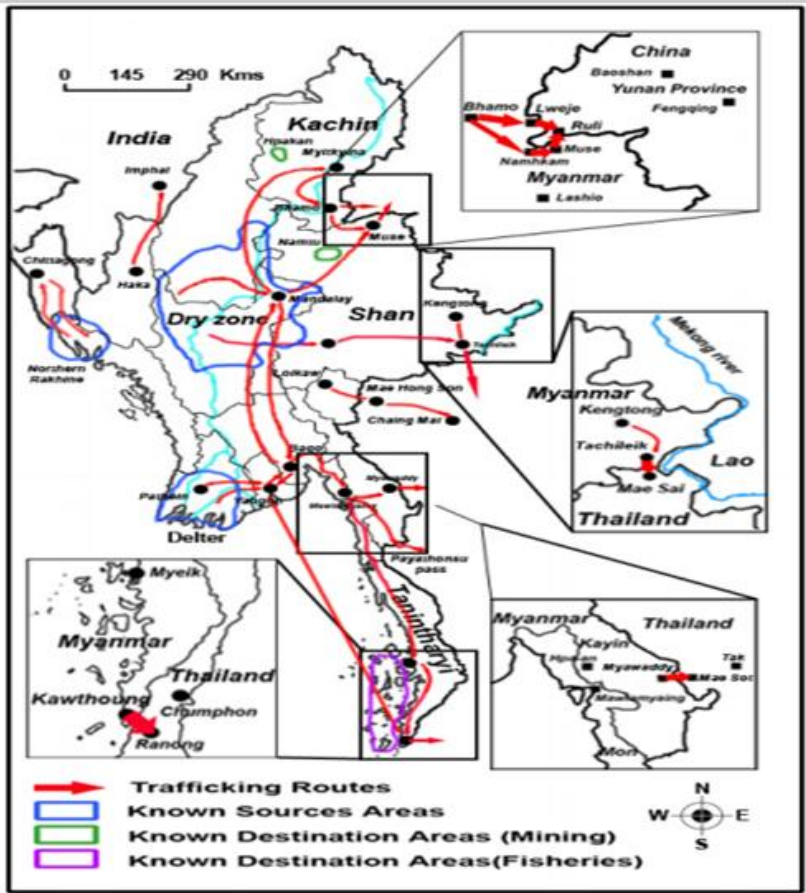


Figure 2: Trafficking Routes in Myanmar - Strategic Information Response Network (SIREN, 2009)

Myanmar is a country that is both a source and a transit country for human trafficking. The military situation and the economic breakdown within the country have led to the development of such conditions within the country. The term ‘source country’ implies that Myanmar traffics women to other countries. The weak internal situation has contributed to the number of women fleeing the country and falling into the clutches of prostitution. Women, children, and men are all trafficked for mostly sexual exploitation and forced labor to Thailand, China, Bangladesh, South Korea, Macau, and Pakistan.

Even girls as young as twelve are being trafficked. Reports indicate that the younger women are more preferred within these countries, and this has caused a greater demand for younger women. Most of the girls sent to China either join the sex industry or are forced to become wives to Chinese men.

Myanmar is also a transit country through which various victims pass. Girls from Bangladesh pass through Myanmar that are destined for Malaysia. Chinese women are also brought to Myanmar from where they make their way to Thailand. Considering the lack of rules and regulation within the country makes it extremely easy for Myanmar to be a transit country. Since there are no regulations that protect those innocent people who are brought into the country, there is no regulation over the people who are taken out. In short, Myanmar offers the ideal situation to these countries, and it is the number one reason behind such an increase in human trafficking (Human trafficking.org, 2012, p.1).

Myanmar also has an extremely high rate of internal human trafficking; these girls are mostly brought from rural areas to those regions that are nestled to the borders. Men, women, and children are all forced into labor. The routes being used are those areas that already have mining, fishing, trucking routes, and make the movement of people look normal. Most of the children being trafficked are used for the purpose of labor or are taken up by the military as children soldiers; many are also forced into small-scale industries. The fact that even the military takes part in such activities is discouraging and shows the actual condition of the country where the people can easily be taken up by the

military for their purposes. There is a multitude of examples that prove the point the military has taken unnecessary advantage of their power and have forced people into working into infrastructure and agriculture projects that needed workforce but lacked the money to pay for such workers. Those regions where the military has a stronger presence and where the majority of people living are minorities are more prone to trafficking. Since people are denied any identification, this adds to the ease with which such people are brought in and out of countries. Since they are not even recognized as nationals, they are practically nonexistent legally. The ethnic groups have the strongest levels of human trafficking mostly in areas near the border of Thailand and China (Anonymous, 2013, p.22).

The Myanmar military has also been accused of establishing an actual school of rape where they have been abusing women from Myanmar. The brutality and level of torture is unimaginable. There have been incidents in which all major officers of the military would go door to door raping every adult woman that they could find. The most alarming fact is that these military people are never accounted for the harm that they cause people and most of them go on even to this day without facing the consequences of their actions. Since they are officers, they have permission to treat people as they wish. There are countless similar incidents that prove the behavior of the military and the role that they play in the whole process of trafficking.

Considering the fact that Myanmar still follows strict regime imposed restrictions, the restrictions are responsible for regulating and monitoring most activities. Various strict policies have been established over all movements within the country. There is also a very strict regulation over the visa regulations which are provided to international staff and NGO's, such restrictions also limits the access of the people who have acquired visas. Though apparently Myanmar is one country that needs all the assistance that it can get, yet the military still maintains a tight control over the UN officials as well as the head of NGO's. There are only a few UN organizations that are present within Myanmar, and their operations are also very closely regulated and monitored. However, the UN has made efforts to evaluate the internal condition in Myanmar and they still struggle to help the people deal with human right violations.

The US Department of State has provided in detail regarding the initiatives that the government of Myanmar has taken in order to deal with the issue of human trafficking. Both the United States and the government of Myanmar are committed to eradicating the global issue that prevails. The UN Convention on Transnational Organized Crime, which was held in 2000, openly discussed some of the major contributions that the country has been making for dealing with this issue. Apparently, considering the fact that the situation is so deep rooted within the foundation of the country, it is crucial to acknowledge the fact that eradicating this issue will indeed take time.

Major Government Initiatives

Some of the major initiatives that the government of Myanmar has taken for eradicating sex trafficking and forced labor include the following:

- Repealing of the 1907 act regarding the towns and villages - this law provides legal condoning of any government officials in using forced labor.
- The enforcement of 2012 Wards and Village Tracts Administration Act - this act strictly forbids forced labor and states that any person indulging in such practices will be criminalized.
- The partnership undertaken between the International Labor Organization (ILO) for the purpose of constructing and identifying an appropriate course of action which is required for the purpose of dealing with the present situation and finding ways through which forced labor can be eradicated.
- The initiatives taken on the border of the country that includes the establishment of two border liaison offices, these offices are situated on the Thai border and ensure there is no human trafficking. They are also responsible for monitoring and cross checking all trucks and vehicles in and out of the country.
- The government of Myanmar also signed an act with the United Nations according to which no child soldiers will be forced into joining the military. The UN has also called for the immediate release of child soldiers who are

presently a part of the Burmese armed forces. This act also gives UN officials the right to access all the county's military sites and prisons in order to identify whether all the child soldiers have been sent back home.

- With the collaboration of the Thai Government, the Myanmar officials have established five help centers in Thailand, these centers are created in order to monitor the people and assist any person from Myanmar who is forced into labor or who wants to return to the country. Stricter initiatives that have been taken by the Ministry of Home Affairs-chaired Central Body on Trafficking in Persons (CBTIP) are established with the intentions of ensuring that the people are following the laws that have been established for dealing with the issue of human trafficking.
- The government has also taken measures to stop women from falling prey to trafficking by restricting the international travel of women who are less than twenty-five years of age. This rule was needed in order to protect the women who might end up in the wrong hands of people who claim to want to help them but ultimately led them into prostitution (USDOS, 2011,p.1).

These are certain measures which the country has been struggling to maintain and act upon in order to help the country rid itself of this present ailment. It will only be eradicated once the government takes honest measures to deal with this situation.

According to the report published by the 2011 U.S. Central Body for Suppression of

Trafficking in Persons (CBTIP, 2005, p.13), the fact that the Myanmar government was not fully complying with the requirements of the Trafficking Victims Protection Act was identified. As far as the Child Soldiers Prevention Act (CSPA), the country of Myanmar is considered to be amongst the top offenders of this act. Since there is evidence that proves the fact that the government has not yet fully complied with the rules implied by this act and owing to the fact that the country faces an increase in sex trafficking, the government of Myanmar signed the 2005 Anti-Trafficking in Persons Law which was established for the purpose of criminalizing sex and labor trafficking. The stated penalty that has been identified for people who violate this law states: that any person who is found guilty of trafficking a woman or a child with any intentions of causing harm to that individual is liable for ten years in prison. Similarly, the penalty for people responsible for trafficking a person with the intentions of using them for pornography is also liable to imprisonment of five to ten years. The penalty for indulging in any activity that is associated with any illegal criminal group is liable to imprisonment which can vary from ten years to lifetime. Any serious crime which is associated with trafficking and is considered to be extremely serious in nature can be sent to prison for a total of ten years to even death. Every penalty also includes a certain amount in fine.

The government of Myanmar has taken various initiatives that aim at reducing human trafficking within the country. Various laws and regulations have been put into practices that aim at reducing the number of women and children being trafficked with

any ill intentions. The government has also condemned the act of forced marriages. However, one area in which the government has failed is the fact that they have consistently ignored that internal trafficking is also a huge problem that the country has been dealing with. Instead of safeguarding the country internally, they have consistently overlooked the fact that this issue is still predominant on a domestic scale. Child soldiers are still present within the country; the only efforts that they have made include those which are on an international level.

It is important to acknowledge the fact that the government of Myanmar has taken steps for the purpose of increasing the number of arrests for any activity which is related to cross-border trafficking. Within the year 2010, the government of Myanmar had processed one hundred and seventy three cases that were regarding human trafficking and based on the findings of these cases a total of two hundred and thirty four traffickers were all sent to prison all according severity of harm which they had performed.

The ILO presented a report according to which it was openly stated that the UN officials had specified a total of three hundred and fifty four cases for the government of Myanmar to investigate and look into amongst these cases the government resolved a total of one hundred and sixty one cases. One hundred and fifty nine cases are presently still pending and waiting for a trial, whereas thirty four cases have been closed. The reason says the ILO is shady and not satisfying. The most crucial aspect for which the government of Myanmar has done very little is the fact that the government has made

very tiny efforts for reducing the force which the military still has. The government has been making efforts for reducing international trafficking, whereas they have failed to eradicate the biggest issue which can be considered as the root cause behind the prevalence of this issue in the first place. The root cause is reducing the control the government has. Therefore, it is crucial for the government to take actions that can reduce the power that the military has over the people (ILO, 2012, p. 25).

Recommendations

Some of the recommendations that can prove useful and can help the government of Myanmar in dealing with this situation are as follows:

- Maintain a tight control over the military and ensure that they do not use any forced labor over the people specifically recruiting of child soldiers.
- The government also needs to take measures through which they allow ethnic groups to practice their own belief. The government should also consider providing these people with an identification, this will help significantly in reducing the number of people who tend to leave the country due to the atrocities that are inflicted over the ethnic groups by the military.
- Pay close attention to the internal trafficking taking place, it is necessary that the government not only pays attention to international trafficking but also focuses on local situations.

- Establish a proper system through which formal identification can take place and can help in the process of identification of perpetrators.
- Continue their commitment with the UN and allow them to inspect recruitment centers and any other organization which they feel the need to evaluate.
- Strengthen local NGO's and allow them to perform as they wish, it is necessary to involve NGO's in order to ensure that people can have proper guidance which is required for the purpose of dealing with this issue.
- The government also needs to take more effective initiatives as far as the trial of the cases of trafficking are concerned.
- The government needs to allow the UN to take the initiatives which they consider important in order to eradicate the whole occurrence of sex trafficking.

With the implementation of these recommendations, the government of Myanmar can drastically reduce the problem of sex trafficking. However, the government needs to understand the fact that the problem is indeed deep rooted and requires immense effort in order to tackle it. It is also important to ensure that the government supports and encourages the UN and any other organizations which are willing to make an effort to reduce human trafficking. It is crucial for the government to understand the fact that in order to tackle this situation they will have to take all the measures which they can to deal with the issue of human trafficking.

CHAPTER FOUR – HUMAN TRAFFICKING AND PROSTITUTION IN CAMBODIA

Historical factors and human trafficking issues in Cambodia

The kingdom of Cambodia is situated in the southern part of the Indonesian peninsula, which is presently in Southeast Asia. The internal conditions of the country are considerably brittle and there are still struggles to reduce foreign investments.

Considering the fact that the country has an abundance of natural resources, foreign investors have been increasing their attention to the country. Mostly the countries of China and Vietnam are interested in doing business with the country. The biggest industry situated in this region is garment making, but Cambodia has failed to exploit this industry for the benefit of the country. Cambodia has been known for years of corruption which has affected the country in a severely negative manner (BBC, 2013, p.1).

In order to understand the type of human trafficking that the country has been dealing with, it is crucial to understand the internal situation of the country. The country was considered “ill fated” after radical communism took over the country in 1975. The Khmer Rouge, under the leadership of Pol Pot, took the country under its power. Some of the major steps taken by the new radical government were viewed with much skepticism. Since the new ruler deemed the dream of pursuing a rural utopia for the people, money, and private properties were all seized and people were forced into the rural areas of the country for farming. The subsequent years were extremely hard for the people and within two years of taking over the Khmer government had led to the death of two million

people. Most of the people died due to starvation and exhaustion; people who had no concept of farming were forced into the fields which ultimately led them to their own death many were tortured and killed. There were also a number of other factors which had caused the country to suffer drastically. For instance, many Chinese ethnic groups lived in Cambodia at that time, but due to the prevailing conditions within the country, they were forced to flee (UNIAP, 2013, p.2).

Overcoming such situations and dealing with the damage which had been done due to communism had led the people to adopt any trade in which they could perform in order to make ends meet. A seriously drastic turn was seen when the country, which was called the killing fields during Khmer's regime, started gaining popularity as a country that promoted human trafficking and prostitution.

Government's responses to the sex trafficking issues in Cambodia

The concept of prostitution is not considered to be a term which came out of nowhere, it was always a part of the Cambodian society specifically in the years 1970-1975. These were trying times in the country. However, once Khmer came into power he completely abolished prostitution. Though the issue of prostitution was still lurking in the dark, once Khmer left power, it crept back into the society. In order to deal with the situation, the Khmer regime had to implement various laws and policies. While some of the policies were considered to be extremely strict, the policies proved to be effective. Strict punitive actions became the norm, and people were closely monitored for signs of

illegal activity. Within the years 1980-1989, the government made it a law to arrest all sex workers. Furthermore, any person found to be indulging in such activities was sent to detention on a facility located on Koh Kor Island, which had a huge rehabilitation and re-education facility. These strict measures were necessary to be able to cope with the problem, to ensure the people were protected, and to make certain that prostitution and trafficking were put to rest. The problem was controlled significantly during this regime (Monson, 2009, p.2).

The Vietnamese of the Khmer regime were extremely strict and people feared the consequences of breaking the law. However, once the Vietnamese left the country, the Cambodian government failed to follow the footsteps of the previous government and struggled to maintain the strict policies against prostitution. In the year 1991, the island of Koh Kor was closed down due to a Paris Peace Agreement. This agreement forced the Vietnamese to give up their wars and dissolved the Khmer Regime's Koh Kor Island. Once it was signed, the number of sex workers that were in the prison at that time were close to 6000. All of the prisoners were released. This shows that the measures being taken were indeed useful and needed to be continued. However, due to the abolishment of those policies, the country had to suffer significantly and the country experienced a far worse situation which it had never experienced before (Biggs, 2012,p.1).

The image of Cambodia as a sex trafficker began shaping in the year 1992, the situation within the country was consistently dreary, and approximately 20,000 troops of

the United Nations Transitional Authority in Cambodia (UNTAC) started pouring into the country. Once they entered Cambodia, they created their own sex services. The strict measures that they had adopted can be considered as the major reason behind the presence of this industry within this region. While they were present, they were forcing local people into providing sexual services and similar to the situation in Myanmar. The country officials were unavailable to take a stand and many girls were forced into prostitution (Human trafficking.org, 2012, p.1).

However, when the UNTAC military troops began leaving the region, there was a drastic decline in the demand for prostitutes. Once they were completely gone, sex workers and providers had nothing left to do since there was not any local demand for them. UNTAC forces can be considered the major reason why prostitution became popular in Cambodia again in a far worse degree than ever before. Many provinces fell victim and prostitution escalated critically due to the increase in demand of prostitution. The number of worker rose to approximately 20,000, and all of the strict policies which had been enforced and had successfully reduced prostitution were now long gone and the issue had risen again. Once the UNTAC forces had left the country, there was a decline in the number of sex workers since the demand for sex went down. However, this does not mean that the sex workers had given up and adopted better careers. Instead, there is a possibility they had moved to other regions. By the year 1994, prostitution had decreased

to 4000-10,000 sex workers, and most were young girls who worked for four hundred establishments.

It was only a matter of time before these sex workers found work again, and by the year 1994 the NGO's which were present in the country felt an increase in the number of sex workers. The most alarming issue that became apparent was that child prostitution was on the rise in Cambodia. This was considered as an extremely disturbing finding and when the government officials were approached regarding this issue, they had little useful input that could help the country. Hence it fell upon the NGO's which were present within the country and those which had been working on an international level to reduce sex trafficking. These organizations instantly took the required measures that they felt were necessary in order to reduce the ongoing trends and to strive to reduce the happenings completely (Curtis, 1993, p.24).

International Organizations involvement on human trafficking issues in Cambodia

The NGO's took measures that included educational programs, rehabilitation measures, and any other interventions which they felt were required. However, the NGO's were confined and they needed the cooperation of the government. Many propositions were placed and being worked on and they needed the government to play its role and to provide the people with an opportunity to change their ways. After much persuasion, the NGO's were successful in convincing the government of Cambodia to conduct a conference regarding sex trafficking and prostitution. The conference took

place in 1995, and within the same year, the NGO's were able to successfully establish agencies which worked on sex trafficking of women and children which was the highest within the western provinces of Cambodia (Monson, 2009, p.6).

In order to deal with the situation in the most appropriate manner and ensure that the issue was eradicated, it became necessary to devise a solution that would help the people deal with the situation in the most effective manner. For this purpose, these organizations needed to understand the factors that had caused this issue to start in the first place. Only then would they be able to identify more useful solutions that would eradicate the issue completely.

One crucial finding NGO's made was the fact that the ages of sex workers went down drastically. According to a survey conducted by the Cambodian Women's Development Association, the minimum age of the sex workers which was previously 18 years had declined to 15 years. The survey also found evidence that 35% sex workers in the country were all less than 18 years old. This finding was extremely alarming for the NGO's and they needed to find a solution as fast as possible since gradually the country was headed towards child prostitution.

Shocked by the findings being provided, the Human Rights Vigilance of Cambodia conducted their own studies and the results they obtained were similar. Their study showed that some girls as young as 14 were also into prostitution. Another study conducted in various provinces by the UN in the year 1995 found that minorities who

were between the ages of twelve to seventeen made up thirty one percent of the total number of prostitutes. In some cities, the majority of prostitutes were all under age. Considering the nature of information that these organizations were striving to obtain, there is a possibility that the figures being provided are less than they actually were given the condition might actually be far worse than the researchers were able to identify. A majority of prostitutes were located in rural areas which are barely accessible to people and the only element which seemed hopeful in such a situation was the fact that various NGO's were operating within the country. The countless efforts that they were making seemed tiny in comparison to the grave conditions prevailing. NGO's and other officials were too engrossed at the situation they were witnessing that they failed to realize the situation needed to be dealt with as soon as possible before it went out of control.

Once the organizations within Cambodia began worrying about the situation they were dealing with, they began conducting further detailed studies and various surveys which proved their worst fears true. Cambodia had a rise in the number of women abducted and even children were being lured into brothels and other sex organizations. The studies provided evidence that showed that 50% sex workers from within the country were sold to other places. The most astounding find of these studies was the fact that 86% of these girls were sold by their own parents or other relatives the girls trusted. This is indeed saddening considering the age of these girls and the severity of the trauma inflicted upon them. The remaining prostitutes joined the occupation of their free will.

The condition was extremely bleak as more and more women in Cambodia were forced into prostitution by their loved ones. The numbers were extremely high and the girls were increasingly younger than usual. However, an analysis of the situation at hand gave away the fact that the most crucial aspect that was resulting in such high levels of abductions and deception cases was due to the fact that an increasingly high number of women and children were being smuggled out of the country. This was happening due to international sex traders who were willing to pay higher amounts of money and considering the poverty levels in the country proved that people were left with no other option but to sell their daughters in order to make a living. Upon research, it became evident that this was only bound to happen considering the fact that the country shared its border with the capital of prostitution; Thailand. Cambodia also shared its border with Vietnam.

Many NGO's and other organizations were appalled over the recent findings and they began investigating the issue in order to obtain more information regarding the happenings to be able to identify the right course of action which they need to take in order to deal with the situation. End Child Prostitution in Asian Tourism had devoted much time and attention in trying to understand how this whole operation was taking place and where the girls were being sold. There studies indicated that the largest numbers of girls were traded with Thailand from the southern port of Koh Kong.

The major factor that made the issue at hand more critical to deal with was not only the fact that an increasingly large number of young girls were being sold and brought into prostitution but the fact that various prostitutes from Vietnam and china were being brought into Cambodia. The overall chain of events was alarming because they were causing fear and anxiety within the country. With this increase in prostitution another issue was escalating which was the occurrence of HIV and other STD's. It was increasingly becoming necessary for the government to intervene and devise appropriate solutions which could help in reducing the problems which the country was facing.

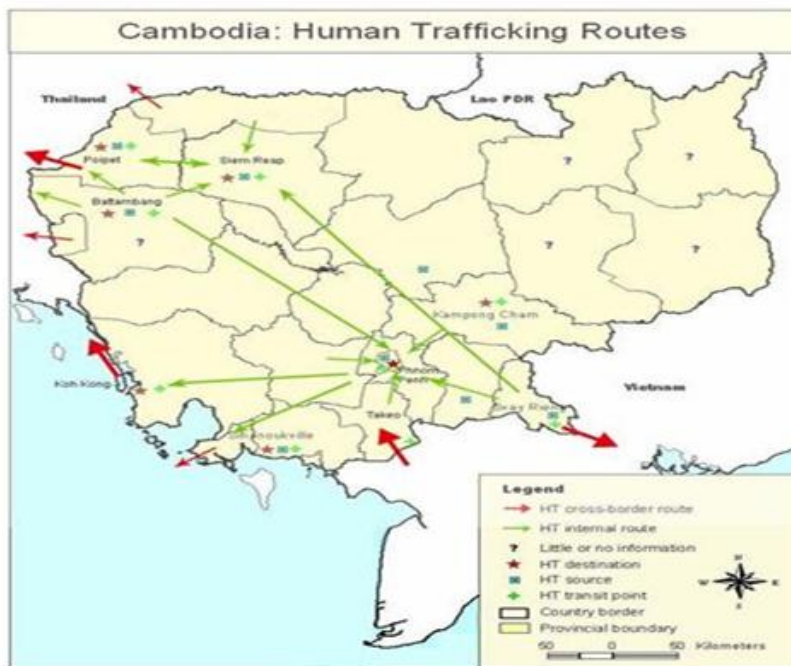


Figure 3: Trafficking Routes in Cambodia - Perspectives on Global Issues (POGI, 2008)

Cambodia is not only a source country responsible for supplying prostitutes to other countries and indulging in sex trafficking, but the country is also a transit spot for

various other countries including China, Vietnam, and Thailand. Cambodia is not only supporting these activities, the government is also incapable of devising a solution which could help deal with this crisis. A majority of women being sold from Cambodia are from an ethnic group of Vietnamese. Many of these girls are trafficked internally to areas such as Siem Reap, Sihanoukville, and even Phnom Penh which has often been associated with activities in the past as well. Another fact that was identified through studies was the increase in the demand of virgin girls; this was the major issue that had caused the rise in the demand for younger girls for prostitution, many foreign men were willing to pay \$800 up to a total of \$4000 for these girls. Considering the conditions these people were subjected to, this amount of money seemed like the answer they been looking for. Even to this day Cambodia has the image of one tourist point where people can have sex with practically children. Some men are willing to make the travel and pay the amount in order to have sex with these virgin under aged girls.

The government of Cambodia has repeatedly failed in complying with the minimum regulations which have been imposed regarding child prostitution. The level of commitment and the initiatives that the government has taken seem extremely bleak. After much persuasion, the government of Cambodia started taking certain measures which they were capable of. The gravity of the situation required much more extensive measures than the government was capable of doing.

Various prostitutes were interviewed in an article published by the RFA (2009). A young girl who had been a prostitute for many years even though she was only 15 years old told the media her reasons for prostitution were simple. First, her mother was a widow, she had 3 other siblings, and in order to feed her family she had no other option left but to consider prostitution. According to the anonymous girl, she said that there is not any person who would chose this profession willingly but considering the condition within the country and the levels of poverty there isn't any other work for them. Many girls interviewed openly expressed that the government had taken little interest in helping these girls they needed to be protected and provided the right opportunities which would help them give up the path they had taken. Many girls were ashamed of what they were doing but having no support from their families they felt obliged to carry on and continue with how things were. One girl told the reporter that for one night she made \$10 and for which she was tortured and often maltreated.

The interviews also provided useful information against many police officials who, instead of helping these girls, took them back to their brothels if they escaped in hope of making some money of their own. If they do not receive any money, these girls are taken to some NGO. Considering the fact that these girls are the only ones to earn for their families leaves them no other option but to carry on with how things were (RFA, 2009, p.1).

A manager for a major nonprofit group called the Cambodian Human Rights and Development Association provided insight on why the situation was so austere within the country. The number one reason why prostitution was on such a rise within the country was because of the fact that these girls come from torn apart families who are subjected to serious poverty plus the cost of living is constantly on the rise which makes it all the more difficult to survive in Cambodia. Many families have gotten so accustomed to the fast life that has been made available to them due to their daughters. Many families push their daughters to continue with prostitution in order to continue availing these luxuries. Most of these young girls were lured into this occupation since nobody in their right mind would choose this life for themselves.

Many young boys are also forced into prostitution since many male buyers willing to pay high prices are looking young boys. Attracted by their money families gave in and sold their sons as well. The condition is actually irksome since parents can stoop to such a low level where they would willingly sell their own children's bodies. This shows the fact that the internal condition is extremely disgraceful since parents have no other option. There is no hope for a job or any other source of income, so most parents turn to the easy way out by selling their own flesh and blood. What needs to be understood by all this unprotected sex with foreigners is contributing to an increase in HIV. The situation is presently out of hand apparently due to unprotected sex trafficking has spread the disease faster than officials can tend to the situation (AFESIP, 2013).

Once the situation was out of control, the situation in Cambodia received immense attention. The government finally made an effort and tried to get rid of the situation. Despite the efforts, there were a number of reasons which caused the government to fail since Cambodia has a past of similar experiences that indicate the overall condition of the country was too frail. Dealing with such a high scale issue was far too difficult for a country like Cambodia.

Only recently has Cambodia received a proper government. Before, the country was constantly subjected to foreign invasions and occupations which had caused the country to become brittle. The overall infrastructure of the country was far too weak to be able to deal with such a situation. One of the major reasons that caused Cambodia to struggle while coping with this situation is the lack of employment opportunities. Even though the country has land, this land cannot be used in farming since they are mostly full of mines from the Vietnam War era. The social services within the country are disgraceful; they have consistently failed to provide the services that families need the most. The country also has an extremely weak political infrastructure, corruption, and fraudulent practices. This makes every effort the government tries to make seem meaningless. Considering the situation at hand, the country needs serious investigations, monitoring, and strict policies that would control the situation. In short, the overall situation on economic, social, and political fronts is hopeless. The country needs to realize this fact before it gets far too late (Hudd, 2003, p.1).

Many people lacked the required knowledge and education that would help them in identifying a solution which could benefit them in solving the issue in an appropriate manner (Tolani, 2010, p.4).

The condition in which these sex workers are subjected to is a matter of public shame; such young girls are pushed into selling their bodies long before they actually understand the meaning of their actions. The country is robbing itself of any future that it might have by selling their young children into prostitution and ruining their chances at making a better life for themselves. Since there is such a high demand for sex workers, the girls face immense pressure. They are tortured and the families are deceived into selling their children at even younger ages. According to an interview conducted by the UN, a majority of girls were all willing to give up their jobs since they were ashamed of the lives they were living. All the girls wanted a normal life, to live at home, to get married, and start a new life; but this unfortunately will never happen since most of these girls have a sense of responsibility they consider it their duty to provide for their parents and their siblings (Hughes et al. 2012, p.1).

These girls are just like normal girls; they have dreams and wishes which have been ruined by their own families. Girls make the situation in which they are all the more grim. The study revealed that a small percentage of girls are completely hopeless; they understand the situation far better than the others do since they know the government will not help these girls. The families allow them to give up prostitution; hence, the life which

they are forced to live is the only way they will go on in life. Considering the condition of these girls makes this situation far worse since most of these girls have struggled throughout life in order to make better lives for their parents (Human Rights Task Force on Cambodia, 2001).

The core factor that makes this situation far worse is that the government seems unwilling to make the drastic changes that are required in such a situation, neither do they have the resources required in order to help the families earn their own living and bring their children home. It is important, however, to acknowledge the fact that the NGO's have played a crucial role in this concerning matter. If it were not for their efforts and the struggles they have underwent, the problem would have not even been studied. These NGO's have been struggling to make the changes that they can to bring these young girls out of the streets and back home. However, with much persuasion, these NGO's and the government has started taking necessary steps to help deal with the situation. The question is whether they are too late, or whether has too much damage has occurred that cannot even be resolved?

Some of the measures the government has taken have been too unsystematic and sporadic. Instead of understanding the necessity of ensuring that the government protects its people, the government of Cambodia was too reluctant to play its role in an effective manner. In various provinces, the government was able to assist the workers; however, it is crucial to mention the fact that the government had not achieved this success on their

own. They had the assistance of the provincial women's association (Tolani, 2010).

Together they struggled to provide these sex workers with the medical attention and care which they needed. This medical assistance was too rare and was only provided from time to time. Gradually, the government has started certain rescue operations which aim at protecting the children in the region of Phnom Penh where the condition is extremely depressing. The government was able to save 40 children who were found and taken away from their place of hiding. These children were kept prisoners since they were young and foreigners were willing to pay higher prices for such children. These brothel owners were holding these children until the right time to make profit. Apart from these children, a taxi driver also identified a sex worker who had 6 six children with him. The taxi driver took him to the police which resulted in those children going back home safe and sound (Tolani, 2010,p.4).

The work of NGO's, on the other hand, has been vast and related to various fields; they have been committed to ensuring that the work that they provide is to the maximum. Some of the initiatives that they have taken include educational programs. People need to be educated regarding their actions, how the decisions they make may be endangering their whole families, and how the young girls have to bear unimaginable trauma and pain all due to their own families. Many NGO's have been buying out girls in order to protect them and bring them to safety. However, it is crucial to mention that these NGO's are limited considering the gravity of the situation. Moreover, the nature of the work that

they are performing includes educating the families and trying to find the girls and bringing them back home. The government needs to step up and take responsibility too just like the NGO's are doing (LICADHO, 2012,p. 23).

Some of the major issues which these NGO's encountered while they were rescuing the girls include the fact that most of the system within the country lacks structure. The system is weak and investigation is hard to perform since the people lack proper understanding. They do not know how to respond to these situations, there is no legislation that can help them understand how they need to deal with the situation at hand. The NGO's are struggling to find the right course of action that they need to adopt in order to help these children. The government needs to create policies and laws that completely eradicate child prostitution. Families need to be penalized if caught selling their own children and jobs need to be made available. It is crucial that the government takes the steps that it has to in order to create jobs. Families have to sell their own children since there are no jobs and no possible opportunities available that can help these families in earning a living.

Most of the activities that are taking place in Cambodia are in clear violation of the human rights, people are treated like animals, children are forced into sexual exploitation. They are robbed of their childhood, taken away from their families, and treated in unimaginable conditions. Since these girls have to provide for their families they seldom have enough for their own nourishment and most suffer from malnutrition.

The conditions in which these women and girls are kept is unhygienic and dirty; they are prone to all sorts of illnesses and have no control over their lives.

To this date, the most honest and beneficial interventions against human trafficking were all taken by NGO's. Thirty representatives from regional offices, NGO's, and members from the Catholic Church have all made an effort to start a training program. This program aims at educating people regarding the respective laws that provide people with refuge against trafficking. The focus of this training program was to share knowledge and experiences of different NGO's and discuss how the overall issue can be dealt with. This training session resulted in the development of the CWCC rehabilitation center and participants who are struggling to improve the internal condition of trafficking within the country. There is a need to support such programs in order to strengthen the country internally (Caritas Cambodia, 2011, p.54).

Recommendations

On all fronts, one major finding is the fact that there are no regulations that can be used in such situations. There are practically no rules or regulation in the country and people chose to do as they appease.

The government needs to take measures in order to establish regulations and policies. It is crucial that the officials understand the necessity of establishing a proper legal framework that aims at protecting the children. There needs to be a clear guideline which can be used for the purpose of understanding how they need to deal with certain

situations, the overall law enforcement system needs to be revised, people need to be made aware of their social and moral responsibilities as well as the laws that protect them (Chan, 2010, p.12).

A proper legal framework needs to be established which ensures that the overall concept of prostitution is eradicated. Similar to the time of the Khmer regime, they were able to abandon the whole practice of prostitution. However, considering the fragile state in which the country is abandoning prostitution, this will be an extremely time consuming process.

The present laws in the country do not criminalize people who work in brothels. The recruiters and the workers are all allowed to perform the activities they are assigned since so far there is no law that controls these people. Additional measures need to be taken which can be used for the purpose of reducing sex trafficking. Unlike the situation of sex trafficking present in Myanmar, the situation in Cambodia is far worse since the government has made no effort in dealing with the situation. The efforts that have been taken have been useless so far since they fail to implement the level of commitment which is required in such a situation.

Corruption is another major issue that the country is dealing with based on the fact that there is such an extreme level of corruption within the country. This makes it all the more important for the government to identify ways through which all major law enforcement agencies can be made accountable if caught in any activity or practice which

supports the actions of the brothels. The government can consider policies which can be strictly regarding to corruption, law enforcement officers showing such behavior should be sent to prison, the government needs to identify how they can include laws that make the police force less corrupt and make them work for the betterment of people (Chan, 2010, p.17).

Another Human Rights violation is the fact that these sex workers are all young children who are mostly virgins, men from all over the world come and give them diseases. Clearly ruining their lives, the government should have a strict law against unprotected sex. People around the world are struggling trying to find a solution against AIDS whereas third world countries all contribute towards its increase by offering unprotected sex (United Nations, 2012,p.1).

Another initiative that the government needs to take is an appropriate system that aims at educating the children. They need to understand the situation more appropriately considering their mental condition. They are hardly in a position to understand how they need to deal with certain situations. NGO's need to continue their efforts in providing education to the families and girls. The NGO's are helping them in choosing an alternative path, and thus freeing them from the clutches of this barbaric practice.

The government of Cambodia needs to free the land from mines, it is crucial in order to provide the people with the opportunity of farming. Considering the fact that the

country has lands which can be farmed, this seems like an appropriate alternative to prostitution (World Vision, 2012,p.1).

The human rights task force continues to play its role for the betterment of the girls in the country they have established various help centers for these girls and provide all forms of assistance to them. These HR organizations need to be given the opportunity to conduct an in depth study of the situation at hand in order to be able to understand in detail the actual situation the country is dealing with, this will help in formulating solutions.

Proper research and monitoring needs to be conducted in order to establish a clear picture about the issue the country faces, sex trafficking should be openly criminalized, people should be forced to give up their activities for the betterment of the people (World Vision, 2012,p.1).

Cross-border checking needs to be established, all areas that have been identified as sex trafficking points need to have checkpoints. Illegal immigrants should be sent back to their country and there needs to be a law that openly discourages immigration. People should be fined if they are caught having any association with an illegal immigrant. However, for such a law to be created it is necessary that the government firstly improves the internal condition of the country and provides opportunities for the people by creating jobs (World Vision, 2012, p.1).

The situation of Cambodia is very different from how things need to actually be, the country lacks a proper infrastructure, the government is not willing to intervene and help the people, and they have no jobs available. The situation is so depressing that parents have to sell their children, the government should take foreign assistance in order to deal with the situation they are experiencing. Lastly, if the country wants to eradicate the situation at hand, they need to bring back the policies which they had brought during the regime of Khmer and how they were able to control the crisis of prostitution. If this situation is left unattended, the issue will become far too imbedded within the system. Thus, it will make the situation impossible to deal with and ultimately cause more people to give in to this treachery of trafficking and child prostitution.

CHAPTER FIVE – CONCLUSION

Introduction

This chapter reveals the significance of the research within a larger context. If the researcher fails to approach this chapter with right frame of mind, it can lead the whole research to deviate from the set goals and objectives. As the world has evolved over the period of decades and has shrunk into a global village, it has injected human beings with some remarkable achievements; however, there are some dark sides attached to it as well. Human trafficking is certainly rendered as one of the notions, which even in this civilized world, acts as a curse for the entire humanity. Unfortunately, it has expanded and strengthened into a multibillion-dollar global industry. The less developed regions of the world tend to be the catalyst of such an industry (Blackburn, Taylor & Davis 2010, p. 21).

This research focused on the case studies relating to Thailand, Myanmar, and Cambodia. These three countries were selected since they belonged to less developed regions and share similar backgrounds. More importantly, these three countries tend to have the highest rate of human trafficking in the entire wide world. Keeping this notion in mind, human trafficking problems tend to be larger in the countries that are otherwise poor or economically less developed. Hence, those who are trafficked as slaves or as prostitutes are those who tend to be socially vulnerable due to various circumstances. Moreover, it was revealed that not all individuals who are smuggled from one country to the other are forced or are kept unaware of the whole scenario. Some of those who are smuggled tend to do so upon their own will.

Scope of the Topic

This section of the paper discusses the significance of conducting research on this topic. Human trafficking is a leading issue when it comes to cross border criminal activities. In other words, it can be stated that human trafficking in the identified countries and in different regions of the world tends to be a great source of earning. However, human trafficking now comprises different crimes in itself and is not limited to smuggling human beings only for the purpose of slavery as was the case in previous years. Today, human trafficking is mainly composed of women being smuggled for sexual purposes.

Moving forward, the fact needs to be kept in mind that human trafficking is not possible if the officials or the authorities are not involved in the whole picture. Thus, there is a definite link between the traffickers, criminals, and authorities who are in charge of discouraging and cracking down on such activities. Within the identified countries, the implementation of law is weak; thus, those who are responsible to cut down such activities are actively involved in it themselves. Human trafficking is rendered as a major threat to the safety of the law abiding citizens. Furthermore, it is a threat to the existence of the law (Emmers, Greener & Thomas 2006 , p. 490-511).

Moreover, human trafficking tends to include an element of prostitution, which is why it tends to be a source of greater concerns. Human trafficking also involves much lower risks compared to drug trafficking. These lower risks pay off according to the estimates that human trafficking contributes \$9.5 billion USD to the underground economy. It is due to this profitability that the countries whose economies already tend to stand on low ground are afraid to

intervene in the whole picture. As the world is now a global village, it is much easier to form a network that can be much more organized than previous years.

However, the whole industry of human trafficking is not based on force or deceiving the other individual. Sometimes individuals tend to opt for the option because of the surrounding circumstances. In the course of the study, it was revealed that some use it for migration purposes. As entering into the other country lawfully tends to cost a lot of money, human trafficking has much lower costs. Thus, there is a whole network of different destinations that are linked up internationally. In order to curtail such a large network, international effort is required to halt the continuation of human trafficking. Human trafficking is also not limited to a certain group; rather, the individuals range from different age groups based on the sexual purposes intended by the trafficking organization. This can range from children to older women who are desperate for money. However, the majority of the people belong to the younger age group as it is easier to deceive them. Plus, the young people are open to exploitation and can be exploited much more easily if pitched against the older age groups. However, the fact needs to be kept in mind that migration can also be based on fraudulent promises. Human trafficking has now become a major threat to human rights since it tends to put the future of the smuggled individual in risk. In addition, it damages the image and nomenclature of the host country as well as the countries to which the individuals is being smuggled. There have been many efforts in the past to stop human trafficking, and some of the international efforts have seen the face of success in recent years.

However, in order to annihilate this industry, it is important that required amendments should be made in the law of the countries. There is need to keep a constant watch over the network supporting human trafficking (Joshi 2002, p.25-33). The counties of Southeast Asia

suffer from a weak economy; thus, taking any steps that can obliterate such an industry can be devastating for such economies. However, this by no means tends to be the excuse or argument for the support of such an industry. Without the support of the international community, such networks cannot be wiped out. Even if one country wipes out human trafficking within its borders, the larger network of human trafficking still has its roots in other countries. The network will eventually reestablish itself in another country. As the whole network behind the human trafficking tends to be organized, there is a need to adopt organized strategy in order to deal with this evil. This research provides a background for the future researchers in the region of Southeast Asia.

Moreover, the research highlights the notions of how desperately this industry needs to be taken out of the nomenclature of the world, or else it can spread to the other areas. This research, on the broader context, will help to study the positive relationship between states and international organizations on sex trafficking issues. Moreover, it will also identify the need and the grounds on which the cooperation among different forces needs to be crafted. Different forces in the context of this research refers to International Organizations, NGOs, and governments. It is also necessary to state the fact that women account for almost 55-60 per cent of all trafficking victims detected globally; women and girls together account for about 75 percent. The issue of human trafficking also exists more in the identified countries and in the areas which are less developed. Due to this reason, the rate of conviction in these areas is very low. Thus, such networks are granted a safe haven to grow and strengthen. This research will also press upon the need of formulating strategy to deal with the problem forcefully. In addition, there is a need to deal with the economic aspects to solve the problem completely.

Research Philosophy

This section will highlight the research question and how it was crafted to meet the framed objectives of the research. If the questions are not crafted as per the pretext of the research, then the whole research will fail to inject the necessary or required rationale into the minds of the reader. In addition, it will highlight the variables and the methodology used for the entire process. In any research, the researcher should be aware of the research objectives it needs to meet and the method he/she will adopt in order to do so. The method of any research relies heavily on the variables the research inculcates; here the variables indicated both dependent and independent variables. This research seeks to provide answers to many questions in order to decipher the answer for a presence of such a strong network in the countries identified in the course of this study. However, to help the reader, it is necessary to place the research questions in this section of the research, so that the appropriate conclusion can be drawn and understood.

This research focuses on the following questions:

1. How do the political structures of countries such as Thailand, Myanmar, and Cambodia contribute to the strengthening of the human trafficking industry?
2. What value may be placed on recent national and international social, political, and legal anti-trafficking developments?
3. How do competing interests and conflicting policy debates inhibit anti-trafficking initiatives?

In the context of this study, political regime was rendered as a dependent variable, along with other instruments such as framed countries. The role played by the international

organizations and NGOs in the whole context of human trafficking was treated as independent variable along with the institutions involving with human trafficking issues. Since the research is required to meet its objectives, it is necessary to be in line with its hypothesis. The alignment with the hypothesis determines whether the research met its objectives or not. In the context of this research, the hypothesis was developed based on the argument that international instruments can positively affect the situation of human trafficking issues by the cooperation among countries, international organizations, NGOs, and the governments (Rafferty, 2007).

Another important pillar for any research philosophy is the methodology. For an effective methodology, it is important that the researcher should be clear in his or her approach relating to the whole nomenclature of the research. The methodology in the context of this chapter tends to stand on the grounds of the literature review. The literature review will help to identify the major themes within the chosen topic in the light of the previous research. A case study comparison analysis was done to see how the existing notions tend to help the case of human trafficking against the developed or comparatively more developed world. Southeast Asia was selected primarily because it includes the countries among which the rate of human trafficking tends to be the highest. Many journals, articles, and websites were used to formulate the results and to judge the evidence in support of the theory.

Countries of Interaction

As highlighted in the previous chapters, the cases of Thailand, Myanmar, and Cambodia were analyzed in order to draw conclusions relating to the matter of human trafficking.

Thailand

Thailand today stands among the countries where the rate of human trafficking tends to be the most eye opening. Many women and girls, who either by themselves or are forcefully integrated into this industry, are trafficked to Thailand. There have been many efforts in the past to curtail trafficking in the country; however, none of them has been able to annihilate the industry (Clark 2003, p. 263). There are many international agencies which are working to deal with this issue, among them the prominent ones being the United Nations, UNODC, and UNHCR. No problem can be obliterated if does not also have internal support. Therefore, the local organizations working towards this cause are identified as COSA, API, and GAATW.

Since Thailand is yet to amend its laws in order to deal with this issue, the findings of the reports suggests that the government officials were actively involved in the whole process. Due to this factor, many efforts have not yielded the results as intended. Unless all government officials involved in human trafficking are stopped, the efforts by either the international organizations or national organizations will not achieve the desired results. It was noticed that the government of Thailand had adopted a policy of ignorance towards this very fact, as human trafficking tends to be a key contributor in the GDP of Thailand (Phongpaichit, 1997).

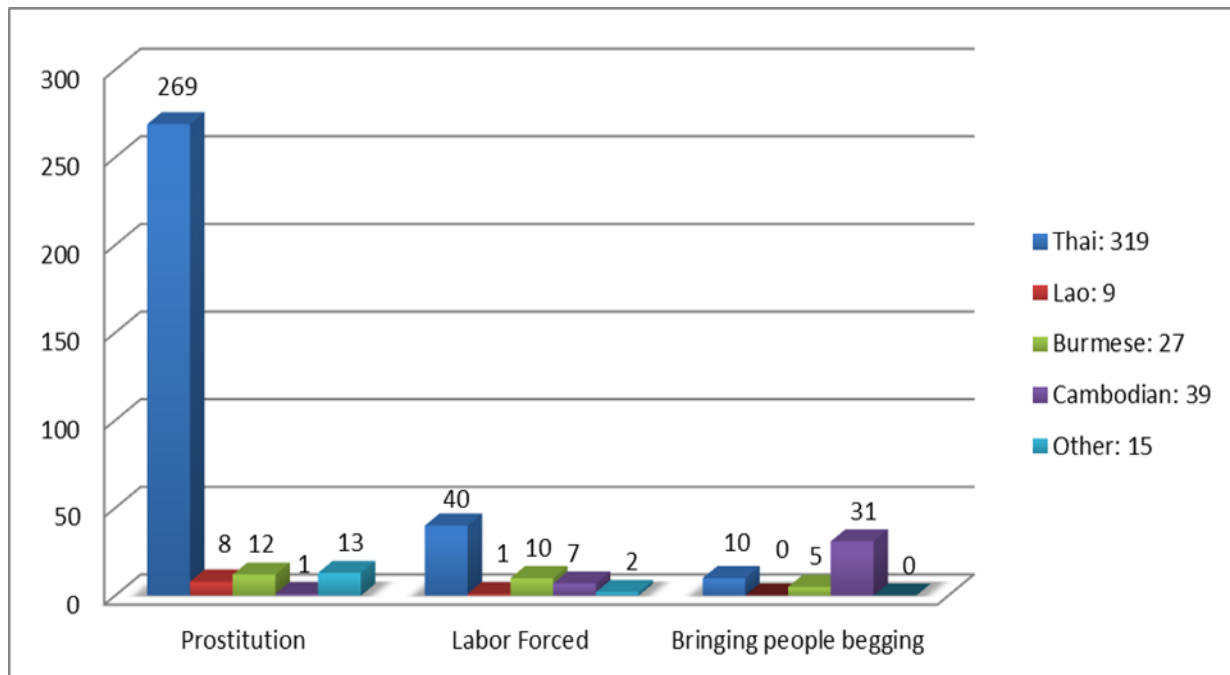


Figure 4: Human Trafficking Statistics - Classified by Outcome (Source: RTP CWP Center 2012, 24)

Myanmar

Likewise, Myanmar did not implement the policies as it should have been in order to stop the problem of human trafficking from the country. Since Myanmar's economy stands on a weak footing, human trafficking is a major economic source that facilitates its people to migrate towards a better future. As the situation in Myanmar tends to be worse when it comes to the power of the government, it has forced more international organizations to come to the rescue of the country. The international organizations that are working in Myanmar to make the situation better are working under the umbrella of United Nations. These organizations are identified as UNODC, UNHCR and UNICEF. Unlike Thailand, the reason identified behind the strong network of human trafficking is the failure of the government to formulate the laws. Despite a military regime being in charge of Myanmar, the law remains powerless (Clark 2003, p. 263). It could either be due to the increasing discrimination in the country, as the military regime fails to

facilitate and acknowledge various ethnic groups. The fact should be stated that if military regime cannot curb the menace from the system, then it would be safe to state that the generals of the country are too involved in the whole operation of human trafficking and are solely responsible behind the strengthening of such a menace.

Cambodia

The common elements existing within the three countries are corruption and the involvement of the government either directly or indirectly with human trafficking. However, the effort to annihilate trafficking from the country is different in the context of Cambodia when compared to Thailand and Myanmar. In Cambodia, members from Catholic churches are also actively involved in stopping human trafficking in the country. The presence of the local NGO's tends to be much more pervasive compared to Thailand and Myanmar, and those are identified as the IOM, NGO's, and members from Catholic churches. However, the organization working in Cambodia under the umbrella of United Nations tends to be UNODC, UNHCR, and UNDP.

As with the other two cases, the government in Cambodia has failed to come up with actions that can hinder the growth of human trafficking in the country. The government has taken many actions; however, those need to be on a regular basis and should be backed up by civil procedures. The government inclines to act in infrequent manner, which is the reason behind the strengthening of the human trafficking industry in Cambodia. The government has failed to take action on a regular basis, and it has also managed to inject a systematic approach to covenant this issue (Nishikawa 2009, p. 213-236). Thus, it would be safe to state that if the government has

played its role significantly, the results could have been different from what they are now.

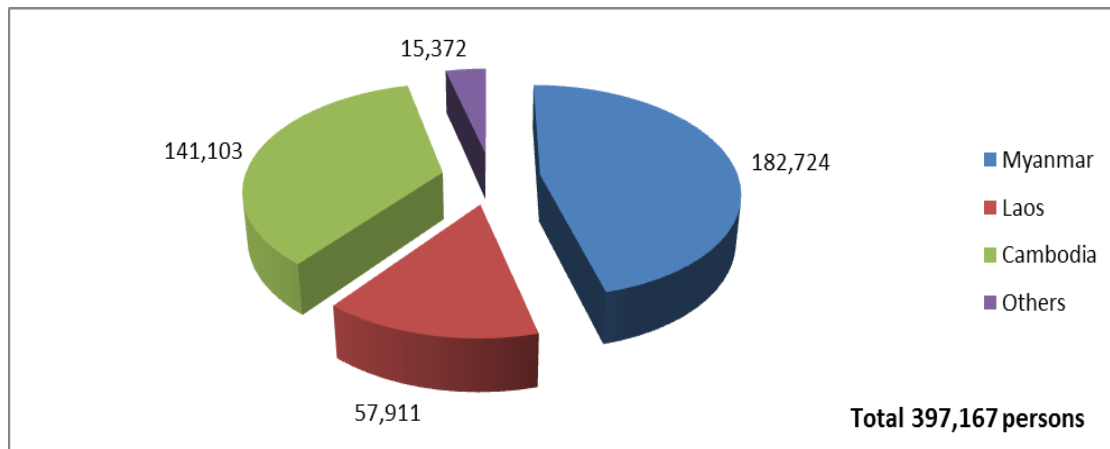


Figure 5: Human Trafficking Victims of 2012 - Classified by Nationality (Source: RTP CWP Center 2012, 28)

Final Thoughts

After analyzing each of the independent variables, individual economic status is the most important factor that affects the rate of human trafficking in Southeast Asia. International organizations, institutions, and NGOs may have positive relationship if proper actions are taken to combat human trafficking. The actions may lead to less inequality through the creation of jobs and bring better opportunities for the people. In turn, this would decrease the motivations of the human traffickers from preying on hopelessness of people.

In Thailand's case, international organizations can pressure the government to respond to human trafficking. In Myanmar's case, recent elections have changed the country's government from a military regime to a more open government. This change allows the entrance of international organizations to combat human trafficking within the country. In Cambodia's case, severe poverty within the country is a factor that encourages human trafficking. International

organizations can provide aid to the country's citizens and improve daily lifestyles. As lifestyles improve, then the motivation for human trafficking decreases.

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