



## Thailand

- Population: 67.2 million
- GDP per capita (in US dollars): 5,977
- Constitutional monarchy
- Human development index (HDI): 0.726 (93<sup>rd</sup> rank among 187 countries)
- Gender inequality index (GII): 0.380 (76<sup>th</sup> rank among 147 countries)
- Corruption Perceptions Index (CPI): Score of 38 on a scale from 0 (highly corrupt) to 100 (very clean)
- Member of the Association of Southeast Asian Nations since 1967.
- No official national statistics on prostitution. Unofficial sources estimate that between 30,000 and 60,000 children are prostituted every year in Thailand.
- Prohibitionist country. Thailand has criminalized the activity of prostitution since 1960. Solicitation is punishable by a fine of 1,000 THB (26 €/28US\$), procuring is punishable by 1 to 10 years in prison and a fine of 20,000 to 200,000 THB (517 to 5,172 €/557 to 5,557 US\$). The purchase of sexual services is illegal and clients of prostituted persons under the age of 15 can be sentenced to 2 to 6 years in prison and a fine of up to 120,000 THB (3,103 €/3,362 US\$) (*Fondation Scelles*, 2013).
- The 2008 law against human trafficking, amended in March 2015, provides for sentences up to life imprisonment and maximum fine of 400,000 THB (10,344 €/ 11,147 US\$)
- Much corruption, particularly in border regions.
- Major destination for sex tourism, especially for pedophilia.
- In 2014, the government refused entry to 98 people identified as pedophiles in their country of origin (*U.S. Department of State*, 2015).
- Country of origin, transit, and destination for victims of trafficking for sexual exploitation.
- The foreign victims exploited in Thailand are most commonly from Vietnam, Laos, Burma, China, Russian Federation, Central Asian countries, Fiji Islands, and India.
- Destination country for victims of human trafficking in Thailand: North America, Europe, Africa, Asia, and Middle East (including Israel).
- Country of transit for victims of trafficking from China, Vietnam, North Korea, Bangladesh, Burma and Pakistan travelling to Malaysia, Indonesia, Singapore, Russian Federation, South Korea, United States, and Europe.

Thailand is still one of the most popular destinations for sexual services which are available there. As a result of the country's history and social presentation of developed prostitution, this activity is relatively accepted by the population (*Fondation Scelles*, 2012).

The poverty in Thailand explains the continuous migration of men, women, and minors to cities to engage in prostitution. However, in recent decades the country has experienced a more favorable economic situation and its Human Development Index has increased each year. The urban population rate has increased significantly in the last 15 years, now reaching over 15%. Tourism directly contributes to 7% of the GDP and about 15% indirectly. Thailand has suffered from chronic political instability for decades and the situation since the military coup in 2006 has not improved. Over seven months of political crisis 28 people were killed and over 700 were injured. The Prime Minister was removed by the Constitutional Court in 2013 and the army declared the application of martial law on May 20<sup>th</sup>, 2014 to take power two days later. They introduced a new regime and an exceptional government called National Council for Peace and Order (NCPO).

On August 30<sup>th</sup> 2014, the NCPO declared a “Zero Tolerance Policy for Human Trafficking”, involving a number of measures and extensive consultation with government agencies, NGOs, the media, and the public sector. The fight against trafficking was declared a “national priority” by the Prime Minister (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 31<sup>st</sup>, 2015).

### **Prostitution in Thailand: The Many Faces of Sexual Exploitation**

Thailand is particularly affected by trafficking networks as a country of origin, transit, and destination for victims. The migration of Thai women for prostitution and trafficking is highly concentrated in the Mekong region. Victims from China, Vietnam, North Korea, Bangladesh, Burma, and Pakistan pass through Thailand to be exploited in Malaysia, Indonesia, Singapore, Russian Federation, South Korea, United States, and Western Europe. Foreign victims exploited in Thailand usually come from China, Vietnam, Russian Federation, Uzbekistan, Fiji Islands, and India. A Thai village leader was arrested for trafficking with purposes of sexual exploitation of Burmese women and children (*The Sunday Nation*, May 17<sup>th</sup>, 2015). Dozens of young Laotian and Burmese women were arrested for prostitution in a karaoke bar (*The Nation*, January 16<sup>th</sup>, 2015).

Trafficking between Malaysia and Thailand is highly developed (*Fondation Scelles*, 2012). After the discovery of mass graves in Thailand near the Malaysian border, 139 trenches and 28 migrant camps were revealed in Malaysia on the Thai border in May 2015 (*Le Figaro/AFP*, May 25<sup>th</sup>, 2015). A survey from the International Organization for Migration (IOM) on trafficking victims in the Mekong region revealed that 40.7% of the people questioned had been exploited in Thailand and 50.7% of these victims had been sexually exploited (*IOM*, 2014). It is generally accepted that the majority of trafficked prostitutes are of Thai or Lao nationality (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015). Human trafficking in Thailand is largely facilitated by corruption, particularly on the borders with Laos, Burma, and Cambodia (*U.S. Department of State*, 2014).

In 2014, Transparency International ranked Thailand 85<sup>th</sup> out of 175 countries for its Corruption Perceptions Index. The many cases of procuring can support this ranking. On December 18, 2013 in the Phang region, a procurer was arrested after admitting to supplying underage girls to administrative and government officials. (*Pattaya Daily News*, December 18<sup>th</sup>, 2013) On May 8<sup>th</sup>, 2014, a woman was arrested for selling her young daughter to a hotel in the Burirum province, a well-known region for attracting senior government officials (*Pattaya Daily News*, May 10<sup>th</sup>, 2014).

### **Sexual Exploitation of Children**

In 2014, out of 595 identified victims of trafficking, 380 were children, of which 307 were girls (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015). However these figures do not match the estimates of several NGOs and international organizations. The Mahidol Migration Center announced that these numbers were miniscule compared to the actual estimates. It is reported that 30,000 to 40,000 children are prostituted each year in Thailand, without including foreign children. These figures involve much debate, but are considered an underestimate as most reports range between 30,000 and 60,000 (*U.S. Department of State*, March 11<sup>th</sup>, 2010). The phenomenon of prostitution concentrated in specific areas meets local and international demand, thriving in the many “business establishments” in Bangkok and Chiang Mai. Bangkok, “the City of Angels”, is known to be the most “gay” city in Asia with many straight and gay male and transgender prostitutes. They are usually present in bars, hotels, and residences in more sophisticated procuring networks. Establishments make sure that their appearance looks legal and although the offer of sexual services takes place within the establishment, the acts usually take place at another location (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015).

Clients are either locals or sex tourists coming specifically to the Mekong region. In terms of pedophile sex tourism, the demand is equally mainly local and Asian, far from the cliché of masses of Western men (*Bangkok Post*, February 28<sup>th</sup>, 2015). However, according to the Thai Tourism Authority, the establishment of a curfew (midnight to 4AM) by the NCPO in May 2014 (which has since been lifted) significantly lowered the number of tourists, especially in Phuket. This impact on the tourism industry attests to the importance of nightlife on the economy of these cities, known for their prostitution (*Pattaya Daily News*, May 29<sup>th</sup>, 2014).

### **The Multi-Faceted World of Victims of Sexual Exploitation**

The victims of sexual exploitation in Thailand are mostly women and young girls from Thailand, Laos, Vietnam, and Burma. However the supply of sexual services is extremely diverse, including heterosexual females (children and adult), homosexual men, transsexual men (ladyboys), and heterosexual males (money boys). Among the victims, some initially entered prostitution voluntarily but found themselves exploited (*U.S. Department of State*, 2014). Many girls from poor rural areas came into the world of drugs and prostitution after being abused by relatives (*The Phuket News*, November 25<sup>th</sup>, 2014). Legal status is very important in Thailand and illegal residency now represents one of the greatest causes of

exploitation (*U.S. Department of State*, 2014). Thailand has made substantial efforts over the last 15 years to reduce HIV/AIDS; decreasing from 28,241 new infections in 2000 to 8,134 in 2013 (*Thai National AIDS Committee*, 2014). Although the infection rates of prostituted persons are declining, they still remain very high. The prevalence rate of HIV/AIDS for prostituted persons went from 2.69% in 2010 to 2.16% in 2012. For prostituted males, the rate was 16% in 2010 and 12.2% in 2012 (*Thai National AIDS Committee*, 2014). Access to prevention programs seems to have been improved, but remains insufficient for prostituted women (53.89% in 2012).

### **An Insufficiently Proactive Legislative Adjustment**

On May 20<sup>th</sup>, 2014, the establishment of martial law by the army changed the legal landscape of Thailand, particularly in terms of criminal procedures and powers of the authorities. This martial law notably allowed police to search karaoke bars without a warrant. Thus, in October 2014, they could proceed to arrest the tenant of a karaoke bar who was exploiting 13 Laotians, of whom six were young girls (*The Nation*, October 6<sup>th</sup>, 2014).

#### ***On Trafficking***

In October 2013, Thailand ratified the additional Protocol of the Convention of the United Nations against transnational organized crime to prevent, suppress, and punish human trafficking, particularly of women and children. The Anti Trafficking in Persons Act of 2008 was therefore amended late. The legislative adjustment to international standards did not prevent the 2014 U.S. Department of State Report on Trafficking in Persons from ranking Thailand as Tier 3 after having been ranked on the Watch List of Tier 2 for four consecutive years. This decrease in ranking to the lowest level is considered justified by a portion of the media (*The Nation*, April 24<sup>th</sup>, 2015). This low ranking is resented by the Thai government which defends its cause through case studies attesting to its commitment to fight against human trafficking, relying on system improvements (studies published in January 2014 and March 2015). According to these studies, in 2013, out of 674 investigations of trafficking, 520 were concerning trafficking for sexual exploitation (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015). The raise in the number of investigations, proceedings, and convictions for leaders of trafficking is evident. Out of 674 trafficking incidents, 225 resulted in convictions in 2013 versus 40 to 55 from 2009 to 2011.

However the system of identification for victims of trafficking was less effective in 2014, as a result of the beginning of political tensions. From 1,020 in 2013, Thailand identified only 595 in 2014 with 115 judicial proceedings and 104 convictions. Among all these cases of 2014, 222 were concerning trafficking for prostitution (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015). Judicial effectiveness in terms of trade offence was also discussed.

In 2014, out of 118 cases, 90 cases were tried in less than one year, 27 between one and two years, 1 between two and three years (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 31<sup>st</sup>, 2015). On December 19<sup>th</sup> 2014, recommendations were made by the President of the Supreme Court, requiring judges to avoid unnecessary delays in the trial stage of trafficking cases and prescribing a maximum period of six months (unless there are

compelling reasons for judgment postponing to an extension of six months maximum). In addition, in January 2015 Thailand passed a cooperation agreement with Australia to combat human trafficking (*Pattaya Daily News*, January 27<sup>th</sup>, 2015).

### ***On Prostitution***

As a prohibitionist country, Thailand criminalized the activity of prostitution with the Prevention and Suppression of Prostitution Act B.E. 2539 [1996], Sections 9 to 12 (*Fondation Scelles*, 2013). Between January 2014 and February 2015, 846 persons were arrested for prostitution (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 31<sup>st</sup>, 2015). Cooperation in the fight against pedophile sex tourism and child cyberpornography is relatively weak, notably because of legislative gaps for child pornography. In 2009, the arrest and conviction to 30 years in prison of a cyberpornography offender is an example of the successful cooperation between the United States and Thailand. However, this remains insufficient particularly in light of the extensive problem of sexual exploitation of minors in the country via new technology. A number of reports have related the fact that corrupt police officers protect certain brothels. 2014 government reports announced: 4 criminal proceedings of police officers for acts in connection to trafficking offenses ; 11 disciplinary measures taken against police officers for negligence ; 4 proceedings of government officials in which 2 were for trafficking for sexual exploitation. The officers pursued belonged to diverse public bodies: police force (colonels, lieutenants, police majors), Bureau of Immigration, special police units (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015).

### **Government Engagement, Reforms and Reinforcements of Discourse**

At the end of 2014, the chief of police services announced that he wanted to radically change the image of Pattaya, one of the most well known destinations for sex tourism in Asia, by planning numerous raids and arrests of, especially of prostituted persons (*Chiangrai Times*, September 22<sup>nd</sup>, 2014). Thus in November 2014, 60 prostituted persons and 'lady boys' who were acting in a group on the beaches of south Pattaya, were arrested (*Pattaya Daily News*, April 1<sup>st</sup>, 2015). In February 2015, the Assistant Chief of Police announced his determination to reinforce the police fight against human trafficking by increasing interventions and raids in all recreational facilities and 'business establishments' implicated in prostitute activity, consenting or not (*Pattaya Daily News*, February 2<sup>nd</sup>, 2015). The district governors have also made use of their authority by stopping or suspending operating licenses for places implicated in trafficking and forced labor activities (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015). Special police forces, dedicated to investigating cases of human trafficking for sexual exploitation and other forms of exploitation have been sent into particular zones near borders. It has been planned to extend this system to other regions (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 31<sup>th</sup>, 2015).

The Thai government, in reaction to the publication on a report on the resilience of victims of trafficking in Vietnam, Cambodia, and Thailand (*IOM*, 2014), recalled the means implemented by the country to support victims, notably by establishing regular awareness campaigns on trafficking, sexual exploitation of children, and pedophile sex tourism with posters and advertisements (*Bangkok Post*, February 28<sup>th</sup>, 2015). The new military

government equally addresses the fight against corruption. In addition to the institutions already put in place (National and Regional Committee for the Fight Against Corruption and Anti-Corruption Committee in the Public Sector), other bureaus and offices have been established within already existing committees to reinforce controls, as well as permanent hotlines for reports (*Ministry of Foreign Affairs of the Kingdom of Thailand*, March 11<sup>th</sup>, 2015). A center for the protection of children, women, families, and against human trafficking was created within the Royal Thai Police, headed by the Assistant Chief of Police. It is divided on three levels: national, regional, and provincial.

## Sources

- « 13 trafficked Laotian girls, women freed in Chumphon », *The Nation*, October 6<sup>th</sup>, 2014.
- « Child Sex Tourists Mostly Asian », *Bangkok Post*, October 11<sup>th</sup>, 2014.
- « Chumphon headman charged with human trafficking », *The Sunday Nation*, May 17<sup>th</sup>, 2015.
- « Commissioner-General Increases Human Trafficking Focus », *Pattaya Daily News*, February 2<sup>nd</sup>, 2015.
- « Curfew takes heavy toll on Phuket businesses », *Pattaya Daily News*, May 29<sup>th</sup>, 2014.
- « Foreign sex workers arrested at karaoke bars », *The Nation*, January 16<sup>th</sup>, 2015.
- « Lady Boys and Prostitutes rounded up », *Pattaya Daily News*, April 1<sup>st</sup> 2015.
- « Malaisie: découverte de 139 fosses de migrants », *Le Figaro/AFP*, May 25<sup>th</sup>, 2015.
- « Mother Accused of Selling her 16 Years Old Daughter in Burirum », *Pattaya Daily News*, May 10<sup>th</sup>, 2014.
- « NGO fears prostitution rife among young Phuket sea people », *The Phuket News*, November 25<sup>th</sup>, 2014.
- « Pattaya police clamp prostitutes beach road », *Pattaya Daily News*, November 19<sup>th</sup>, 2014.
- « Thai And Australian Government Cooperate To Resist Human Trafficking », *Pattaya Daily News*, January 27<sup>th</sup>, 2015.
- « Thailand 'must remain' at bottom of TIP report », *The Nation*, April 24<sup>th</sup>, 2015.
- « Well-Known Prostitute Agent Arrested », *Pattaya Daily News*, December 18<sup>th</sup>, 2013.
- *2014 Thailand AIDS Response Progress Report: Reporting Period 2012-2013*, Thai National AIDS Committee, 2014.
- Ashayadachat A., « Thais vow to protect trafficking victims », *Bangkok Post*, February 28<sup>th</sup>, 2015.
- CRIDES/Fondation Scelles, *Revue de l'actualité internationale de la prostitution*, 2013.
- CRIDES/Fondation Scelles, *Revue de l'actualité internationale de la prostitution*, 2014.
- Fondation Scelles, Charpenel Y. (under the direction of), *Sexual Exploitation - Prostitution and Organized Crime*, Economica Ed., 2012.
- Fondation Scelles, Charpenel Y. (under the direction of), *Sexual Exploitation – A growing menace*, Economica Ed., 2013.
- Ministry of Foreign Affairs of the Kingdom of Thailand, *Thailand's Progress Report on Anti-Human Trafficking Efforts*, March 31<sup>st</sup>, 2015.
- Ministry of Foreign Affairs of the Kingdom of Thailand, *Thailand's Trafficking In Persons 2014 Country Report*, March 11<sup>th</sup>, 2015.

- Sim D., « Pattaya Police arrest Ladyboys in crackdown on sex tourism », *Chiangrai Times*, September 22<sup>nd</sup>, 2014.
- U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, *2009 Human Rights Report: Thailand*, March 11<sup>th</sup>, 2010.
- U.S. Department of State, *Trafficking in Persons Report*, June 2014.
- U.S. Department of State, *Trafficking in Persons Report*, July 2015.
- Zimmerman C., Kiss L., Pocock N., et al., *Health and Human trafficking in the Greater Mekong Subregion: Findings from a survey of men, women and children in Thailand, Cambodia and Viet Nam (STEAM)*, International Organization for Migration (IOM), 2014.