

# SIREN human trafficking data sheet

STRATEGIC INFORMATION RESPONSE NETWORK

United Nations Inter-Agency Project on Human Trafficking (UNIAP): Phase III

BANGKOK, THAILAND

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## Country information



- ❖ **Population:** 63,038,247<sup>1</sup>
- ❖ **Education:** Primary school enrolment net rates 94%<sup>2</sup>; Male literacy 95.7%; Female literacy 92.3%<sup>3</sup>
- ❖ **GDP per capita:** US\$ 8,677<sup>4</sup>

- ❖ **Unemployment:** 495,800 people (41.5% female)<sup>5</sup>
- ❖ **Refugees/Asylum-seekers/Stateless:** 122,188 people (majority from Myanmar)<sup>6</sup>
- ❖ **Regular migrants:** 1,050,459 people (56.8% female)<sup>7</sup>
- ❖ **Irregular migrants and their dependents:** 1,269,074<sup>8</sup>
- ❖ **Neighbouring countries:** Lao PDR, Cambodia, Myanmar and Malaysia



## What is human trafficking and why is it a problem?

- ❖ Human trafficking<sup>9</sup> is a serious violation of human rights. It involves forced prostitution, exploitative labour, forced begging, and abduction for illegal purposes.
- ❖ According to the Anti-Trafficking in Persons Act B.E. 2551 (2008), human trafficking is the procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harbouring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Nevertheless, for a child who is under 18, he/she will be considered a victim of trafficking regardless of his/her consent<sup>10</sup>.
- ❖ With its relative wealth in the region, Thailand is an attractive destination country for irregular migration; creating opportunities for traffickers to coerce, deceive, abduct, threaten, take advantage of, or otherwise force people into situations of exploitation<sup>11</sup>.

## What is the human trafficking situation in Thailand?



- ❖ Thailand is a source, transit and destination country for human trafficking<sup>12</sup>. It is a destination-side hub of exploitation in the Greater Mekong Sub-region, for both sex and labour exploitation.
- ❖ Both internal and cross-border trafficking occur in and from Thailand, for sex and labour exploitation. Male and female migrants from neighbouring countries are trafficked into Thailand; Thais are trafficked to wealthier countries in Northeast Asia, the Middle East, and Europe; and there is rural-urban risky migration and trafficking as well.
- ❖ According to the record of the Ministry of Social Development and Human Security (MSDHS) in 2007, the Ministry provided 363 foreign trafficked victims with shelter and assistance. However, since victims are often unwilling to disclose their identities or file official

complaints against traffickers for various reasons, the scale of the problem is likely to be greater than this.

## Who is being trafficked in Thailand, and what are some of the vulnerability factors?

- ❖ **The majority** of people trafficked to Thailand come from Myanmar, Lao PDR, Cambodia and Southern China and are subjected to forced or bonded labour and commercial sexual exploitation<sup>13</sup>. The nature of labour migration to Thailand creates vulnerabilities for those migrant workers without documentation and often without Thai language skills, and who may not understand their rights under Thai law.
- ❖ **Ethnic minorities** within Thailand who are denied citizenship are at a high risk of being trafficked due to their 'statelessness'<sup>14</sup>.
- ❖ **Ethnic Thais** are trafficked from the relatively poor areas of Chiang Rai, Phayao and Nong Khai to urban and tourist areas; or internationally. Thai women, urban and rural, are sent to work in sex and domestic industries in almost all regions of the world, particularly Malaysia, Japan, Bahrain, Australia, USA, Canada, South Africa and Germany<sup>15</sup>. This international trafficking is sometimes under the guise of a seemingly legal labor contract that is not honoured.
- ❖ **Motivations:** Often-cited vulnerability factors are poverty, lack of education, awareness and employment, or dysfunctional families. But sometimes, it is a lack of relevant educational opportunities, and not a lack of education – or, being relatively well-educated but with no appropriate job opportunities around<sup>16</sup> – that are the key vulnerability factors.
- ❖ **Main sectors of work** for trafficked persons in Thailand are sexual exploitation, begging, domestic work, factory work, agriculture and fishing industries<sup>17</sup>.



## Who are the perpetrators of human trafficking in Thailand?

- ❖ **Profile:** As the nature of trafficking varies, so too does the profile of traffickers, both Thai and non-Thai nationals, male and female. They range from those in organised networks able to produce or buy fake documents, avoid immigration requirements, and conduct trafficking operations spanning thousands of kilometres, to individuals seizing an opportunity to profit from cheating or coercing someone into a situation of exploitation<sup>18</sup>. Perpetrators of human trafficking include anyone complicit in any stage of the deception, movement or exploitation of a person. Traffickers use sophisticated means of transporting Thai nationals on fraudulent travel documents and use various land, sea and air routes.
- ❖ Trafficking networks in and from Thailand can be well-structured and work across the borders through the use of brokers. However, the majority of trafficking cases are facilitated by individual and local level networks of friends, family members and former victims, and often begin with voluntary migration<sup>19</sup>.
- ❖ **Consequences:** According to the Children Juveniles and Women Division (CWD) of the Royal Thai Police, 112 people were arrested on human trafficking charges from October 2006 to July 2007<sup>20</sup>. Four years' imprisonment was the minimum sentence for traffickers<sup>21</sup>.

## What is being done to combat human trafficking in Thailand?

### Counter-Trafficking Actors in Thailand

Counter-trafficking interventions to combat human trafficking are currently being carried out by:

- ❖ **The Royal Thai Government:** The Ministry of Social Development and Human Security is the lead government agency responsible for counter-trafficking activities in Thailand, responsible for coordinating activities against trafficking and providing support to trafficked persons. Within the Royal Thai Government (RTG) the Ministry of Labour, Royal Thai Police<sup>22</sup>, Ministry of Justice<sup>23</sup>, Office of the Attorney-General (OAG), and the Thai COMMIT Task Force also work on counter-trafficking activities.
- ❖ **UN and inter-governmental agencies and projects:** ILO, IOM, UNIAP, UNESCO, UNICEF, UNIFEM, and UNODC.
- ❖ **Many non-governmental organizations:** Both international and local.

- ❖ **Policy and Coordination:** The Thai National Policy and Plan on Prevention and Resolution of Domestic and Cross-border Trafficking in Children and Women (2005-2010) incorporates all types of interventions on human trafficking, at the central and provincial levels. Thailand has strengthened regional cooperation through active involvement in the COMMIT Process; ASEAN Transnational Crime and Bali processes; signed bilateral MOUs on Human Trafficking with Cambodia, Lao PDR and Vietnam; and developed sub-regional MOUs and plans of action in 7 regions of Thailand. Thailand also established a migrant registration policy and signed bilateral employment MOUs with Cambodia, Lao PDR and Myanmar, though challenges in these systems mean undocumented migration is still by far more common than documented migration to meet the labour demand.
- ❖ **Prevention** activities at source and destination locations include awareness-raising campaigns on human trafficking and safe migration, as well as education, capacity building and vocational training. It also involves advocacy on the incorporation of human rights into school curricula, strengthening the capacities of families, communities and community-based organisations, and the creation of child protection networks and poverty alleviation projects through micro-credit schemes.
  - The RTG has taken the lead on human trafficking prevention in the tourism sector within COMMIT. To inspire regional dialogue and cooperation on the connection between trafficking and the tourism sector, the RTG hosted the *Greater Mekong Sub-Regional Seminar on Protecting Children from Trafficking and Sexual Exploitation in the Tourism Sector* on 5-6 November 2007 in Bangkok. The participants at this seminar were representatives from the six member governments of COMMIT, UN agencies, international and national NGOs, and the private sector.
  - Capacity building has been provided to executives and multi-disciplinary teams of practitioners working at different levels both within the government sector and with local and international agencies.
- ❖ **Protection** activities in source and destination areas include rescue, identification, rehabilitation, legal assistance, reception and reintegration. There is a network of repatriation support which also aims to prevent re-trafficking at the same time as successful repatriation<sup>24</sup>. In Thailand, this ideally involves a multi-disciplinary approach from police, social workers, lawyers, NGOs and interpreters. The RTG has established a number of shelters to house trafficked persons, and provide physical, psycho-social, legal, educational, and health-care assistance<sup>25</sup>. Thailand has sought to develop effective procedures, both formal and informal, for safe and effective victim repatriation. Repatriation programs have been arranged with Cambodia, Lao PDR, Myanmar, Vietnam and Yunnan Province of China. Repatriation and reintegration activities in Thailand include building and supporting a network for the process of proper repatriation of trafficked persons, the monitoring and supervision of rehabilitation, reintegration, and repatriation programs, and the monitoring and evaluation of repatriation conducted at community, provincial, national and international levels<sup>26</sup>. The RTG has coordinated with relevant government agencies, non-government organizations, international organizations and Thai embassies overseas to provide shelter, including ensuring safe return of trafficked persons to their countries of origin; trying to ensure the successful recovery and reintegration of trafficked persons, ideally with follow-up and monitoring programs to prevent them from being re-trafficked; and providing victims of human trafficking with vocational training programs to enhance opportunity of alternative means of their livelihood.
- ❖ **Prosecution** of traffickers and exploiters in Thailand should strengthen with the recently gazetting of the new Anti-Trafficking in Persons Act B.E. 2551 (2008), which was brought into force on 5 June 2008. It applies to everyone on an equal basis, not only women and children. The key elements of the Act are: 1) heavier penalties on all offenders involved in human trafficking, 2) victims may claim compensation from the offenders for any damages caused by human trafficking, and 3) victims will be provided with shelter and other necessities including physical, psycho-social, legal, educational and healthcare assistance. The Act also stipulates that a Fund be established to support the prevention and suppression of human trafficking as well as welfare protection for trafficked victims. The Fund will draw upon the annual budgets of the government and confiscated assets of trafficking offenders, as well as other donations and foreign aid. In addition to actual criminal justice action against criminals, the National Action Plan also calls for capacity building for personnel involved in combating human trafficking, and developing a network of agencies and organisations involved in legal affairs, especially those working on investigation and prosecution of human trafficking cases<sup>27</sup>.

## What else needs to be done to combat human trafficking in Thailand, and why is it so important?

- ❖ Given the magnitude of the trafficking problem and its relationship with migration, sometimes there are difficulties in differentiating between and identifying irregular migrants from trafficked persons. A clear understanding of how to **identify trafficked persons** would improve victim identification, victim protection, and the identification and pursuit of criminals and their prosecution.
- ❖ Addressing the **demand side** of human trafficking, including those who exploit cheap labour, societal sexual and gender norms, institutional attitudes to trafficked persons and perpetrators, law and prosecution, is crucial in approaching counter-trafficking in a holistic way.
- ❖ **Assessing cases and the processes of victim protection and the prosecution of traffickers** is essential to determine the strengths and weaknesses in the victim protection and criminal justice responses under the new law.
- ❖ **Research** on human trafficking in Thailand must be strengthened in sectors other than commercial sex industry, in order to obtain a more accurate picture of human trafficking in the country. Moreover, better-focused research is needed to further improve and strengthen counter-trafficking approaches and targeting.



[www.no-trafficking.org](http://www.no-trafficking.org)

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<sup>1</sup> For the year 2007, Department of Provincial Administration, Ministry of Interior [www.dopa.go.th/](http://www.dopa.go.th/)

<sup>2</sup> UNESCO Institute for Statistics (2006). *Education in Thailand: Statistics in Brief*, [www.uis.unesco.org](http://www.uis.unesco.org).

<sup>3</sup> UNESCO Institute for Statistics (2006). *Education in Thailand: Statistics in Brief*, [www.uis.unesco.org](http://www.uis.unesco.org).

<sup>4</sup> The World Bank Group (2006). *Thailand Data Profile*, <http://www.worldbank.org>.

<sup>5</sup> ILO Laborsta (2005). *Labour force survey*, [www.laborsta.ilo.org](http://www.laborsta.ilo.org).

<sup>6</sup> UNHCR (2004). *2004 UNHCR Statistical Yearbook: Thailand*, [www.unhcr.org](http://www.unhcr.org), accessed 2007.

<sup>7</sup> United Nations Population Division (2005). *World Migrant Stock: The 2005 Revision Population Database*, <http://esa.un.org/migration/p2k0data.asp>.

<sup>8</sup> IOM (2004). *Labour Migration in the Mekong Region*, IOM, Bangkok, November 2004. Figure from July 2004 open registration of migrants by the RTG: 72% from Myanmar, 14% from Lao PDR, and 14% from Cambodia.

<sup>9</sup> See *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Woman and Children* (2000) for definition of human trafficking.

<sup>10</sup> The Anti-Trafficking in Persons Act B.E. 2551: Section 6.

<sup>11</sup> Chutikul, S and P Marshall (2004). *Summary: Thailand Country Report on Combating Trafficking in Persons*, Office of the Permanent Secretary, Office of the Prime Minister, Ministry of Social Development and Human Security: 5.

<sup>12</sup> Chutikul and Marshall, *op.cit.*

<sup>13</sup> USAID (2006).

<sup>14</sup> Kayo, UNIAP.

<sup>15</sup> G. Raymond, D'Chunha, Ruhaini Dzuhayatin, Hynes, Ramirez Rodriguez, and Santos, *Comparative Study*.

<sup>16</sup> Rende Taylor, LM (2005). *Dangerous trade-offs: the behavioral ecology of child labor and prostitution in rural northern Thailand*. Current Anthropology.

<sup>17</sup> Kayo, p16.

<sup>18</sup> [www.no-trafficking.org](http://www.no-trafficking.org)

<sup>19</sup> Kayo: 15.

<sup>20</sup> The Children Juveniles and Women Division of the Royal Thai Police

<sup>21</sup> The Anti-Trafficking in Persons Act B.E. 2551: Section 6.

<sup>22</sup> E.g. Children Juveniles and Women Division (CWD) and the Immigration Bureau under the Royal Thai Police (RTP).

<sup>23</sup> E.g. Department of Special Investigation (DSI) under the Ministry of Justice (MOJ).

<sup>24</sup> National Policy and Plan on Prevention, Suppression and Combating Domestic and Transnational Trafficking in Children and Women 2005 – 2011:

62.

<sup>25</sup> National Operation Centre, "Thailand's Efforts on Prevention and Suppressions of Human Trafficking", Ministry of Social Development and Human Security, 31 January 2007.

<sup>26</sup> *Ibid*: 69.

<sup>27</sup> National Policy and Plan on Prevention, Suppression and Combating Domestic and Transnational Trafficking in Children and Women 2005 – 2011:

67.