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Human Trafficking in Burma and
Thailand between 2000 and 2016:
A Comparative Perspective

Bachelor Thesis

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Abstract

The thesis approaches an issue of human trafficking in Burma and Thailand between 2000 and 2016. In the first part, the work concentrates on structure of the text, methodological approach, definition of basic concepts, and human trade situation in Southeast Asia. In the second part, trafficking profile of both analysed countries is discussed by using a case study method and comparison of similarities between Burmese and Thai human trafficking.

Keywords

Human Trafficking, Forced Labour, Sexual Exploitation, Case Study, Burma, Thailand, Globalisation, Modern-day Slavery

Abstrakt

Tato práce se zabývá pašováním lidí v Barmě a Thajsku mezi lety 2000 a 2016. V první části se práce soustředí na strukturu předloženého textu, metodologický postup, definování základních pojmů a situaci ochodu s lidmi v Jihovýchodní Asii. Ve druhé části, profil pašování lidí v obou zkoumaných státech je projednaný užitím metody případové studie a porovnáním podobností v pašování lidí v Barmě a Thajsku.

Klíčová slova

Pašování lidí, Nucená práce, Sexuální zneužívání, Případová studie, Barma, Thajsko, Globalizace, Moderní otroctví

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1. INTRODUCTION

1.1 Research Issue

Trafficking in human beings represents a complex global phenomenon which has been in the centre of international attention in both developed and developing societies. Being widespread and effecting the poorest, the weakest, every race, every age group, every sexuality and generally the most vulnerable, there is no denying that this illegal activity forms a complex worldwide problem in today's interconnected world. As a form of transnational crime, the illegal movement of men, women and children against their will mainly for forced labour and sexual exploitation is not spatially defined and does not concern only the developing countries. It is a hugely complicated process that became fully international by the 1990s and emerged over the past decade with an increasing globalisation as a lucrative, multimillion dollar business. Despite all the global technological progress, globalisation in general tends to make these illegal activities much harder to track and diminish. Despite legal measures taken around the world via state and non-state actors in order to decrease the number of human trafficking victims, governments of developed countries trying to prevent this illegal trade are still not able to achieve significant results.

However, in the developed countries, governments are more likely to engage and fund operations that try to combat human trafficking and actively participate in the anti-human trafficking process together with many governmental and non-governmental organisations domestically but also as a source of donor and aid funding in the developing countries. Since human trafficking is closely tied with poverty and income disparity, countries of the developing world suffering from these either make efforts to decrease the amount of trafficked victims however do not make any significant progress, or there is zero evidence of the countries making any efforts whatsoever.

Trafficking usually happens for two reasons; either for forced labour or sexual exploitation. In any respect, every country in the world deals with the issue of human trafficking. It hence has various aspects that need to be taken into consideration while conducting any research. In what kind of industries trafficking occurs? Which group of people is targeted? Is the country of research source, transit or destination country? Is the trafficking transnational or interstate?

In this work, human trafficking is explored within two bordering countries of Southeast Asia, Burma and Thailand, closely connected through the issue of illegal trade of human beings.

As in the Western countries, human trafficking has become a major concern to governments within and beyond Asia; especially due to an extensive migration within the continent being undocumented and irregular, and with a raising number of Asian citizens moving into developed countries in Europe, North America or Australasia without crossing legal migration channels in these destination countries. Asia, struggling with foreign debt and increasing unemployment, approved and supported growth strategies that comprised of for instance attracting foreign investment in a form of multinational corporations or investing in tourism industry that is known for its close ties with recruiting women for trafficking for purposes such as entertainment or commercial sex work.¹

Besides, it is plausible that if the Asian countries maintain their restrictive immigration policies, the probability of human trafficking expanding is high, regarding growing and advanced development that creates demand for diverse types of labour within the region. Eliminating human trafficking might be supposedly achieved not through the improvements in declarations or legislation, but in the development of economic and social status of the population. With a high level of generalisation, failures in national policies have been substantially mirrored by human trafficking within and beyond Asia. Therefore, cultural and contextual perspectives must be taken into account since Western countries are essentially different and distinct from the countries in Asia.²

1.2 Past Academic Research

Existing academic studies on human trafficking are usually divided into two wide categories, concerning either the perspective of sexual exploitation and sexual violence (concentrated on commercial sexual exploitation) or migration. Scholars in both of these categories agree on the abusive and exploitative practices, with reference to violations of human rights. Since there is a general disagreement on the definition of human trafficking, recommendations for its prevention and suggestions for resolution

¹ Janie Chuang. 2006. "Beyond a Snapshot: Preventing Human Trafficking in the Global Economy." *Indiana Journal of Global Legal Studies*. 13: p. 143. Accessed: March 15, 2017. Retrieved from: <http://www.repository.law.indiana.edu/ijgls/vol13/iss1/5>

² Ronald Skeldon. 2000. "Trafficking: A Perspective from Asia." 38: 8-30. Accessed February 1, 2017. Retrieved from: <http://onlinelibrary.wiley.com/doi/10.1111/1468-2435.00113/abstract>

and engagement in the problem tend to differ.

Researchers focusing on the perspective of sexual exploitation deal mainly with women and children as victims of trafficking, while the migration perspective recognises the probability of human trafficking also for non-sexual purposes, hence including male victims into the prospect.

Despite male exploitation being recognised by the migration perspective, there is just a small proportion of concrete research dedicated to male exploitation and non-sexual work context of human trafficking. Therefore, commercial sexual exploitation eventually turns into the main subject of theoretical and empirical academic research. Resulting from feminist approaches, the emphasis placed on exploitation of mainly women and children may be attributed to feminist movement influence focusing on violence against women. This agenda managed to attract attention of international and national organisations and influenced their policy making, unintentionally leaving policy makers and public sphere in belief that men are being smuggled whereas only women and children are being trafficked.

Since the 1990s, women migration throughout Asia has been strongly discussed among feminist scholars due to the discovered connection between internal migration and sex tourism. Increasing number of migrating women have been recruited for sexual labour in major tourist sites for better economic opportunities that are not available for them in the source countries where they come from.³ Simultaneously with emergence of this type of literature, researchers started to focus on irregular flows of migration and documentation of abusive and exploitative practices, however these irregular flows have barely been engaged in literature in connection with trafficking. This might clarify why male trafficking victims get hardly any recognition. Every so often, academic works begin with recognising both men and women as trafficked victims in relation to sexual and non-sexual purposes, though afterwards end up concentrating on women and children in terms of sexual exploitation only.⁴

³ Nicola Piper. Asia Research Institute. January 2005. "A Problem by a Different Name? A review of Research on Trafficking in South-East Asia and Oceania." 43: p. 205. Accessed January 26, 2017. Retrieved from: <http://onlinelibrary.wiley.com/doi/10.1111/j.0020-7985.2005.00318.x/abstract>

⁴ Piper. 2005. 43: p. 211.

1.3 Contribution to the Field

In the Czech academic sphere, the sources on human trafficking are very scarce and limited. Only a small portion of academic works on the issue of human trafficking can be found, such as theses, dissertations or articles. However, the research is not sufficient by far, and almost none deal with a complex trade in human beings (men, women and children). Human trafficking in China has been in the centre of attention by Czech scholars when it comes to human trade in Asia (for instance “*Vnitrostátní obchodování s dětmi v Čínské lidové republice v kontextu moderního otroctví*” by Z. Červenková, or “*Analýza obchodu s lidmi v Číně*” by T. Vladík), nevertheless Czech sources that would be strictly oriented on Thai or Burmese interstate, interregional or international human trafficking are almost impossible to find. In terms of general knowledge about human trafficking written in Czech, “*Obchodování s lidmi za účelem sexuálního vykořisťování*” (2007) by K. Laurenčíková or “*Dětská prostituce*” (2007) by MUDr. Eva Vaníčková, CSc. can serve as an introduction to get a basic idea about what human trafficking represents and what its forms are.

When it comes to literature, “*Barma: Etnický problém, válka a boj za demokracii*” by M. Nožina (2013) deals for instance with Burmese history and contemporary issues, including ethnic minorities and ethnic armed forces, current economic situation, or the influence of the country’s past military dictatorship, which are important factors to know to fully understand the process of Burmese trafficking in persons.

Majority of these studies focus on cross border activities which simultaneously interfere with the components of an organised crime, thus are concerned about structure, membership, questions of ideology, corruption or the interconnection with legal procedures of the organised crime. With Thailand specifically, it is interesting to examine a country that is a source, transit and destination country at once, in contrast to Burma which is mainly a source country to for instance Thai traffickers, as investigated in the upcoming parts of the thesis.

The author believes that this topic should have higher representation among academic works and papers, specialised literature as well as to be investigated on a much larger scale by Czech researchers, and overall should be more broadly discussed. The documents provided by Czech scholars are very limited, thereupon it makes it very hard for non-English speakers in the Czech Republic to educate themselves on this particular topic about human exploitation in European states, let alone countries of the developing

world. Hence, filling the research gap is the main aim that the thesis tries to fulfil, to not only investigate Thailand's long lasting issues with human trade, but also the country's trafficking relations with the neighbouring country of Burma. Although this work has not been written in Czech, it gives an opportunity for the author to educate herself and spread the gathered knowledge further.

On the other hand, many well-executed and developed academic works inspired and helped with constructing this thesis, by worldwide scholars and social scientists, for example Nicola Piper's review "*A Problem by a Different Name?*" (2005) that examines human trafficking in Southeast Asia and Oceania, mentions the issues present in acquiring any data about human trade in the context of the region; Ronald Skeldon's article "*Trafficking: A Perspective from Asia*" (2000) has been helpful to understand the core issues of trafficking in Asia before the 21st century; Alicia N. Tarancon's "*Thailand's Problem with the Sexual Exploitation of Women in the 21st Century*" (2013) which brings many valuable notes, observations and ideas into the full picture of Thailand's trafficking; or Kevin Heppner's "*My Gun Was As Tall As Me: Child Soldiers in Burma*" (2002) that outlines the topic of child soldiers, past military repression and overall situation in Burma.

The thesis aims to raise awareness about the illegal transnational movement of people as a threat to human security mainly due to the fact that any form of human rights violation should be explored, discussed and talked about. With increased globalisation, society is constantly evolving and new technologies and platforms of communication are being developed. However, with good intentions, shortcomings come hand in hand. Increased globalisation means criminals communicate better amongst themselves, do their work silently and without recognition. Whilst for instance child trafficking in Europe includes criminal activities such as begging, stealing, housebreaking or removal of body organs,⁵ connected with economic and political changes in eastern and central Europe, poverty in the developing world often leads families to sell their children to traffickers, thinking the children will have a chance on a better life. These children are then being physically and sexually assaulted on daily basis, having no voice and no rights. Population of the developing world suffers greatly from poverty, inequality and

⁵ UNICEF. 2006. "Essential Information about Child Trafficking," pp. 14–43. Accessed January 26, 2017. Retrieved from: https://www.unicef.org/ceecis/UNICEF_Child_Trafficking14-43.pdf

income disparity, hence often cannot afford to provide their descendants with decent care, let alone comfort or education. This leads parents thinking that selling their children to sex and labour traffickers is the best possible choice simply because they do not know any better.

Nevertheless, despite all of the known shortcomings and many influential actors in the developing world involved, the issue of human trafficking awareness is not as widespread as one might expect. The developed world knows all about the horrors of starving children, slums, global warming, illegal immigration, terrorist attacks, all of which is heavily spoken about in the media or at educational facilities. Human trafficking deserves as much attention as any of these global issues, especially because there is not much data available in the field as already stated above. In the chosen part of the Mainland South East Asia, the work analyses two largest maritime countries within the region, with the objective to explore the issue of Thailand as a destination, source and transit country of neighbouring countries of Burma, Cambodia, Laos, Vietnam or China. While Burmese human trafficking explores among others the ethnic conflict between ethnic minorities and Burmese government and military troops, where communities living in border and rural areas are particularly vulnerable to labour and sex trafficking⁶ and are being transported to Thailand and through Thailand elsewhere; the importance is also stressed on the child trafficking and child soldiers' controversy as a major cause of human trade within the country.

1.4 Thesis Structure

The thesis begins with an introductory section of the research issue and then proceeds with the second chapter, discussing the methodological approach with the aim of the work, two asked research questions, and methods and data used.

Third chapter of the thesis focuses on theoretical background of the researched issue and a definition of basic concepts; organised crime and its relationship with human trade, human trafficking often described as modern-day slavery, forced labour and sexual exploitation as the main components of trafficking, and the main differences between human trafficking and migrant smuggling.

Fourth chapter addresses how human trafficking evolved in Southeast Asia and how the

⁶ U.S. Department of State. June 2016. "Trafficking in Persons Report 2016." 56. Accessed January 25, 2017. Retrieved from: <https://www.state.gov/j/tip/rls/tiprpt/2016/>

issue was influenced by regional migration flows, what the governmental approach was through its counter-trafficking policies within the whole region, together with a non-governmental response of three main aid donors. Lastly, this section mentions regional causes of human trafficking in Southeast Asia in comparison with previously mentioned universal causes, since Southeast Asian region has been influenced by local historical events, traditions and overall development.

Second part of the research begins with the fifth and the sixth chapters addressing the main research question about the root causes of human trafficking in Thailand and Burma in the specific time frame between 2000 and 2016. Due to each country undergoing different stages of development and having a unique human trafficking profile, these regional causes are examined in each country separately, along with basic overviews of the problem. Thereafter, characteristic causes are analysed in each subsection.

Lastly, conclusion deals with the consideration of both countries' approach to the same problem and their interconnections through sharing the same border, though with both having substantially contrasting development in terms of trafficking in persons.

2. METHODOLOGY

2.1 Aim of the Thesis

Human trafficking research represents a big problem when it comes to availability of the data, and once the information is gathered, then its authenticity is in question. Unreliable data and statistics in the case of human trafficking mean there are not many in-depth, extensive studies to rely on. Although combating this illegal trade has increased political attention drawn to the issue and became a priority for governments globally, available data about the significance of the problem remains plain.⁷ s further discussed in the thesis, governments of the developing countries are often involved in the criminal activity, which leads to retention and misinterpretation of data about trafficked victims, out of which no exact number of exploited children, men and women can be derived.

The thesis has two main objectives; the primary objective is to analyse the root causes of human trafficking in Burma and Thailand between 2000 and 2016, both from the interstate and international perspective, and how these causes differ and/or are similar in both case studies. Therefore, the thesis aims to answer by what means human trafficking occurs in this concrete part of Southeast Asian mainland, and provides analysis of root causes of each country.

The secondary objective is to examine how both governments have responded to the issue of forced labour and sex trafficking and in what way they have acted towards both traffickers and their victims. Overview of policies that have been implemented throughout the 21st century and how effective and helpful they have been is included.

⁷ Frank Laczko and Marco A. Gramegna. International Organization for Migration, Geneva. Summer/Fall 2003. "Developing Better Indicators of Human Trafficking." p. 180. Accessed January 25, 2017. Retrieved from: http://www.childtrafficking.org/pdf/user/iom_developing_better_indicators_of_human_trafficking.pdf

2.2 Research Question

The thesis addresses one major research question that is valid to the issue of human trafficking in the modern world with respect to the selected units of analysis.

What have been the root causes of human trafficking in Burma and Thailand over the last sixteen years and how the conditions differ between Burma as a source country and Thailand as a country of destination?

The question analyses how trafficking developed over time in Burma and Thailand, specifically in the context of the twenty first century, including typology of chosen trafficked victims and methods of their recruitment and how they are transported, detecting direct and indirect connections between Burma and Thailand through the issue of human trade in a form of forced labour and commercial sex work, showing similarities and differences between these two bordering countries; how trafficked victims from Burma migrate to Thailand where they are forced to work in fishing-related industries, sex trade, or street begging, how Thai and Burmese men are forced into labour on fishing boats and kept at sea for years, or how Thai and Burmese victims are trafficked to all parts of the world, that is only a fraction of what the research tries to explore deeper in the fifth and sixth chapter of the thesis. Through comparison of these two case studies, this work discusses how these countries' differences do not stand in a way of cooperation between Burmese and Thai sex and labour traffickers and how tight the industry in this part of Southeast Asia actually is.

2.3 Methods and Data Used

The submitted thesis has been written as a qualitative research, conducted in order to provide the most possibly accurate information about the nature of human trafficking in two units of analysis, specifically countries of Burma and Thailand, located in Southeast Asia. The main deficit here might be the unreliability and general lack of data about the issue, related to the fact that many original sources, reports and articles often do not exist anymore. Numerical data and statistics differ to such an extent that their relevance can hardly be determined, therefore no academic work can be exactly based on existing numerical data and be handled as a quantitative research. Further, qualitative research provides knowledge about the “human” side of the research issue, meaning the behaviours and relationships between individuals or target groups.

The chosen method of research comprises mainly of secondary sources with primary sources being included as well. Used secondary sources contain literature and academic studies about this phenomenon up to date. Primary sources are represented by conventions regarding human trafficking or publicly accessible documents available through the U.S. Department of State, international organisations, NGOs, or government policy records.

The thesis based its research on the case study method of analysis. Together with the examination of the phenomenon of human trafficking, a case study method may be applied to a comparative analysis of a relationship between two or more units of research. Case studies often involve collection of data and information about particular environment, and moreover relate to retrospective events, but also events with a current occurrence. To provide a detailed, comprehensive analysis, scholars may use diverse types of data, for instance theoretical sampling, such as literature search and data collection through existing documents, government records, or annual reports. The procedure of case studies includes scholars' description of studied groups or individuals, presents an issue for future research, and further gives an insight to human actions that otherwise might be seen as unethical to examine.⁸

Universal approach to human trafficking in the context of Southeast Asia has been very helpful while studying driven factors that lead to comparison of people, in this case represented by victims and traffickers, places, represented by the two units of analysis, Burma and Thailand, and conditions, represented by rural and urban areas in both countries.

Application of the case study method in this particular thesis meant selecting appropriate units of analysis along with a problem necessary to be understood in connection with human trafficking in the given location; the root causes of human trafficking in Burma and Thailand. The author considers not only specific actors individually, such as the role of a victim and the role of a trafficker, but also the groups and communities these actors come from and the interactions between them. As stated above, data concerning trafficking in persons are severely limited, thus quantitative research is very hard to conduct. However, in some cases, organisations managed to

⁸ Roger Gomm, Martyn Hammersley and Peter Foster. 2000. "Case Study Method: Key Issues, Key Texts."

interview survivors of human trade (such as in the fifth chapter, 14 rescued victims of Thai fishing industry in 2013) and make interviews, or surveys in locations where people are more vulnerable to human trafficking (such as in rural areas). Thus in some cases, quantitatively analysed data were used in general qualitative research. This work focuses on factors of trafficking more than numerical results of such surveys and interviews, thus uses mostly a qualitative method of analysis in answering the research question. Conclusions come from the qualitatively gathered data, what kind of people are the most vulnerable and in most probability of being recruited by traffickers in Burma and Thailand, so the future counter-trafficking policies can be better addressed and executed.

3. DEFINITION OF BASIC CONCEPTS

3.1 Organised Crime

In academic and political sense, organised crime gained popularity especially with increased globalisation and is nowadays highly covered by media and studied by organisations worldwide. The connection between globalisation, transnational crime and global inequality with relation to human trafficking is important to note primarily because many scientists write that in a global sense, benefits of globalisation are not shared as they should be and its disparities are much more dramatic. These disparities then cause the extensiveness of transnational crime.⁹ Transnational crime is defined by the United Nations as “offences whose inception, prevention and/or direct or indirect effects involve more than one country”,¹⁰ and must be differentiated from international crime, where international crimes fall under international law, and domestic crime, where domestic crimes fall under jurisdiction of a particular state. The crime becomes transnational once there is more than one country involved in its planning and/or execution. The issue of transnational crime particularly in East Asia is critical, comprising of for example money laundering, sea piracy, drug smuggling, human trafficking or transnational commercial sex work. Attempts to prevent and combat organised groups are sabotaged by corruption and inefficiently financed law enforcement institutions.¹¹

Debates on the relationship between the state and crime have a long history, concerning the causes of crime and the effectiveness of the criminal justice system. Therefore, there is a large amount of definitions currently present in the academic sphere. To define what organised crime is depends on the point of view. The working definition of Interpol’s Organised Crime Group defines organised crime as follows:

“Any group having a corporate structure whose primary objective is to obtain money through illegal activities, often surviving on fear and corruption.”

In 2000 at the Palermo Convention, United Nations Convention against Transnational

⁹ Ralf Emmers. March 2004. “Globalization and Non-Traditional Security Issues.” Accessed January 27, 2017. Retrieved from: <https://www.rsis.edu.sg/wp-content/uploads/rsis-pubs/WP62.pdf>

¹⁰ United Nations Office on Drugs and Crime. 2000.

¹¹ Emmers. 2004, p. 7.

Organised Crime was signed with the objective to answer a global challenge, that organised crime represents, with a global response. In his foreword, Secretary-General, Kofi A. Annan, stated that “if the enemies of progress and human rights seek to exploit the openness and opportunities of globalisation for their purposes, then we must exploit those very same factors to defend human rights and defeat the forces of crime, corruption and trafficking in human beings”.¹²

Trafficking in persons represents one of the major spheres of organised crime. To prevent and combat this extensive problem requires a comprehensive international approach in destination and transit countries, such as punishment of traffickers and effective protection of trafficked victims, as well as means to prevent trafficking in the first place. As the United Nations’ Protocol mentions, there is still no universal method which would address all aspects of human exploitation, though there are some instruments stating rules and a variety of practical measures in order to prevent and combat human trafficking. Thus, with the lack of such universal instrument, potential victims, meaning people who are vulnerable to trafficking, might not be protected enough.

Due to the complexity of networks of organised crime and its activities, social scientists distinguish between three aspects of organised crime which are relevant in analysing human trafficking. These are:

1. Organised crime as project crime — where organised crime is executed as a project involving planning, information, technology and development of specific set of skills, including production of false currencies or false identity documents. Project crime can be also referred to as an “artisan” work where skills are transmitted within the same social group.
2. Organised crime as crime in organisations — where organised crime may be noted as occupational or work-related crime, including crimes such as bribery, fraud or corruption.
3. Organised crime as collective crime — where organised crime has a (family) structure or refers to loosely connected networks of crime gangs. This form of

¹² UNODC. 2004. United Nations Convention Against Transnational Organized Crime and the Protocols Thereto. Accessed January 26, 2017. Retrieved from: https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERE_TO.pdf

collective crimes can also use other forms of crimes as business tools (as in project crimes or crimes in organisations), in addition to threats and violence. Illegal goods and services are supplied on a large scale, and due to the frequent use of violence, protection within the crime enterprises represents the main provided service of this form of organised crime.¹³

3.2 Human Trafficking as Modern-day Slavery

The issue of trafficking in human beings did not bring awareness until the second half of the 1980s, entering the mainstream during the next decade. Human trafficking represents a controversial topic, regarding definitions of basic concepts of what “trading” and “trafficking” actually is, or if terms such as “modern-day slavery” or “new slavery” are accurate and appropriate enough to be used in an academic jargon. To clarify the parameters, this part of the thesis focuses on examination of terminology and definitions.

According to the *United Nations’ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Palermo Protocol), 2000*, trafficking in persons is defined as follows:

“The recruitment, transportation, transfer, harbouring of receipt of a person, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability (...), for the purpose of exploitation. Exploitation shall include the exploitation of prostitution (...), forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Hence, trafficking in persons consists of three main elements; action, means and purpose. The action is represented by recruitment, transportation, transfer, harbouring and/or receipt of trafficked victims, the means by threat or use of force, and the purpose is always to exploit.

Since the first time this concept appeared in the academic sphere, readers have started to question what the difference of so called modern-day slavery is compared to its past form. In a broader sense, the term “human trafficking” mostly serves to describe the

¹³ Thanh-Dam Truong. July 2001. “Human Trafficking and Organised Crime.” Accessed January 25, 2017. Retrieved from: <http://catalogue.nla.gov.au/Record/3038713>

process of transportation whilst “modern-day slavery” describes more the actual forms and means of exploitation of the trafficked persons. According to scientists, modern-day slavery is globalised, avoids both legal and illegal ownership of trafficked victims, and does not put a high emphasis on the race of trafficked victims. Modern-day slavery is more temporary, lasting more months or years than a lifetime as in the previous centuries. Above that, modern-day slavery has been defined as a state where a person is controlled and economically exploited by another person, lost their free will and is not paid with an exception of a minimum amount for their survival.

3.3 Forced Labour and Sexual Exploitation

However, some institutions prefer to use the term “forced labour” to define this form of workers’ recruitment. The International Labour Organization (ILO) states that the signs of slavery can still be found in parts of Africa today, though for other continents and countries sticks with the term forced labour. Southeast Asia is known for an extensive child migration, both within and beyond the region, and although the women’s participation in migration flows largely increased, the human trafficking research cannot leave out male victims. In general, Asia is known for its immense irregular migration flows with just a small number of legal channels accessible, which also includes male migrants being transported in hazardous conditions, often classified as trafficking. In regards to illegal male migrants being trafficked, women and children are trafficked not only with the objective to be sexually exploited in the destination countries, but also to practice other types of forced work. Among the academic research on child trafficking, it is proved that both boys and girls are trafficking also for non-sex work.¹⁴

According to ILO, which refers to forced labour as work performed involuntarily and under the menace of penalty, it is a situation where workers are intimidated, manipulated or used a threat upon. *The Forced Labour Protocol* recognises three main elements of this issue; 1. work or service, meaning all types of activity occurring in any industry or sector, 2. involuntariness, meaning that workers do not consent to work, and 3. menace of penalty, meaning if workers deny to work there are penalties used to compel them to do so.

Moreover, ILO recognises six indicators of forced labour that can appear and be

¹⁴ Piper. 2005. 43: p. 205.

combined with: 1. physical violence or threat of violence, 2. limits on freedom of movement or imprisonment at the workplace, 3. debt bondage, 4. withholding wages or decreasing wages incompatible with previous agreement, 5. withholding passports and/or ID cards, 6. threat of denunciation to authorities.

Since human trafficking is closely tied with the issue of sexual exploitation, the research on this issue emphasises not only the illegal movement of the victims across borders but moreover what the exploitative aspects of such movements are. Academic works thus explore how human and especially women's rights are violated, agreeing on the fact that human rights cannot be taken as a separate issue nor an additional perspective when it comes to trafficking.

The issue of sexual exploitation brings about the question of appropriate terminology and two opposing views related to the legitimacy of the sex industry. It is the problematics of consent that is largely questioned among scholars, some argue that women are never willing to work as prostitutes and are on the contrary driven by poor economic and/or social circumstances with their choices being very limited. Hence, whether to make reference to either the term "prostitution" or "commercial sex work" often depends on the ideological perception of the author. This thesis takes an example of N. Piper's study approach, adopting the term "commercial sex work" rather than "prostitution" which helps to compare commercial sex work with other types of forced labour and refrain from any negative associations with individuals incorporated in this specific area of financial benefit gain.¹⁵

3.4 Human Trafficking versus Migrant Smuggling

Adding to the confusion, authors use various terms such as "illegal immigrant smuggling", "alien smuggling", or "trafficking of aliens".¹⁶ Both migrant smuggling and human trafficking are two of the fastest growing areas of international criminal activity, however they are often simplified and misunderstood. Migrant smuggling is an act of moving individuals across borders into states for which they do not have any authorised travel documents with the objective of a financial benefit.

Criminals can smuggle and traffic people while using the same methods of

¹⁵ Piper. 2005. 43: p. 206.

¹⁶ Christine Bruckert and Colette Parent. June 2002. "Trafficking in Human Beings and Organized Crime: A Literature Review." p. 5. Accessed January 26, 2017. Retrieved from: <https://www.ncjrs.gov/App/publications/abstract.aspx?ID=205725>

transportation, and the work of migrant smugglers is often beneficial for human traffickers. Migrants who are smuggled are more vulnerable to become victims of human trafficking, thus in order to combat human trafficking, migrant smuggling should be addressed as a priority.¹⁷

There are four main differences between human trafficking and migrant smuggling, however it is not uncommon that they overlap. Firstly, migrant smuggling involves consent and cooperation, there is no coercion, no use of force, and the smuggling ends with the arrival of migrants at their place of destination. Trafficked persons however have never consented to forced labour or exploitation. Therefore, smuggled migrants are more accomplices than victims as it is in the case of human trafficking. Thirdly, smuggling is always transnational with the migrants being illegally moved from one country to another. Whereas with trafficking, there is no requirement to cross borders and can happen also within the state, and there does not necessarily have to be any movement at all (as in the case of forced street beggars). The fourth significant difference is that migrant smugglers are free to leave after their arrival to another country, with no ongoing attachments. Unlike trafficked victims whose documents are being confiscated and their freedom taken away, with lives subjected to a complete isolation.

Nevertheless, in a practical sense the distinction between migrant smuggling and human trafficking in Southeast Asia is often blurred, since effects of trafficking in persons have clear implications for people smuggling. Thus to a great extent, human smuggling is closely related to human trafficking, however the latter comprises of a higher level of exploitation and coercion. Although the general intent to define the term “trafficking in human beings” might seem obvious, it is much harder to apply in practice. A thorough examination of these two theoretically distinctive processes reveals that apparent difference between forced work and freedom of choice becomes blurred, as well as a difference between smuggling, trafficking and other forms of population migration. Over the years, human traffickers have mastered the manipulation of legal migration channels, aiming to be able to entry specific countries at a specific point in time. In addition, networks of migrant smugglers have become immensely lucrative with a large amount of people moved illegally across borders, gaining large financial benefits.

¹⁷ UNODC. Retrieved from: <https://www.unodc.org/>

However, violence, exploitative processes and coercion are also a fundamental part of migrant smuggling which makes smuggling an important component of trafficking and it is impossible to mention one without the other.

4. HUMAN TRAFFICKING IN SOUTHEAST ASIA

4.1 Migration Flows in Southeast Asia

Continuous socio-economic struggles that East Asian countries have experienced since the Asian financial crisis of 1997 and 1998 led to an increase in trafficking of women. Poverty, lack of education and work opportunities for women or inadequate knowledge about the vulnerability to human trafficking were identified as the root causes of regional trafficking in persons.¹⁸ Discussions about the issue led to scholars claiming that if the socio-economic standard would improve, especially through the education and literacy increase of young women and girls, trafficking for sexual exploitation in its worst forms might be reduced.¹⁹

Over the last couple of decades, economies and labour market conditions of Southeast Asian countries have experienced some substantial changes, closely connected with migration flows within the region. Southeast Asia has been described as one of those regions where human trafficking is most widespread, estimating that about 200,000 women and children are moved every year for sex work alone.²⁰ R. Emmers also notes that these estimations do not include the hundreds of thousands of victims moved in the growing labour trade within the region.

Increased migration has led to the supply of migrant labour outweighing the demand, which then resulted in migrants' reduced wages or receiving no financial benefits whatsoever. In a number of receiving countries, unskilled migrants work either as a domestic help in middle-class households or small-sized companies. Simultaneously, transition to free market system in some countries created larger socio-economic disparities which developed into re-emergence of prostitution with higher incomes as a driving factor for women to work in this particular field. All in all, increased competition and higher costs resulted in increased debts and less benefits for men and women concerned. For instance, Thai women working in sex industries in Germany were paid proportionally much more in the 1970s and 1980s than later when working conditions changed and their wages were reduced.

Trafficking is considered as a part of broader migration patterns, especially

¹⁸ Emmers. 2004, p. 20.

¹⁹ Skeldon. 2000. 38: p. 22.

²⁰ Emmers. 2004, p. 18.

undocumented flows. The overall amount of undocumented migrants who leave Asia are low compared to the amount of those migrating within the continent, and the number of undocumented migrants has been researched to be equal or higher than the number of legal labour migrants.

There are several typologies of trafficking in human beings work-wise, with different levels of criminality, different degrees of consent, different locations and different destination countries, where the flows of trafficked victims within the region occur on a relatively large scale.

With increased globalisation in the last years, inhabitants of Southeast Asia became aware of opportunities outside of the country they live in. Subsequently, this led to an escalated shift from legal to illegal practices due to the unavailability of legal migration channels with more and more people wanting to leave their country of origin for better living and working conditions. In the existing academic works, human trafficking is linked to increased supply and demand of majority of women in sex industries within Southeast Asia. Additionally, another category has emerged in the region – child trafficking for adoption, street begging, marriage, domestic work and other forms of labour.

Human trafficking in Asia thus revolves around high irregular or undocumented labour migration, resulting in a blurred distinction between human trafficking and migrant smuggling; extensive movement of women for domestic work and marriage, sex work and entertainment; or child trafficking for adoption, labour and sexual exploitation.

4.2 Counter-Trafficking Policies and Non-Governmental Response in Southeast Asia

Throughout the years, activists and researchers from many international development agencies have become aware that to truly combat human trafficking, it is firstly necessary to understand the main causes upon which a particular response could be based. As more academic studies emerged during the last years, trafficking in human beings has received greater attention from governments within the Southeast Asian region, resulting on the one hand from growing health crisis linked to the sex trade, associating human trafficking with terrorist organisations or increasing migration issues between states. On the other hand, this increased reaction on the side of source countries' governments to take some action can be also attributed to the NGOs and

donors' involvement in the programmes and projects on trafficking in Southeast Asia and Pacific as stated further in this section.²¹

Around 2009, relations between Southeast Asian countries were affected by Cambodian health crisis where 1 out of 20 adults were infected with HIV/AIDS. This drew attention of neighbouring governments who debated that the infection might spread across borders, which with the extensiveness of human trafficking was a rightful concern.

The reason for associating human trafficking with terrorist organisations has been valid mainly because terrorist organisations fund human trafficking operations and use the networks within the region to transport for example drugs, arms or weapons.

Resulting from the growing concern of governments within the region, many of the Southeast Asian states have adopted anti-trafficking policies. Although these efforts seemed promising at first, D. Betz, 2009, notes that these policies were not based on an understanding what the present causes of trafficking were inside each state. Academics and researchers agreed that the recognition of these causes is essential, as well as understanding of how these causes are different in comparison with the type of human trafficking that occurs in the particular region. Once these root causes are analysed, the policies will target the core source of the problem rather than only treating the symptoms.

If there are tough regulations in one state, traffickers or smugglers move to another state whose controls are not that strictly enforced. More evidently with trafficking than smuggling, if traffickers cannot transport victims from one country to another within the Southeast Asian region, they chose richer and/or bigger neighbouring countries as a place of destination. Trafficking in Persons Report from 2016, published by the U.S. Department of State, placed Burma on the lowest position regarding the state's policy response to human trafficking, with Thailand and Malaysia sharing the second-lowest ranking position.²²

By analysing the exact causes of trafficking in human beings, governments can for instance include potential victims, individuals who are in danger of being trafficked, into organisations and activities centred around the issue. In 2002, efforts to establish

²¹ Piper. 2005. 43: p. 213.

²² U.S. Department of State. 2016.

stronger anti-trafficking policies were made with involvement of Australian government which largely invested in combating migrant smuggling and human trafficking. Despite the fact there are still many improvements to be executed, since the beginning of this cooperation, progress has been made with nine out of ten member states of Association of Southeast Asian Nations (ASEAN)²³ enhancing their national anti-trafficking legislations.

During the same year, Australia helped with the establishment of *the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime* which aimed to raise awareness within the region about the consequences of irregular migration, people smuggling and trafficking with relation to transnational crime. Serving as a forum for sharing information, policy dialogues and cooperation helping to address the present challenges, Bali Process has more than 48 members, including United Nations High Commissioner for Refugees (UNHCR), the United Nations Office of Drugs and Crime (UNODC) or the International Organisation for Migration (IOM). To be more effective, the Regional Support Office (RSO) was established to help with the cooperation of the states on protection of refugees and international migration, where problems of migrant smuggling and human trafficking were also included.²⁴ Furthermore, Australian government has recommended ASEAN member states to sign and ratify the Palermo Protocol and provided them with legal training on drafting anti-trafficking legislations for the previous ten years.²⁵

In regard to non-governmental and international studies, it cannot be said that there is no process of investigation by international agencies in the region, however they are usually more focused on source countries than on countries of destination. The United Nations (UN), The United States and the European Union (EU) are currently the three most significant sources of development aid and donor funding. Profound incrimination of for instance the UN and a wide range of projects and different types of programmes in Southeast Asia contributed to the creation of a lot of data concerning the issue of

²³ Being a political and economic organisation, ASEAN's main objective is to promote economic growth and regional stability among its ten member states. These include: Burma, Thailand, Brunei, Laos, Cambodia, Vietnam, Indonesia, Malaysia, Philippines and Singapore.

²⁴ The Bali Process. 2017. "The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime." Accessed April 3, 2017. Retrieved from: <http://www.baliprocess.net/>

²⁵ Jiyoung Song. 2017. "Australia and the Anti-trafficking Regime in Southeast Asia." Accessed April 3, 2017. Retrieved from: <https://www.lowyinstitute.org/publications/australia-and-anti-trafficking-regime-southeast-asia>

human trafficking. In 2001, six projects were conducted by Asia and the Pacific (UNESCAP), eight projects by the IOM, four projects by the UN Educational, Scientific and Cultural Organisation (UNESCO), another four projects by the UNHCR, two projects by the UN Development Fund for Women (UNIFEM) or two projects by the International Programme on the Elimination of Child Labour (IPEC).²⁶

4.3 Causes of Human Trafficking in Southeast Asia

Although universal causes of human trafficking, such as globalisation or poverty, remain important factors of human trafficking in Southeast Asia, individualised causes are equally essential to recognise. This part of the thesis aims to remark how crucial it is for the countries of the region to understand and address not only the universal causes, but also those regional and local ones in order to design effective and successful anti-trafficking policies. Nevertheless, each of the causes is specific and challenging for the countries to fully confront and concentrate on. Growing sex tourism and prevalent uneven industrial development across Southeast Asia are addressed in this section as the main regional causes of trafficking in persons.

Emerging in the 1960s and 1970s, sex tourism is the first examined regional issue that developed as a regular secondary source of income to all the tourism programmes, which gained popularity through globalisation. A lot of states largely profited from traditional tourism (meaning tourism in its basic form), which simultaneously resulted in the indirect support of sex tourism.

The development of sex tourism industry in Southeast Asia emerged throughout the post-World War II period, when the presence of United States military personnel and recurrent outbreaks of regional wars in East and Southeast Asia meant that sex industry increased and became a prosperous and lucrative activity. Not only the military camps led to the rise of demand for sex services in these specific areas, but also surrounding areas throughout the Southeast Asian region. Many of the service personnel were transferred to then-growing urban areas within the region for relaxation and so-called “resting leave” and the demand for sex services in urban areas increased. Consequently, this led to the enlargement of sex sectors in these areas, and when the involvement of the U.S. military troops diminished, local workers in these sectors started with

²⁶ Piper. 2005. 43: p. 213.

marketing themselves as the demand from foreign travellers in the urban areas expanded.

Despite the fact that in the 1970s, the emergence of sex industry came hand in hand with the emergence of global tourism, governments of Thailand, Indonesia and the Philippines have promoted tourism as a national policy in order to repay their foreign debts.²⁷ Thereupon, this led not only to the rise of popularity of sex industry, but also to large amount of supplied labour consisting of both local and migrant women.

In parallel, child sex tourism and child trafficking have experienced rapid growth and are considered to be closely connected through the causes, patterns and outcomes with trafficking of women within the region. Abductions rarely happen but manoeuvring and tricking children into illegal activities, the use of violence, debt bondage, low living conditions and all in all treatment close to slavery represent a critical problem.

With increased globalisation and improvement of technology, traveling abroad became more affordable and information accessible through the Internet, which led to sex tourism industry in Southeast Asia being recognised more than ever before and traveling into the countries of the region for sex activities has increased and persisted.²⁸

In the end of 1970s, networks of traffickers within Southeast Asia have started to transport women and children from Burma, Laos and Cambodia to Thailand and Malaysia, and from Thailand and the Philippines to Japan and Korea. Emerging globalisation processes contributed to the growing number of trafficked women into entertainment and sex industries within the region and beyond.

Thailand is an example of interstate women migration who often end up in sex industry working as prostitutes due to the lack of work opportunities resulting from developmental or environmental issues. In response to international criticism from many organisations and feminist researchers that has been met with sex tourism in the region, the amount of East Asian men traveling to foreign countries for sexual services decreased.

The insufficient response of governments of Southeast Asian countries was either

²⁷ Piper. 2005.

²⁸ Diana L. Betz. June 2009. "Human Trafficking in Southeast Asia: Causes and Policy Implications." Accessed March 15, 2017. Retrieved from: http://calhoun.nps.edu/bitstream/handle/10945/4768/09Jun_Betz.pdf?sequence=1

through the inability or unwillingness to prevent and combat human trafficking, which resulted from the governments viewing an intervention to the tourism industry as a possible loss of income ensured by the flow of foreign visitors into the countries. Hence, sex tourism continued to prosper and expand for decades without any governmental interference, drawing attention of both foreign visitors and traffickers.

The second examined regional cause of human trafficking is the uneven industrial development for purpose of labour trafficking that has begun to form in Southeast Asia in the 1960s and is still present in the region nowadays. During the 1960s and 1970s, several states underwent overall economic growth and rapid industrialisation, which meant the non-prospering countries fell behind due to either interstate civil conflicts or their recovery from decolonisation by Western world. Therefore, there was a clear distinction between the economically growing countries with prospering urban areas such as Thailand or Singapore, and the poor, suffering countries, struggling to implement any development policies such as Laos or Cambodia. As a result, these contrasting standards of living and wealth distribution led to a massive migration flows throughout the region as people yearned for escape and new lives without poverty.

As the newly wealthy nations continued to flourish and urban areas to grow, local workers urged their employers to earn higher wages and to be able to work in better working conditions, which were requirements that often did not meet with support of manufacturers and the agricultural sector. Hence, many manufacturers started hiring labour from abroad, who were either forced to work or willing to be employed for inadequate salary and in unhealthy work conditions. This proved to be very important for the states' national incomes, relying on the capability of the sectors to hire cheap labour and produce cheap products to preserve the competition among other developing countries in the region. Due to globalisation, this widening economic gap between the relatively wealthy and impoverished communities has created an outpour of so-called "survival migrants" seeking for work opportunities abroad in order to survive as jobs vanished in their countries of origin,²⁹ and is prevalent today. The individuals who strived to escape their current poverty-leading life in one country on the one hand, and the economically and industrially expanding countries in need for cheap and easy manageable labour on the other hand seemed as a promising business for human

²⁹ Chuang. 2006. 13: p. 138.

traffickers to take advantage of and start building trafficking networks.

Regarding these extensive long-lasting differences within the region, there are still substantial legal and illegal migration flows caused by labour traffickers who promise the uneducated and poor migrants a proper care and a good treatment in the destination countries. Supposedly, as long as the regional imbalance continues, the poverty-driven migration flows and the affluent human trafficking will remain.³⁰

³⁰ Betz. 2009.

5. HUMAN TRAFFICKING IN THAILAND: 2000 — 2016

5.1 Overview

As one of the most developed countries in Southeast Asia, Thailand, also known as the Kingdom of Thailand, has moved from a poverty-stricken country to an intermediate-income economy in 2011 and made a substantial economic and social breakthrough. Nonetheless, with the country's prosperity slowing down during the period of 2005–2015,³¹ there is still a number of issues not only unresolved, but barely even addressed. According to Oxfam 2016 report on Thailand, the country has been ranked as the third most unequal nation in the world, following Russia and India with its continually enlarging gap between the poor and wealthy classes. This widening inequality gap can be connected not only to the nation's economy but also to the state of education, health care or living standards throughout the region.

Despite Thailand being coined as a “development success story”, the country has been subjected to a long and rich history of human trafficking and counter-trafficking intervention, having also historically one of the worst records on sex trafficking within the region. Since the 14th century, there has been a tight relationship between economic development, migration and commercial sex work, which proved to be lucrative business not only to the locals but also to tourists traveling into the country.³² Therefore, human trafficking and its causes in Thailand can be easier acknowledged and understood than in other neighbouring countries. Situated in the centre of Southeast Asian mainland, and bordering with Burma, Laos, Cambodia and Malaysia, Thailand has become a source, transit and destination country for victims within the region and from all around the globe, being known as the sex capital of the world.

This chapter is thus dedicated to the analysis of two main causes of human trafficking in Thailand, deeply rooted in the country's location, history and traditions. In the following section, the thesis focuses on the factors of sex tourism industry as the first cause that has provoked human trafficking to spread throughout the rural and urban areas of Thailand and eventually across its borders. In 2008, Thailand was estimated to

³¹ The World Bank Web Page. “Thailand: Overview.” Accessed January 20, 2017. Retrieved from: <http://www.worldbank.org/en/country/thailand/overview>

³² A. N. Tarancon. April 1, 2013. “Thailand's Problem with the Sexual Exploitation of Women in the 21st Century.” Georgetown University. 5. Accessed February 10, 2017. Retrieved from: <https://repository.library.georgetown.edu/handle/10822/558363>

comprise of about 250,000 sex commercial workers by the country's government.³³ It is however obvious that the overall numbers are much higher due to human trafficking being an illegal activity, where no certain number of trafficked victims can be counted.

In comparison with its neighbouring countries in Southeast Asia, Thailand has undergone rapid economic growth, which has left the country with extremely uneven development between rural and urban areas, underdeveloped and inadequate infrastructure system or severe air pollution. It has been determined that there are over three million documented and undocumented migrants living and working in Thailand, majority of whom is coming from Burma, Cambodia and Laos, working in constructions, domestic servitude, fishing industry, or commercial sex work.³⁴

Bangkok, the capital and most populous city situated in the central part of Thailand, represents the most industrialised urban area in the country, whereas northern and north-eastern regions inhabiting one third of Thai population including ethnic minorities are the poorest with the lowest income per capita. Although some parts of Thailand experienced significant economic growth, extreme poverty remained especially in rural areas, making it 88 percent (5.4 million) of the overall population in 2010.³⁵ As a result, rapid economic growth is the second major investigated cause of human trafficking in this chapter.

5.2 Sex Tourism Industry

5.2.1 Introduction

The commercial sex work within Thailand expanded during the Vietnam War (1962—1975). It was during that time when almost 40,000 American military personnel entered the country for rest and recreation purposes when \$20 million of the U.S. military expenditures was spent on sex tourism alone.³⁶ At the same time, increased globalisation and traveling abroad that became more common, attracted foreigners to Thailand for sex purposes, mainly into the urban areas where sex sector started to

³³ Kimberly A. McCabe, Peter Lang. New York, NY: Peter Lang Publishing. 2008. "The Trafficking of Persons, National and International Responses." p. 110.

³⁴ Australian Aid. 2013. "Trafficking in South-East Asia. Policy Brief." Accessed February 10, 2017. Retrieved from: <https://www.afppd.org/Resources/Policy-Brief-Human-Trafficking.pdf>

³⁵ Tarancon. 2013, p. 5.

³⁶ Tarancon. 2013, p. 13.

flourish. The sector did not comprise of only Thai women, hence the expansion of trafficking networks also led to individuals being transported both within the country and from neighbouring countries into Thailand. Traffickers quickly took advantage of migrating women with their children from for instance Burma, Laos or Cambodia, who tried desperately to escape the poverty and civil or military conflicts inside their countries of origin. Soon, with the sex tourism industry boosting to such an extent that regional flows suddenly could not meet the needs of the sector, trafficked victims started to be transported from Eastern Europe.

By 2010, Thai sex sector was estimated to recruit about 150,000 to 200,000 young girls and women, and in 2013, the number of sex worker recruitment rates reached 2 million. Nevertheless, exact numbers remain unknown. Speculations claim that each one in ten of the women became commercial sex workers through coercion, thus were forcibly recruited into sexual slavery and then trafficked to for instance Europe, Australia, North America or Japan.³⁷ Annually, thousands of girls and women undergo coercion into the sex tourism industry in order to escape poverty and fulfil their basic needs to survive, driven by the prospect of a better standard of living and higher financial benefits.

Currently, there are specific economic, social and political factors influencing the scope of the sex tourism industry, each characteristic to the case study of Thailand, equally important to address. Since all of them contribute to how extensive the commercial sex work and sex trade within the country are, their specification and analysis is needed to understand how human trafficking has evolved, preserved and thrived throughout the years of development and growing gap between men and women, and women's vulnerability to be trafficked for various different, yet interconnect reasons.

Despite being one of the most developed countries in Southeast Asia, Thailand is still a developing country, dealing with severe poverty rates and high levels of gender inequality. Poverty, connected especially to rural parts of the country, is global and regional cause of human trafficking, interrelated deeply with other regional factors and economic development creating even higher disparities between the rich and the poor. The position of women and their status present a complex topic to be explored, especially in relations to a very specific cultural background of the country.

³⁷ Tarancon. 2013, p. 30.

5.2.2 Extreme Poverty

As already stated in the overview of this chapter, rural areas, especially in the Northern, Northeastern and Deep Southern Thailand account for the biggest concentration of people living beneath the poverty line with the highest poverty rate in the country, resulting from fluctuating economic growth, decline in agricultural prices or continuous droughts. In 2000, the largest growth of poverty occurrence could be attributed to the Asian economic crisis of 1997, reaching 21.3 percent, which caused the value of the national currency, Thai baht, to radically decline. In 2001, Thailand's economy managed to recover from the crisis under economic policies implemented by Thai Prime Minister Thai Prime Minister Thaksin Shinawatra. In 2009, the number of people living beneath the poverty line dropped to 8.1 percent of inhabitants (6.1 million)³⁸ and in 2015, the number counted for 7.2 percent over the time of large growth and escalating agricultural prices.³⁹

Human trafficking in Thailand has its roots in 1980s when Thai traffickers were capturing and recruiting young northern women and girls from rural areas. Although small number of these women knew they were about to work as prostitutes, majority of them had no idea they were being trafficked into the sex sector, to brothels across Thailand as well as to foreign countries, which still prevails today. Nowadays, traffickers are able to target poor women from especially rural areas who are impoverished, vulnerable and often lack basic needs including clean water or electricity, surviving on the lowest possible income. Then, traffickers transport them into urban areas, especially Bangkok where a sex worker typically gets paid around 3,000 baht (about US \$100 per month); an amount that is about three times larger than the income of an average agricultural worker.⁴⁰

There are few possible ways of how the situation in poor rural areas can be improved so the vulnerability of especially young girls and women decreases and traffickers' successful recruitment strategies are no longer effective. The first and probably most obvious solution would be for the government to build more school facilities and ensure that the rural, less educated population gets the same opportunities as those living in

³⁸ Tarancon. 2013, p. 4.

³⁹ The World Bank. "Thailand: Overview."

⁴⁰ Tarancon. 2013, p. 31.

urban areas. Generally, education in Thailand has been compulsory since 1921 when the Compulsory Elementary Education Act was implemented, with English language being compulsory since 1995 at the primary-school level and taught as a second language after Thai in majority of secondary schools.⁴¹ In spite of compulsory twelve years of compulsory education, underdeveloped locations are occupied by ethnic minorities where victims of human trafficking and sex trade are undereducated and lack any job-related training, resulting in not knowing their basic human rights and laws under which they could resist the traffickers and their often violent treatment. Having better educational opportunities for children and adults is a key to combating and preventing human trafficking, as well as solving a gender inequality gap, discussed further in this chapter.

Providing the poor with basic education generally results in better paid jobs, improved standard of living and the ability to afford basic human needs. Moreover, by educating potential victims of trafficking about the horrors that happen in the sex tourism industry might show them that by having good education and knowledge, better jobs can ensure what they think turning to prostitution would, such as higher income or release from their current life.

Most of these potential victims are however not aware that they are being trafficked before it is too late to do anything about it. Therefore, it is equally crucial that schools and other educational facilities are prepared to provide knowledge about how human trafficking and sex trade work, how human traffickers can be identified, what their techniques are and how they lure girls and women into sex work thinking they can either escape poverty or earn money to support their families.

Secondly, the government should pay more attention to development of problematic rural areas that have the highest poverty rate, as in the case of above mentioned northern Thailand. Turning the rural areas into more urban locations can be achieved by population increase in the particular areas, not only by establishing school institutions, but since Thailand has recorded shortages of professional health personnel in rural areas, it would also be convenient to build more hospitals by the government where minorities and the poor could go for a medical treatment.

⁴¹ Robert Sedgwick. 2005. "Educational Structure and Administration." WENR. Accessed January 25, 2017. Retrieved from: <http://wenr.wes.org/2005/03/wenr-marchapril-2005-education-in-thailand>

5.2.3 Lower Status of Women and Gender Inequality

The issue of gender inequality is a second selected cause of the rise of sex tourism industry and represents a sociocultural factor, which largely contributes to human trafficking in Thailand.

Originally, slaves in Thailand (at the time known as Siam) comprised mainly of prisoners of war when war generals occupied their villages, or those with debt bondage. In the case of the latter, Siamese people either became slaves of their loaners or sold themselves, their children or other family members into slavery to pay back their debt. Although substantial changes happened under the reign of King Rama V, and in 1905 slavery was definitely abolished,⁴² some practices still prevail today and victims of modern-day slavery, especially women and children, being sold and treated as property is not uncommon. Later on, Rama V implemented compulsory military service and education for men and declared that the kingdom's financial deposits lack funds to support women's education, hence they had to support themselves. Considering that women had none to very small amount of savings and no opportunities to become educated, it often happened that prostitution was the only option of how to survive.⁴³

However, women's status has always been fairly influenced by Thai religion, Theravada Buddhism, followed by about 93.6 percent of the population today. As A. N. Tarancon notes, "*one of the religion's view of women is that the greatest achievement they can have is to obtain enough karma to be reborn as men,*" where in some interpretations of Theravada Buddhist teachings being born as a woman is seen as a form of punishment for doing bad things in a previous life, or that being forced or working in prostitution can be accepted since men's sexual needs must be satisfied. Predominantly in rural areas, girls and women have always been perceived as inferior and submissive to men.

When the country's economy began to prosper during 19th and 20th centuries, Westerners and mostly Chinese workers started to coming to the country. Increased migration flows of men meant new clients for Thai sex workers, females who were as

⁴² Chris Baker and Pasuk Phongpaichit. Cambridge: Cambridge University Press. 2006. "A History of Thailand." p. 61. Accessed February 5, 2017. Retrieved from:

<https://books.google.cz/books?id=TEduceBj1H0C&printsec=frontcover&hl=cs#v=onepage&q&f=false>

⁴³ Tarancon. 2013, p. 16.

slaves sold to brothels in Thailand, and if female slaves were unmarried, they were either forced to serve as their masters' concubines or used as servants for their masters' male guests. Further, women's position was weakened even more once they started to be perceived as objects for commercial transactions between local traffickers and foreign travellers.

In the 21st century, these religious and cultural prejudices towards women widened the gender inequality gap, as well as inequality between the rich and the poor, and caused significant rise in human trafficking. Due to the religious beliefs, women's acceptance of their fate often serves as a coping mechanism of being forced into sex trade, with their lasting subordination to men rooted deeply in the country's history. Turning to commercial sex work can be attributed to men having better educational and job opportunities and overall receiving better treatment of the society. While men are placed in leadership roles, in engineering, science or information technology and earn much higher salaries, women, on the other hand, end up working as waitresses in restaurants or pubs, or as hairdressers.

This is a consequence of government's inadequate response to not only lack of job openings for females, but also lack of training, which would prevent them from occupying low-paying positions. Lack of skills, emerging from insufficient education, mainly in Thai rural environment, of course brings lack of job openings and the possibility for women to aim for higher positions, and equal to men with their knowledge and experience. As a result, this would decrease their vulnerability of being trafficked. Interconnection between gender inequality and poverty across Thailand might be obvious just from women not getting enough well-paid job opportunities, thus having less monetary resources and generally lower standard of living, which makes them desperately seeking jobs as sex workers from their own will, or if not so, their vulnerability to sex trafficking makes them more likely to end up in human trafficking anyway, without any previously conscious intention to be a part of illegal sex trade.

5.2.4 Family Values and Obligations

In 2009, sex tourism industry in Thailand still represented a primary source of nonconsensual exploitation within East Asia, along with local NGOs reporting the use

of social media for recruitment of children into sex trafficking.⁴⁴ Child trafficking especially has become the main matter of international attention and advocacy. Related to horrors that have been happening with child pornography and prostitution across the globe on a much larger scale during the last years, the intensity and nature of the issue are still not yet fully understood within general public. Despite children migrating for various reasons and may be subjected to many dangerous situations along the way, child trafficking has become almost exclusively part of sexual exploitation.

Although H. Montgomery notes that there are diverse forms of child prostitution and not all of them can be associated with human trafficking,⁴⁵ Coalition Against Trafficking in Women (CATW)⁴⁶ argues that neither form of prostitution is done voluntarily, thus the usage of terms “prostitution” and “human trafficking” should be acceptable to use synonymously. This thesis supports the idea of CATW, thus follows it and addresses the issue accordingly.

As for the case study of Thailand, deep family obligations are another factor of trafficking in persons and specifically child trafficking within and outside of the country, which are strongly interdependent on debt bondage and children’s responsibility to provide for their parents and families. This section focuses mainly on Thailand as a source country, trafficking Thai women and girls within and across Thai borders, however considering that Thailand is a country of destination as well, as A. N. Tarancon writes, NGOs operating in the area have stated that girls ranging from twelve to eighteen years are being trafficked from Burma, China, and Laos into Thailand due to debt bondage, making these flows both-sided.

Unlike Thai men, Thai women cannot work for becoming monks before marriage and receive merit,⁴⁷ thus has to show their gratitude and care in other ways, for instance by

⁴⁴ U.S. Department of State. 2016.

⁴⁵ Heather Montgomery. Seattle Journal for Social Justice. Spring/Summer 2011. “Defining Child Trafficking & Child Prostitution: The Case of Thailand.” p. 776. Accessed February 15, 2017. Retrieved from:

<http://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1037&context=sjsj>

⁴⁶ CATW is a non-governmental organisation operating worldwide and working on international elimination of human trafficking and sexual exploitation of children and women. Apart from others, CATW focuses on education and prevention programmes for victims of trafficking and commercial sex work. More information can be found here: <http://www.catwinternational.org/>

⁴⁷ Also known as karmic merit. According to Chansamone Saiyasak, “The Meaning and Significance of Merit Making for Northeast Thai Buddhists”, 2006, merit making is essential part of Buddhism in Thailand; according to Buddhist teachings, everything in the world changes apart from good and bad acts, and these are divided into either merit (*bun*), meaning any deeds following the teachings, or

providing financial benefits or acting as parents' caregivers. As a Thai tradition, this is known as "filian piety" or "*bhunkun*," where the youngest daughter is obligated to support her parents financially. As a consequence, young women and girls feel responsible to provide for their parents so they either sell themselves into brothels thinking they can buy their freedom back after paying the debt, or are sold by their families to work as sex workers. It is not uncommon that traffickers are sometimes friends of these girls or direct family members, often escorting the girls to Thai borders and receiving money for selling the victims. Usually, this payment for a person's life differs from 10,000 baht (US \$350) to 20,000 (US \$750)⁴⁸ and represents the debt that women must pay back with interest through sex trade.⁴⁹

Additionally, there are three particular instances standing out in which parents are willing to sell their children, and which should be addressed as a reality of the 21st century, trafficking-driven Thailand.

Firstly, with increased globalisation and tourism, families in Thailand often get in touch with foreigners and new technologies. Mainly in the Northern Thailand, with growing consumerism, there have been a pressure to adapt to the developed world⁵⁰ and families are often willing to sell their children into slavery and sex trade just to be able to afford these modern material goods or luxuries, such as electronic devices. Thus, young girls are in much greater danger of being vulnerable to sex trafficking.

Secondly, parents might even get another child just in order to sell them to traffickers and get more money. And thirdly, families from rural parts of Thailand, living in extreme poverty, trade themselves or their children for a loan, with their work partially being able to repay the loan.

As already stated in the beginning of this section, the responsibility that daughters feel towards their families is so deep that trading themselves and giving themselves up to traffickers is without a question. Furthermore, some of these young girls are forced into

demerit (*bap*), meaning any acts done against the teachings. More information can be found here: https://www.academia.edu/4769060/THE_MEANING_AND_SIGNIFICANCE_OF_MERIT_MAKING_FOR_NORTHEAST_THAI_BUDDHISTS

⁴⁸ Ashley Mason. 1999. "Tourism and the Sex Industry in Southeast Asia." Totem, the University of Western Ontario Journal of Anthropology 7, no. 1, pp. 51-62. Accessed February 15, 2017.

Retrieved from: <http://ir.lib.uwo.ca/cgi/viewcontent.cgi?article=1060&context=totem>

⁴⁹ Known as "bonded labour" or "debt bondage". As A. N. Tarancon notes, debt bondage is one of the least acknowledged forms of modern-day slavery, in spite being the most common one. Further information can be found in: A. N. Tarancon. "Thailand's Problem with the Sexual Exploitation of Women in the 21st Century." p. 38.

⁵⁰ Tarancon. 2013, p. 39.

sex slavery because of sexual abuse and shame within their own families, for example when they had been raped or assaulted in any other way, family members willingly sell the daughters to traffickers or into Thai brothels, because naturally, in their family's eyes, this was not anyone else's fault but the daughters'.

5.3 Rapid Economic Growth

5.3.1 Introduction

This subsection covers the issue of economic globalisation as a second major occurring cause of human trafficking over the last sixteen years in Thailand with respect to economic growth within the Greater Mekong Sub-region (GMS), comprising of six countries; the People's Republic of China, Cambodia, Laos, Burma, Thailand and Vietnam; and around 326 million inhabitants.⁵¹ Within the GMS, Thailand has developed into the dominant nation for both forced labour and sex trade, with its GDP in 2006 exceeding GDPs of Burma, Laos, Cambodia, and Vietnam combined,⁵² and increasing inflows of illegal migrants into the country, consequently making these individuals in higher risk of exploitation for labour and sex work.

Generally, economic growth, rapid innovation and globalisation regards the global transfer of labour, capital, trade and technology, and into benefits of this phenomenon, diminishing restrictions in international trade, higher standard of living, or increased management skills can be included. With new opportunities from recent years for developing world (such as higher media coverage or widespread use of the Internet), organised crime has been evolving as well, with these rapid technological advancements, or free flows of goods and services. Just as other areas and parts of the world, economic globalisation has managed to bring the nations of the GMS closer together. One of the important facts to note is that trafficking in persons – and illegal migration flows – are an essential part of many nations' economies, with remittances

⁵¹ In 1992, the six member states of GMS established a sub-regional economic cooperation in order to promote economic relations among the states, and as a process of transition is increasing together with commercial cooperation, industrialisation and modernisation within the area are growing too.

⁵² World Vision. 2006. "Trafficking Report: Thailand." Accessed March 15, 2017. Retrieved from: <https://www.worldvision.com.au/docs/default-source/publications/human-rights-and-trafficking/trafficking-report-thailand.pdf?sfvrsn=4>

coming from migrants forming an enormous portion of domestic income.⁵³

The GMS has expanded into wealthy area due to growing tourism, traveling and trade. The transformation that these countries have undergone both politically and economically meant that migrants became even more vulnerable to trafficking and modern-day slavery. Along with rapid economic expansion and prosperity of the region, this economic growth has also brought new possibilities for exploitation. The economic disparities between countries of the GMS bring attention to those vulnerable to trafficking, who seek escaping poverty and crossing borders, and traffickers. Although executing quantitative research is very hard and problematic due to the criminal nature of trafficking, it is presumed that between 800,000 – 2.5 million people are trafficked each year around the world, with a minimum of 12.3 million people, including children, working in exploitative labour conditions. In the case of the GMS, around 250,000 people become victims of human trafficking annually.⁵⁴

The GMS is known for its wide range of trafficking patterns, dealing with internal and cross-border trafficking, sex and labour trafficking, through legal and illegal recruitment channels, being profoundly organised or small-scaled, exploiting girls and women, boys and men, and whole families. Till now, the thesis has been mainly directed towards sex trade and female victims, however victims and families trafficked to Thailand from Burma, Laos and Cambodia are not only forced into commercial sex work, but also into domestic servitude, constructions, farming or fishing industry,⁵⁵ thus this particular section remains gender-neutral, referring to men, women and children.

Due to the country's rapid economic growth, Thailand is an appealing destination for migrants who live in horrendous environment in the neighbouring states, seeking higher wages and better job openings. Once arriving to the country, their lack of knowledge about local culture and lack of protection from legal channels makes them at an extremely high risk of trafficking.

Typically, families or individuals migrating across borders legally through legal border controls with identification documents are protected under the same legislation as Thai

⁵³ Suk-Rutai Peerapeng, Prasert Chaitip, Chukiat Chaiboonsri, Sandor Kovacs, Peter Balogh. 2013. "Impact of Economic Globalization on the Human Trafficking in the Mekong Sub-region Countries." p. 125. Accessed April 5, 2015. Retrieved from: <http://purl.umh.edu/147426>

⁵⁴ World Vision. 2006.

⁵⁵ Suk-Rutai Peerapeng, Prasert Chaitip and others. 2013, p. 124.

citizens, including having free entrance to public services, for instance to health facilities and children to educational institutions. Illegal migrants, on the other hand, are not allowed to any protection, whether work or social related; such as children who either travel to Thailand to work illegally, or with their families and because they are not entitled to education, they work instead. In 2006, Thai factories were estimated to employ children out of which 80 percent were forced to work in 12-hour shifts below the minimum pay, and the main inflows of trafficked women and children to Thailand primarily come from Burma.⁵⁶

Interstate migration is also a common feature in Thailand, such as of ethnic minorities traveling from the poorest regions to the most prosperous Thai provinces. In 2006, approximately half of Thai tribes and minorities (500,000 people) did not obtain Thai citizenship. Hence, there are no protections for their communities which makes them more vulnerable to become victims of labour and sex trafficking.

5.3.2 Modern-day Slavery in Thai Fishing Industry

Since 1999, when Thailand became global primary exporter of fish products, to 2012 when the country became the world's third biggest fish exporter after China and Norway,⁵⁷ it is no surprise that forced and bonded labour in the country's fishing industry became one of the most common forms of non-sexual exploitation and trafficking in Thailand. Due to the economic growth and widespread trafficking in persons over the last years, along with an escalating international demand for cheap seafood, Thailand's fishing industry contributes to not only remorseless trade in human beings but also to the destruction of whole marine ecosystems, as well as uneducated consumers who unknowingly support the devastation of both the environment and human lives. Although there is a deep interconnection between environmental deterioration and violation of human rights, this specific topic has been given scant and inconsiderable attention,⁵⁸ however due to alarming practices happening on the fishing boats, the issue should be given the same level of importance as any other form of human trade in Thailand.

⁵⁶ World Vision. 2006.

⁵⁷ FAO. 2012. "The State of World Fisheries and Aquaculture: 2012." Accessed February 15, 2017. Retrieved from: <http://www.fao.org/3/a-i2727e.pdf>

⁵⁸ Environmental Justice Foundation. 2015. "Pirates and Slaves: How Overfishing in Thailand Fuels Human Trafficking and the Plundering of Our Oceans." Accessed April 25, 2017. Retrieved from: http://ejfoundation.org/sites/default/files/public/EJF_Pirates_and_Slaves_2015_0.pdf

Thailand's exceptional economic and social growth shaped by fishing industry comes from a wide coastal area of 2,700 kilometres and development of infrastructure, new technologies and new fishing gear, exploring new fishing territories, or improvements in the fishing boats construction. Nevertheless, authorities have had problems with carrying out their directives, and because of their insufficient regional and territorial administration, the industry soon faced overfishing and overexploitation of its marine resources, forced labour and trafficking in persons.

After 1989 when Thailand experienced one of its most catastrophic natural disasters,⁵⁹ decrease in earnings (caused by for example increasing fuel costs) and advanced education resulted in a complete shift in employment rates, with local and regional workers losing interest in working on fishing boats and not seeing fishing industry as a privileged working position as in the past. This gap, accompanied by vast economic growth differences between Thailand and neighbouring countries of the GMS, quickly led to once entirely Thai fishing crews to irregular migrant labour inflows, especially from Burma and Cambodia.⁶⁰

In March 2013, Environmental Justice Foundation (EJF)⁶¹ reported 14 victims from fishing vessels under the Boonlarp Fishing Co. Ltd. company, between the age of 16 and 46, rescued by the local police. All originally from Burma were captured by their brokers in a local fishing port in Kantang, located in the western part of Thailand, and had been kept at sea for six months before returning. Before that, three of the victims were working in a chicken factory in the northern Thailand, and the broker deceived them and promised to secure better working conditions and higher salary when coming with him to another factory.

Despite receiving no salary, they managed to earn money through selling squids on boats to which they supplied fish, and buy a phone and SIM card by which they contacted one family member. Their escape was possible only due to the local authorities being alarmed by this family member reporting a human rights violation and

⁵⁹ Typhoon Gay, or Kavali Cyclone, caused more than 800 casualties and led to many deaths in and around the Gulf of Thailand, including many off-shore vessels.

⁶⁰ Asian Research Centre for Migration, Institute of Asian Studies. 2013. "Employment practices and working conditions in Thailand's fishing sector." p. 9. Accessed February 28, 2017. Retrieved from: <http://www.ilo.org/dyn/migpractice/docs/184/Fishing.pdf>

⁶¹ EJF is a non-profit international organisation designed to protect the environment and human rights; especially then focusing on oceans and seas and tracking down illegal pirate fishing and exploitation of labour working at sea. More information can be found here: <http://ejfoundation.org/>

trafficking. This rescue then revealed the level of abuse and exploitation the victims were subjected to, including physical abuse such as beating, torture and murder, or forced childbirth.⁶²

The process of sea transportation and fishing vessels, which may stay at sea for an unspecified amount of time, have grown into “floating prisons” for exploited and beaten labour. The case of March 2013 was not the first nor the last one to be revealed, nevertheless the occurrence of extreme violence in Kantang’s fishing sector remains unchanged; confirmed by the 2015 discovery of a murdered Burmese migrant fisher who was found floating in the river nearby.

As stated by ILO, workers in Thai fishing industry are particularly in danger of being trafficked and exploited. The target groups include not only men, but child labour within the industry has exploded and turned into slavery with total failure of Thai government to prevent and trying to combat this social disaster. The EJF assumes that the best possible solution would be achievable and effective if there was a full commitment of stakeholders, supported by corresponding political will. Among other solutions, the EJF recommends adaptation of a programme that would ensure inter-agency partnerships; targeting major actors responsible for slavery within the industry; making sure that effective law enforcement is applied, with Thai government taking an appropriate and straightforward action to enable righteous penalties for traffickers and those who enslave fishers; and lastly development and efficient implementation of new fishing laws that would offer better traceability within the sector and bigger protection for migrants working in Thai fishing industry.⁶³

⁶² EJF. 2013. “Sold to the Sea. Human Trafficking in Thailand’s Fishing Industry.” p. 19. Accessed April 28, 2017. Retrieved from:

http://ejfoundation.org/sites/default/files/public/Sold_to_the_Sea_report_lo-res-v2.pdf

⁶³ EJF. 2015. “Thailand’s Seafood Slaves. Human Trafficking, Slavery and Murder in Kantang’s Fishing Industry.” p. 38. Accessed April 28, 2017. Retrieved from:

<http://ejfoundation.org/sites/default/files/public/EJF-Thailand-Seafood-Slaves-low-res.pdf>

6. HUMAN TRAFFICKING IN BURMA: 2000 — 2016

6.1 Overview

Burma, also known as Myanmar or the Republic of the Union of Myanmar, has been forming its culture and traditions since the establishment of the Pagan Kingdom in the 11th century, and in the 16th century became the largest empire that has ever existed in the Mainland Southeast Asia (MSEA). After becoming a British colony in the 19th century, the country gained independence in 1948, but shortly after oppressive military junta took over in 1962 and stayed in power till 2011. During the time of long running, civil war conflicts, the UN stated that Burma has been flooded with serious human rights violations, and slowly became one of the poorest nations in the world, despite its stable climate and vast amount of resources, however since the end of the 20th century, conditions have rapidly worsened. Due to its government's full control over its economic profits, minimum is spent on health and education, next to the military and its budget being always prioritised. Despite being led by civilian government, current country's authorities use coercive techniques to prosecute anyone who opposes the government or the army, with the army remaining Burmese strongest and most dominant institution and being in charge of leading ministries.

Although Burma is now under the civilian rule of the National League for Democracy (NLD), the military involvement plays a crucial role in the country, considering that in 2016, the army cruelly oppressed ethnic Rohingya Muslims in Rakhine State,⁶⁴ followed by rape, torture, and unauthorised killings, out of which 120,000 people were displaced. In 2016 Trafficking in Persons report, it has been remarked that the government declines citizenship and legal documents to around 810,000 people, majority of whom belong to ethnic Rohingya and inhabit the Rakhine State area, thus lack of their legal residency in the country makes them vulnerable to trafficking.⁶⁵ Moreover, continuing conflict between Burmese ethnic armed groups and the military escalating in Kachin and northern Shan States,⁶⁶ caused forced relocation of

⁶⁴ In January 2017, reports on the Rohingya Muslim minority being murdered and raped by Burmese soldiers continued to arise, despite the fact that Burmese government still denies this by claiming there is no evidence whatsoever.

⁶⁵ U.S. Department of State. 2016.

⁶⁶ Human Rights Watch. 2017. "Burma." Accessed February 28, 2017. Retrieved from: <https://www.hrw.org/asia/burma>

approximately 100,000 people, with a risk of trafficking rapidly increasing.⁶⁷

Unlike Thailand being transit, source and destination country, Burma is mainly a source country, meaning that men, women and children are being transported either within Burma or into neighbouring countries of the GMS and further, exploited for both forced labour (involving men, women and children) and sex work (involving especially women and children). Migrating Burmese population is at a high risk of trafficking, with regional inflows coming to neighbouring Thailand and China for work, or other countries in Asia, the United States or Middle East. Men are exposed to forced labour in fishing and agricultural sectors, manufacturing, forestry or constructions, while women and children to sex trade, domestic servitude or textile sector.

NGOs operating within the area recorded Burmese men migrating through Thailand (in which case Burma is a source country and Thailand a transit country) to Malaysia or Indonesia to seek better living conditions and job opportunities, but are subjected to trafficking and labour in fishing and other industries. When it comes to Thailand as a country of destination, Burmese males often end up with debt bondage, their documents being confiscated, and threatened by use of violence, and then are held on fishing boats at sea for years. It is estimated that around 4 million Burmese migrants are working in Thailand in variety of industries, often illegally and without identification documents.⁶⁸

Burmese females are trafficked for instance to China, where they become a part of Chinese sex trade or are subjected to forced marriages; along with individuals from Rohingya being sold to Malaysia as forced brides and others. Burmese children are forced to street begging, domestic servitude, working in teashops, in agriculture or constructions, with small amount being sexually exploited by foreign tourists.⁶⁹

Despite the fact that the general causes of trafficking in persons in Burma are no different than those specified in the case study of Thailand, including extreme poverty, economic underdevelopment in rural areas, lack of education and job openings in urban areas, or travel restrictions for the lower classes, women and ethnic minorities, key actors and the impact of these actors significantly weaken the possibility to resolve human trade. Among specific causes of human trafficking in Burma, persecution and

⁶⁷ U.S. Department of State. June 2016. "Country Narratives. Burma." p. 112. Accessed February 28, 2017. Retrieved from: <https://www.state.gov/documents/organization/258878.pdf>

⁶⁸ UN-ACT. "Myanmar." Accessed February 28, 2017.

Retrieved from: <http://un-act.org/countries/myanmar/>

⁶⁹ U.S. Department of State. 2016. "Country Narratives. Burma."

suppression of ethnic minorities, tolerated forced labour of children, failure of Burmese government to protect country's nationalities, and corruption of state sector all contribute to the human trafficking situation.

6.2 Child Soldiers and Forced Labour of Children

Military repression has been a major cause of internal human trafficking in Burma, which continues to be the most serious concern of Burmese human trade. This subsection looks at how exploitation of children, especially in the army sector, represents major alarming human trafficking issue within the country and contributes to its unceasing existence.

Firstly, it is important to note that military and government authorities subject men, women and children to forced labour especially in agricultural sector or infrastructure enlargements. Ethnic minorities, living in distant border areas, where the occurrence of military troops is the largest, are at the highest risk of being trafficked and forced to work. In 2010, the UN recorded that orphans or children living on the streets or at railway stations are the most vulnerable, including for instance young monks living in monasteries. Boys, sometimes not even older than eleven years old, are coercively recruited to the official Burmese army, called Tatmadaw, or forced to be a part of ethnic armed organisations.⁷⁰

Therefore, men and boys are either through threats and use of violence recruited into ethnic armed groups which oppose the government and military troops, often residing in the area that ethnic communities live in, or into the Burmese army where they are promised high wages, favourable work conditions and a possibility of promotion. The treatment that trafficked men and boys experience inside the ethnic armed communities have been reported to be way more drastic than those inside the country's military camps, however in both of these instances, child soldiers are often send to front lines as fighters.⁷¹ Despite the Tatmadaw having a rich history of child recruitment into the military, seven other ethnic armed groups has been recognised to use this practice, including famous Kachin Independence Army (KIA), or Democratic Karen Benevolent Army (DKBA), and Shan State Army-South (SSA-S), and all were labelled as

⁷⁰ U.S. Department of State. 2010. "Trafficking in Persons Report. Country Narratives."

⁷¹ U.S. Department of State. 2016. "Country Narratives. Burma."

“persistent perpetrators” by the UN.^{72,73}

The main interrelated factor of human trafficking and forced labour of children in Burma is without a doubt the state of education in the country. General lack of education is attributed to the fact that school attendance has been perceived as a privilege instead of a right, Burmese teachers are under qualified and receive very low salaries, plus old materials are used instead of those up to date. Currently, those who are educated the most are usually children of soldiers from the upper class, sometimes lucky enough to have attended schools and universities in Europe, Australia, the U.S., or Japan. On the other hand, poor families living on farms in the rural parts may even pull their children out of a school either because of lack of financial resources to support the children’s education, or because of lack of human resources on the farms and fields, where children have to work instead of studying.⁷⁴

In 2015, the government imposed an educational programme to enhance the quality of Burmese education, since in the previous years, approximately two thirds of governmental expenditures on education went to primary education. Although the government marked education as a key priority, Burma still remains a country with inadequate enrolment rates and insufficient quality of educational system.⁷⁵ Furthermore, there is a deep interconnection between lack of education, deficit of school institutions, financial and human resources, or language differences between various ethnic communities in the country. Thus, these barriers increase the vulnerability of children to become part of the Burmese human trade even more. In 2002, UNICEF addressed the issue of the previous generation, when majority of young boys and girls had not received even primary education, and during the civil wars and interstate conflicts many schools were closed down or required fees that parents were not able to pay, hence the country faced a problem of the whole generation of wasted

⁷² Ashley Morefield. February 22, 2016. “Myanmar’s Child Soldiers.” Accessed April 30, 2017. Retrieved from: <http://standnow.org/2016/02/22/myanmars-child-soldiers/>

⁷³ “Persistent perpetrators” on the Secretary General’s 2013 list “Naming and Shaming” violators of children’s rights; i.e. parties listed for five or more years in the Secretary General’s reports, concerning child recruitment, sexual exploitation, murders, or attacks on schools or hospitals; moreover stating that “places of learning and healing are unacceptable as places of war.”

⁷⁴ Kevin Heppner. October 2002. Human Rights Watch Report. “My Gun Was As Tall As Me: Child Soldiers in Burma.” p. 23. Accessed March 15, 2017. Retrieved from: <https://www.hrw.org/reports/2002/burma/Burma0902.pdf>

⁷⁵ Educate a Child. “Our partners & projects. Myanmar.” Accessed April 30, 2017. Retrieved from: <http://educateachild.org/our-partners-projects/country/myanmar>

human resources.⁷⁶

Connection to family obligations is another factor that Burma shares with Thai causes of trafficking, as discussed in the previous chapter, as commonly children joined the army voluntarily just for the responsibility they feel towards their families, so their parents did not have to feed and spend money on another child. According to Human Rights Watch interviews from 2002, most of the interviewed former soldiers did not want to join the military in the first place. Once they did, they were tricked by army recruiters and threatened by penalties and jail if they refused to join, hence many were convinced they had no other choice; and those who were not recruited simply kidnaped and forced to become soldiers.⁷⁷

In spite of an exact number of overall trafficked victims and recruited children into military remaining unknown – since even Burmese army does not report the amount of soldiers they employ –, it has been reported that since 2012 Burma freed more than 745 child soldiers under the age of eighteen. The release happened under the Joint Action Plan that the Burmese government signed with the UN,⁷⁸ and in March 2016, UNICEF reported that another 46 child victims were released. UNICEF has been operating in Burma for more than 60 years and has been responsible for many programmes being implemented in order to prevent and combat exploitation of children in the military sector (such as Child Protection Programme that came into force between 2014–2015 and its extension between 2016–2017). Presently, UNICEF and the Burmese government are working on the implementation of a five-year Country Programme (2018–2022) that will comprise apart from new development and management ideas of the basic components of the current Child Protection Programme.⁷⁹

⁷⁶ Heppner. 2002, p. 24.

⁷⁷ Heppner. 2002, p. 26.

⁷⁸ UNICEF. November 30, 2015. “Fifty-three children released by Myanmar Army.” Accessed March 15, 2017. Retrieved from: https://www.unicef.org/myanmar/media_24942.html

⁷⁹ UNICEF. January 2017. “Formative Evaluation of UNICEF’s Strategy and Approach to Child Protection Systems Building: Annexes (Volume II). United Nations Children’s Fund.” Accessed March 15, 2017. Retrieved from: [https://www.unicef.org/myanmar/Annexes_Evaluation_Child_Protection_Systems_Building_\(Volume_II\).pdf](https://www.unicef.org/myanmar/Annexes_Evaluation_Child_Protection_Systems_Building_(Volume_II).pdf)

7. CONCLUSION

The thesis has dealt with a case study of Burma and Thailand with respect to human trafficking situation in both countries separately, touching upon differences and similarities between human trafficking in Burma as mainly a source country and Thailand as a source, transit and destination country. The objective was to present the issue of trafficking in human beings from a general point of view first and then focus on how serious the problem is particularly in the context of Southeast Asia and the two units of analysis, which both have a unique trafficking profile.

Hence, the first half of the thesis has provided theoretical information and definition of the issue in the introductory part together with past academic research and contribution to the field, and proceeded with the methodological approach of the work in aims of the thesis, the main research question asked, and finally in used methods and sources to conduct this thesis. Moreover, this specific section has discussed how this topic has not been explored to such an extent in the Czech academic sphere, thus has intended to fill the research gap and potentially raise public awareness.

The third chapter have introduced basic concepts, important to define in connection with human trafficking, such as the role of an organised crime and increasing globalisation, why human trafficking has been perceived as a form of modern-day slavery, together with two most common forms of trafficking; for the purpose of forced labour or sexual exploitation. Lastly in this section, the thesis has discussed the main distinctions between human trafficking and migrant smuggling so it clearly divides these two disparate terms and prevents from any possible confusion in this regard.

Subsequently, the fourth chapter has examined how migration in Southeast Asia has influenced socio-economic disparities and illegal activities within the region, including child trafficking, illegal supply of migrant labour or re-emergence of commercial sex work. The section has also briefly mentioned some organisations and international agencies that have been active in human trafficking in the past years and operating in regionally problematic areas, especially rural and cross-border zones of the countries. These general issues concerning more or less all Southeast Asian countries has provided deeper understanding of what the biggest struggles in this part of Asia are, further explored in the second half of the thesis.

In the second part of the thesis, choosing the case study method presented the most accurate method to explain and analyse this huge phenomenon that human trafficking represents. It offered the possibility to focus on individuals and groups who are in great danger of being trafficked in both countries, and what the biggest factors influencing these potential victims of human trade are. This section has focused on answering the main research question; what the root causes of human trafficking have been over the last sixteen years. This has given more insight to conditions in Burma and Thailand, and has proven that despite both countries being very different, their clear connection in human trafficking brings them closer together. Thailand's issue with human trade has shown many similarities with Burma, and through comparison the work addressed extreme poverty and growing socio-economic gap resulting from lack of education and job opportunities or underdeveloped rural areas as main indicators of trafficking in these bordering countries, extremely affected by historical background of the region, especially within the Greater Mekong Sub-region.

Furthermore, Thai and Burmese trafficking in persons can be attributed to not only extreme poverty or lack of education, but also gender inequality or lower status of women, which causes women to be in more danger of being sexually exploited and trafficked internationally. Human trafficking for sexual exploitation has been the centre of attention to many organisations and institutions worldwide, being the most alarming subject of discussion, concerning child prostitution, pornography or debt bondage of young girls. Therefore, the thesis has decided to focus on less conventional and substantially less discussed form of trafficking; forced labour, and mention concrete examples of the magnitude of forced labour in the two analysed countries. The case study method has focused retrospectively on events that proceeded current problems, in the case of Thailand, on Thai fishing industry that has caused the spread of migrant trafficking from Burma and other countries to Thailand to work on fishing boats at the sea for years; and in the case of Burma for instance the issue of children being trafficked and becoming child soldiers caused by military repression in the country that still remains present nowadays.

Hence, the thesis has shown that human trafficking is indeed a complex phenomenon, still representing a strong lucrative activity worldwide, and whose interconnected causes need to be fully addressed in order to be able to prevent and suppress this illegal trade in human beings as a serious violation of human rights.

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