

**CHILD RIGHTS AND ABUSE:
A CASE STUDY OF THAILAND**

*Dissertation Submitted to Jawaharlal Nehru University
in partial fulfillment of the requirements
for the award of the Degree of*

MASTER OF PHILOSOPHY

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Declaration

I declare that the dissertation entitled "**Child Rights and Abuse: A Case Study of Thailand**" submitted by me for the award of the degree of **Master of Philosophy** of this university is my original work. This dissertation has not been previously submitted for any other degree of this or any other University


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CERTIFICATE

We recommend that the dissertation may be placed before the examiners for evaluation.



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ACKNOWLEDGEMENT

Firstly, I would like to thank my supervisor Dr. Ganganath Jha for his continuous support in the writing of this dissertation. Without his encouragement and constant guidance, I could not have finished my work. He was always ready to meet me and talk about my ideas, to proofread and mark up my papers and chapters. I convey my heartfelt gratitude to Dr. Shankari Sundararaman for her guidance and advice from the beginning of my work. She plays a great role in the completion of my writing.

Besides my Supervisor, I would like to thank the Chairperson Prof. Mahendra P. Lama and the rest of the faculty and staff members for helping me to complete the necessary office works. I'm thankful to the Central Library in JNU and Centre for Women's Development Studies, Gole Market, from where the materials have been collected, the Librarians and the staff for being helpful.

I want to thank Lalgoulian for his open hearted invitation to make use of his computer whenever I needed to. Thanks to Hoineihling and Lianzang for sharing their ideas and giving suggestions relating to my topic. I also want to thank Ruth for providing me with materials and to Bhawani for giving me invaluable suggestions and giving me insightful comments throughout my work. I would like to express my gratitude to Zodingliana for typing and proofreading my dissertation. To all my classmates and friends whose names I have not mentioned, thank you for the encouragement and the support you have given me. I would also like to thank all the members of JNUCF for their continuous prayer support.

I thank my family: my parents, K. Lienzathang, and Tlanglawmkim, for educating me, for unconditional love and support, and encouragement to pursue my interest, and having faith in me. My brother Robert, my sisters Nancy and Amelia, thank you for always being there for me, sharing my dreams, giving me encouragement and support.

Last but not the least, I want to thank God for giving me good health and a sound mind and the opportunity to complete my M. Phil dissertation.

PREFACE

UNICEF estimates that some 2 million children, most of them girls, are exploited in the multi-billion dollar industry each year (UNICEF, 2005c). India is estimated to have between 400,000 and 500,000 child prostitutes (UNICEF, 2003); Thailand up to 300,000; Taiwan 100,000; and the Philippines 100,000; and children as young as age 11 are known to stock the brothels (UNICEF, 2001). The main objective of the study is to understand the emergence and growth of child prostitution in Thailand. The study will take into account the socio-economic factors making children vulnerable to child prostitution and will try to bring into focus how child sex trade contribute to the economy of the country and how it is the source of daily income not only for the children engaged in it but for the middleman, brothel owners and the poor family who depends on the earning of the child. It will also try to take into account the contribution of sex trade to the country's Gross National Product.

The study will also try to understand the specific aspect of mental and physical difficulties directly faced by those affected and vulnerable to child prostitution. It will also try to find out the impact of the sex trade at the level of the community, at the household and at the individual level.

The study has five chapters, including the introduction and the conclusion. The first chapter introduces the concepts and theories of child rights and abuse with special focus on girl child prostitution in Thailand. The second chapter, "*Growth of child prostitution in Thailand*", will be an analytical interpretation of the history of the

existence of prostitution in Thailand which have a record of existence as early as the 16th and 17th century and discuss how the degree of prostitution in Thailand today is the direct consequence of the Vietnam war. It will also highlight the continued boom in child prostitution due to the factors such as Poverty, Gender Discrimination, War, Natural Disaster and Political Instability, HIV/AIDS, weak laws and Corrupt Law Enforcement, Globalization, New Communication Technology and Family Dysfunction and Breakdown, and finally, steps taken to check the growth of the industry, both by the government and non-governmental organizations.

The third chapter, "*Socio-economic Impacts of Child Prostitution*", will focus on the social and economic conditions of the country which influenced the growth of social ills such as child prostitution. It will discuss in details how society, economic, tourism, supply and demand, and the evolution of Thailand's rural economy, impact or act as incentives that drives the child sex industry in Thailand. The fourth chapter, "*Psychological and Physical Health effects on the Adolescent Prostitute*", will emphasize how child prostitution affects both the psychological and physical health of the child, and the role played by the social empowerment and education on the issue of child prostitution. It will deal in detail the health problems faced by the girl sex workers, particularly the problem of sexually transmitted disease (STD) with major emphasis on AIDS. The fifth and concluding chapter will attempt to arrive at critical insights into the problem of child rights and abuse in general and of child prostitution in Thailand, in particular based on the analytical study of the same in the preceding chapters.

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Chapter 1

INTRODUCTION

Children are the future of the nation. They are entitled to fundamental rights of having a safe and protective environment as well as comfortable environment to grow up. The concept of the rights of child has not had a long history of recognition due to the general problem in defining, identifying and understanding the issue and its vast scope. International law for the first time recognized the importance of the rights of the child in 1924 followed by the United Nations' declaration of the Rights of the Child in 1959 when it proclaimed the child to be the most privileged ward of humanity.¹ The Geneva Declaration of 1924 also known as the Declaration of the Rights of the Child, which was adopted by the Assembly of the League of Nations, remains the greatest instrument of international significance for the protection of children.

In 1948, together with other 47 United Nations member states, Thailand voted in favor of the Universal Declaration of Human Rights, which has served as the foundation for the protection of the inherent dignity, and the equal and inalienable rights of all people². Thailand has been proactive in becoming a party international human rights instrument and has already acceded to the core UN Human Rights Instruments as, Convention on the Rights of the Child (CRC) in 26th April 1992 and is in the process of taking necessary measures at the domestic level to sign and ratify its own optional

¹ D Venkateswara Rao, *Child Rights: A Perspective on International and National Law* (New Delhi, 2004) pp. 8-9.

² Ministry of Foreign Affairs, Kingdom of Thailand, *Human Rights Promotion in Thailand*(Bangkok, 2005) p.1

Protocols (the optional Protocol on the Involvement of Children in Armed conflict and the Optional Protocol on the sale of children, child prostitution, and child pornography).

As a party to the Convention on the Rights of the Child, Thailand fully adheres to basic rights and principles for the best interests of the child. The National Economic and Social Development Plan have given priority to human development, including child protection and participation. Indicators such as Social Indicators (Basic Minimum Needs), Indicators on Child and Youth Development and Indicators on Child Rights were introduced as guidelines for the effective protection of children's right. With regard to other international instruments related to human rights, Thailand also ratified, among others, the following

(1) ILO Conventions- ILO Convention No.29 on Forced Labour in 1969, ILO Convention No. 182 concerning the worst forms of child labour in 2001, ILO Convention No. 138 concerning the minimum age for admission to employment on 11 May 2004.

(2) Hague Conventions- The Hague Convention on the Protection on the Civil Aspects of International Child Abduction on 9 August 2002, and the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption on 1 August 2004.

(3) UN Convention on Organized Transnational Crimes- Thailand signed the said Convention on 13 December 2000 and later signed on 21 December 2003 two related Protocols- namely, the Protocol to Prevent, Suppress and Punish Trafficking in Persons,

especially Women and Children and the Protocol Against the Smuggling of Migrants by Land, Sea, and Air³.

Nevertheless, children in Thailand, similar to those in other countries, are faced with new threats to their right to life, survival, development, well being and welfare. Several measures such as law reforms and international co-operations have been continuously introduced to cope with these crimes and violations against children. These include the enactment of the Act Concerning Measures of Prevention and Suppression of the Trafficking in Women and Children to combat syndicates of organized trafficking both nationally and internationally; the Prevention and Suppression of Prostitution Act to toughen the punishment of those who exploit children aged below 18 years regardless of consent; the Amended Criminal Procedure Code concerning pornography to cover offences committed on boys as well as girls. Another important achievement is the enactment of the Child Protection Act which came into effect on 30 March 2004 which is intended to provide protection for children from all forms of abuses, exploitation, violence and gross negligence by clearly stipulating that any child below the age of 18 is protected by the State.

The abuse of Child Rights can be looked upon in different aspects. Various form of child abuse such as mental, physical and sexual abuse exists in every society. Our aim is to make an interpretative analysis of Child Rights and Abuse in the form of child prostitution and especially that of the girl child in Thailand. The work is an attempt to bring into light the existence of social evil such as child prostitution and to acknowledge the importance of both the economic impact and the role played by the society in the

³ Ibid p.5

existence and growth of child sex industry in Thailand. Its main aim is the analysis of social functions and the role of child prostitution on the economy of the country. This exercise is all the more necessary considering the apparent long lease given to this industry, though legally it is a punishable offence. In Thailand, the law to protect the children from sexual exploitation only addresses the issue in relation to girl's exploitation and there has been resistance to amendments in the penal code that attempt to protect boys, as the laws stand now only a girl or women can be exploited or raped⁴.

In the dark catalogue of human crimes sexual abuse of children is one of the most heinous. Every year million of children are being sexual abused and exploited in countries on every continent, in some cases the abuse may be from their own family members, and in other cases like the developing countries, it's mostly a case of commercial sexual exploitation of the child. The sexual exploitation of the children does not occur in vacuum but involve a more widespread exploitation, sexual or otherwise. There are three primary and interrelated forms of sexual exploitation of children: Prostitution, Pornography, and Trafficking for sexual purposes. Other forms of sexual exploitation of children include child sex tourism and early marriages⁵. Commercial sexual exploitation of children has become an issue of global concern, and appears to be on the rise. Children are increasingly being bought and sold across national borders by organized networks for work in sweatshops and brothels where they are also compelled to serve the customers as sex workers. Child sexual abuse in any forms is a serious problem with serious ramifications for society. To understand the rising problem of Child

⁴ ECPAT International. Questions and Answers about Commercial Sexual exploitation of Children(Bangkok, 2001),p19

⁵ Ibid p.2

prostitution in Thailand, one must understand the origins of the sex trade, the risk of the sex trade and the initiative taken to fight the growth of the sex industry.

Most of the time prostitution is casually characterized as The World's oldest profession and the purportedly ancient origin support the idea that it is imbedded in human behaviour. It is seen as deeply rooted because men's need for sex, a thing with which women can supply them, is so powerful that it drove the early societies to establish commerce to accommodate prostitution⁶. In olden days children were often used sexually by older men, although the form and frequency of the abuse varied by geographic area and date. Dedication of young girls to temples or to gods or goddesses has been practiced in many parts of Asian subcontinent for centuries; these girls are then trafficked by temple priests and others into prostitution⁷. Although the root of Thai society's social acceptance of prostitution goes back into history, it becomes further exposed during the Vietnam War.

Gender discrimination is one of the hidden causes that make a girl child more vulnerable for being easily abused. Girls are raised differently from boys. The traditional value of the Thais is that boys have to receive as much education as they can, or as their parents can afford while education for girls is not very necessary. Moreover, when the parents have limited resources, girls have to sacrifice so that boys can receive education. A son can pay back the gratitude to their parents by being ordained to be a monk for a period of three months while a daughter has to pay back in other ways including working in commercial sex business and contributes the hard earned money for the survival or

⁶ Ryan Bishop and Lillian S. Robinson, *Night Market: Sexual Culture and the Thai Economic Miracle* (New York, 1998) p.219

⁷ Enakshi Ganguly Thukrul, *Children in Globalizing India, Challenging our Conscious* (New Delhi, 2002), p.252

comfort of her parents and her siblings. Poverty and ignorance along with the spread of HIV/AIDS are the other underlying causes that make the child vulnerable for being easily abuse by the traffickers and the sexual exploiters⁸.

Child prostitution in Thailand is a serious problem despite the Government's denial of its existence. It is a form of enslavement that currently has a profit that exceeds that of the drugs trade or weapons sales or lotteries or sports gambling. A significant factor for the flourishing of child prostitution in Thailand is the local demand as well as the foreign demand which is spurred on by the economic development policies which promote foreign investment, attracting both expatriates and tourists. Recent events, such as the 1997 Asian Economic Crisis and the transition to a free market Capitalist economy in Eastern Europe, have also intensified the problem of child prostitution. Another factor is that, as the fear of contracting HIV/AIDS through sexual contact spread, the demand for young virgins and children in the flesh trade market also soared dramatically. Minors are also especially vulnerable to sexual exploitation as many have personal contact with tourists as waiters, chambermaids, tourist guides, or beach vendors, and may be sexually exploited by their employers, recruiters or other workmates. According to Heather Montgomery, there are three main types of child prostitution in Thailand, the first type involve the trafficked children, kidnapped against their will, usually from neighboring country. Second type is the one that involve children sold or debt bondage by their parents and the third ones are the free children who live with their parents and work on a part time basis. Increasingly there is also a group of street children who have run away

⁸ National Commission For Women, *Trafficking A Socio-Legal Study* (New Delhi,2001), p.1

from home and lives on the streets and who survive through prostitution, which may constitute a sub group of children⁹

Indifference and ignorance, the perpetuation of attitudes and values in a society that view children as economic commodities, the absence of or inadequate legislation, corruption, and limited sensitization of law enforcement personnel are all factors which lead, directly or indirectly, to the commercial exploitation of children in Thailand. In 1996, the World Congress against Commercial Sexual Exploitation of Children stated that the main causes of commercial sexual exploitation are economic injustice, disparities between rich and poor, and family disintegration and it concluded that child sexual exploitation instigates a loss of childhood, a loss of dignity, and loss of children's future¹⁰. This statement can be truly applied to the condition in Thailand after the economic crisis of 1997, where there is a large gap between the urban rich and the poor rural people especially from the Northern part of the country who mainly depend on agriculture for their livelihood.

Prostitution according to Overall "is a classiest, ageist, racist and sexist industry, in which the disadvantaged sell services to those who are privileged". Reference to the purportedly ancient origins of prostitution supports the idea that it is ingrained in human behavior-if not, indeed, a natural activity¹¹. In every society, prostitution is taken to be a mysterious and problematic in some way that more respectable sexualities are not. There are some scholars who also define prostitution or sex work as a result of an inherently unequal gender relationship defined by the intersection of capitalism and patriarchy. As it

⁹ Heather Montgomery, *Modern Babylon?: Prostituting Children in Thailand* (New York, 2001) p.71

¹⁰ Jaeyeon Lee and Sohee Jeon, The Violation of Children's Rights committed by Child Pornography on the internet, *Asia Women*, volume 20, 2005, pp.209 and 211

¹¹ Ryan Bishop and Lillian S. Robinson, *Night Market: Sexual Culture and the Thai Economic Miracle* (New York, 1998) p.219

is seen in the case of Thailand where majority of the prostitutes, women and children, are lured and sometime forced into the sex trade because of the existing problems such as poverty, low women status, unavailability of jobs, growth of tourism and the spread of globalization and illiteracy of the people especially that of the girl child in Northern Thailand.

Feminist theorists have tried to develop a single account of the origin and social evolution of prostitution in any society by preparing the groundwork for the moral and political analysis of prostitution. In the initial stages of feminist analysis of prostitution in contemporary society, prostitution has been treated in a reductionist way as a deviant activity and as sexual slavery.¹² The feminist presume that if the social forces that give rise to prostitution are morally problematic, then so too is the resulting social practice of prostitution itself. Feminists seek to be supportive of sex workers while deploring the work itself as inherently wrong. If prostitution has a morally unproblematic origin, then its moral character needs to be reevaluated accordingly. More recently, it has been treated as an understandable and reasonable response to socio-economic need within the context of a consumer culture and within a social framework that privileges male sexuality.

The feminist literature has two predominant origin stories regarding prostitution. One is offered by socialist feminists who argue that prostitution is caused by capitalism and patriarchy. The other has been offered by the liberal feminists who argue that prostitution is caused by a natural human desire for unlimited indulgence in this respect. The others feminist group who express strong views on the issue of prostitution are the Marxist feminism, Radical feminism and existentialist feminism¹³.

¹² Maggie O'Neill, *Prostitution and Feminism. Towards A Politics of Feeling* (U.K.2001) pp.15-16.

¹³ Sarah Bromberg, *Feminist Issues In Prostitution* (Northridge, 1997) p.1

Laurie Shrage (1989, 1994) approaches the issue of feminism and prostitution from feminist philosophy and outlines a very clear picture of the very difficult issues that the debate raises for feminist. On the other hand, feminists want to support the abolition of discriminatory practices which serve to punish and harass prostitutes but which rarely punish the clients or pimps (mostly men) involved in buying or organizing the sex industry. On the other hand, feminists cannot support prostitution and the sex industry because 'feminists find the prostitute's work morally and politically objectionable'.¹⁴ Ultimately, the sex industry (like other institutions in society) is structured by deeply embedded attitudes and values which are oppressive to women, for prostitution depends upon the naturalization of certain principles that marginalize women socially and politically.¹⁵ These principles are embedded in a cultural framework that involves assumptions, behaviors and beliefs which legitimate women's sub-ordination. For Shrage, prostitution and the sex industry simply perpetuate 'patriarchy ideology' and hegemonic heterosexuality. Furthermore, prostitution is a consequence of patriarchal hegemony which forms the foundation of all our social institutions and practices. The answer for Shrage is to challenge the cultural presupposition that sustain prostitution: 'Prostitution needs no unique remedy, legal or otherwise, it will be remedied as feminists make progress in altering patterns of belief and practice that oppress women in all aspects of their lives'.¹⁶ Although she acknowledges that her arguments are consistent with the decriminalization of prostitution, she concludes that feminists have every reason to politically oppose prostitution because it is a practice that epitomizes and supports gender

¹⁴ Laurie Shrage, *Moral Dilemmas of Feminism* (New York, 1989,1994) p.347.

¹⁵ Ibid, p. 349.

¹⁶ Ibid, p. 360.

asymmetries which are oppressive to women.¹⁷

In this work we will be mainly using the Socialist Feminism theory on prostitution. The socialist feminism focuses upon the public and private spheres of the women life and argued that liberation can only be achieved by working to end both the economic and cultural sources of women's oppression. Socialist feminism is a dualist theory that broadens Marxist feminism arguments for the role of the capitalism in the oppression of women and the Radical feminism's theory of role of gender and the patriarchy. Socialist feminism appears to adopt some of the same tenets of Marxism, but instead of focusing on the economic determinism as the primary source of oppression, the socialist feminist sees the oppression as having psychological and social roots as well, which is the theory we are going to apply in our study of the prostitution of the girl child in Thailand. Using the socialist feminism theory we will highlight the social root cause of the existence of the child sex trade in Thailand and the role played by the economy on the growth of sex industry in the country and *vice versa*. A large number of child prostitute join the industry due to poverty either willingly or unwillingly being sold by their parents. Traditional Thai society has the problem of Gender discrimination that makes women and girls more vulnerable for being easily abused. The traditional value is that boys have to receive as much education as they can, while the girl child have to drop out of school when there is limited resources. A daughter has to pay back her gratitude by contributing the hard earned money for the survival or comfort of her parents and her siblings, which they usually earn from commercial sex trade as they do not have the education and skill for a better job opportunity.

¹⁷ *ibid.* p. 361

Chapter 2

Growth of Child Prostitution in Thailand.

Child prostitution has its roots in antiquity. In ancient Greece and Rome, children were often used sexually by older men, although the form and frequency of the abuse varied. Despite evidence of childhood prostitution in antiquity, the labeling of this phenomenon as a pervasive social problem is relatively recent¹. Children are invariably victims of prostitution and in contrast to adults, they are much more vulnerable and helpless against the established structures and vested interests in the sex sector, and much more likely to be victims of debt bondage, trafficking, physical violence or torture. Commercial sexual exploitation is such a serious form of violence against children that there are life long and life-threatening consequences.

Prostitution is illegal in Thailand. Commercial sexual exploitation of children is specially a serious social problem, in spite of the law that state that sexual contact with minor is a criminal offence and sexual intercourse with a minor is statutory rape and is punishable by imprisonment. Nevertheless like all crime it exists. The Thai culture has a long history of prostitution but the problem has never been as grave as it is at present where an estimated 650,000 of the country's million prostitute are aged 12 to 16². Bought and sold for a profit that exceeds that of the drugs trade or weapons sales or gambling, prostituting children and their enslavement for financial gain represent a sad story of human degradation. Commercial sexual exploitation of children has become an issue of global concern and appears to be on the rise. Girls as young as 10-12 years old service

¹ D. Kelly Wisberg, *Children of the Night* (Lexington, 1985) p.1.

² S. K. Ghosh, *The World of Prostitution*, Volume I (New Delhi, 1996) p. 509.

men in the sex industry. Poverty is the most prominent factor that accounts for child prostitution in developing country like Thailand, though it is not the only cause³. Due to factors like AIDS, trafficking of children for sex trade is increasingly demanding serious attention. Thai NGOs have estimated that there were between 200,000 to 800,000 child prostitutes in Thailand in 1989 to 1990⁴.

The region and city of Chiangmai are known to be a centre for trafficking in children. Large scale prostitution of children is conducted there unhindered, and much less discretely than in Bangkok. There are actually rings of recruiters, who obtain children from families in return for an undertaking to send them a portion of their earnings. Therefore child prostitutes are easy to procure for the recruiters⁵. The local Thai believe that deflowering a virgin increase virility and fresh prepubescent crops are brought into the city for good luck during the Chinese New Year⁶. For Thai nationals, it is easier for a man to get an under aged girl or boy than it is for a foreigner. There is also a myth among the locals that very young girls, even if no longer virgins, are likelier to be free of disease, which is not always true in accordance with research conducted by NGOs, 50% of the children in sex trade are HIV positive. While most children used in this way are girls, some boys are also prostituted and the number is going up.

The sex service industry becomes an issue in Thailand during the 1960s, but the policy makers took the view that when the Thai economy grew, prostitution would become less problematic. Over forty years have passed, yet there is no sign that

³ Ibid, p. 510.

⁴ Christina Mahoney, "Trafficking and Forced Prostitution of Chinese and Burmese Women in Thailand", *Women Empowering Women* (Phillippines), April 2-4, 1993, p. 63.

⁵ S. K. Ghosh, *The world of Prostitution*, Volume I (New Delhi, 1996) p.380.

⁶ Ryan Bishop and Lillian S. Robinson, *Night Market Sexual Cultures and the Thai Economic Miracles* (New York, 1998) p. 8.

prostitution in Thailand, especially that of minor prostitution declining. Indeed with economic development, rise in HIV/AIDS problem and increased standard of living has raised the demand for sex services⁷. In brothels serving local men, where there is a premium on extreme youth and virginity, a girl who has not yet menstruated is rated at a price more than sixty times the usual. Sex workers as young as seven are often bartered alongside their older counterparts. Recognizing that Thailand will never be able to rid itself of the problem of prostitution, in 1992 Prime Minister Chuan Leekpai nevertheless, insisted very early in his term that he would like to see the problem of child prostitution terminated. The police began a crackdown on child prostitution and those sex workers who did not have ID cards would face arrest or deportation if they were aliens, from the surrounding countries.

In Thailand, the citizen has to register for a National Identity card when they turn 15 yrs. So if a sex worker does not have an ID, she or he is considered a child or an alien and can no longer work openly as a prostitute. From a legal standpoint, 13 is considered the minimum age that a child can be engaged in sex with a partner if his/her parent consents in Thailand. One point of common confusion is that while the general age of consent in Thailand is 15, Thai law specifies that 18 is the minimum age in which they can independently choose prostitution as a profession. Many of the laws which countries have to protect children from sexual exploitation only address the issue in relation to girl's exploitation. In Thailand there has been resistance to amendments in the Penal Code that attempt to protect boys as well as girls from rape or commercial sexual

⁷ Pasuk Phongpaichit, Sunghsidh Piriyarangsam and Teerat Nualnoi, *Guns, Girls, Gambling, Ganja, Thailand's Illegal Economy and Public Policy*. (Bangkok, 1998) p.196.

exploitation. As the laws stand now only a girl or a woman can be raped or exploited⁸. With the great amount of money involve in the sex trade, the family in rural Thailand celebrate when a girl child is born in the family, especially if she is good looking, as it is believed that she will bring wealth and prosperity into the family⁹.

Child prostitution in Thailand has become more globalized. The demand for child prostitution is still high and the economic and social conditions of the rural folks still depend greatly on the luxury brought on by their children's sex labour. Estimates of the number of prostitutes in Thailand vary widely and are subjected to controversial debate. According to one such estimate, Dr. Nitet Tinnakul from Chulalongkorn University report in *The Nation* in January 2004 gives a total of 2.8 million sex workers in Thailand, including 2 million women, 20,000 adult males and 800,000 minors under the age of 18. The official position on prostitution is that it does not exist because it is illegal which is explained by the fact that message parlours, restaurants, motels and tea houses may well offer sexual as well as other services, but they do not count as brothels. This side stepping the issue is a severe handicap to campaigns that seek to provide safeguards for prostitution and to limit the spread of AIDS¹⁰.

History of Child Prostitution in Thailand

Prostitution has existed in Thailand for a long time, and was not introduced by westerners despite popular myths. As early as the 16th and 17th centuries, prostitution was

⁸ ECPAT International (Bangkok) 2001.

⁹ Bangkok Post, 25th December, 1994.

¹⁰ The Economist, 8TH February 1992.

described in reports by sailors visiting Thailand (then called Siam). The Chinese voyager Ma Huan, writing 1433, records that in Siam; if a married woman is very intimate with one of our man from China, wine and food are provided, and they drink and sleep together. The husband is quite calm and takes no exception to it: indeed, he says “My wife is beautiful, and the man from China is delighted with her.” Despite Ma Huan’s peculiar style, this is not and never has been a traditional Thai custom. While there are no direct indications that the “men of China” paid for the privileged, one can fairly assume that this is an early record of prostitution and of procurers in Thailand¹¹. When, some 200 years later, European vessels began to visit Siam regularly, prostitution certainly existed. A Dutchmen, who visited Pattani in 1604, reports that, when foreigners come there from other lands to do there business, men come and ask them whether they do not desire a women, an approach that any single male who has landed on Bangkok’s Don Muang International Airport will internationally recognize. Another Dutchmen referring to the conditions in which the staff lived at Ayutthaya, the Siamese capital, in 1655, notes that most of them have concubines or mistresses and they maintain them with all necessities, buying or building houses for them though they rarely referred to them other than as whores, sluts, trollops and the like, up to and including the director, for hardly anybody was free of this failing¹².

From an early Thai source it is known that in the 1680s a particular Thai official was licensed by the state to run a monopoly of the prostitution business in Ayutthaya, using 600 women brought or enslaved for various offences. This appears to have been the origin of Thai tradition of deriving significant state revenue from prostitution. By the mid

¹¹ Bangkok Post, 25th December 1994.

¹² *ibid*

19th century, Bangkok's extensive prostitution industry was centered on the Chinese district of Sampeng Lane. The social turmoil in Thailand provoked by World War II was one of the reasons for the growth of child prostitution in the country. Western soldiers first came to Thailand in serious numbers in the wake of the Japanese surrender in the end of the 2nd World War. In 1945, according to the report of a young Press officer from America, Bangkok had 85 cabarets scattered across the city with names like Great World, Happy World, Venus Club, etc. The greatest had something like 2000 hostesses for the asking¹³.

The degree of prostitution as it can be observed in Thailand today is a direct consequence of the Vietnam War. The US army created in the 60s and 70s recreation centers so called Rest and Recreation Centers, which the soldier themselves call it as I&I- intercourse and intoxication. Where the American soldiers can recover in between their war mission. As by this the demand of female company was growing and the number of women working in the sex business increased (in smaller quantities men as well). By 1964, after the United States established 7 bases in the country, the number of sex workers had skyrocketed to 400,000 with compared to 200,000 prostitutes in 1957. A large and steady stream of dollars entered the local economy through the sex industries. The tourist industry developing at this time took over this service sector after the end of the war and the associated pull-out of the US soldiers. Since 1982 tourism is the device binger No.1 in Thailand. From 1965 to 1993, the number of tourist grew from 250,000 to over 5 billion¹⁴.

¹³ ibid

¹⁴ TED Case Studies (Thailand), May 1997.

As in many other countries agriculture was economically neglected so that due to the dominance of the tourism sector also in Thailand the migration into cities mainly in the poor agrarian north-east and north can be observed. Due to the often very small wages, aspiring to better income and a small amount of luxury more and more people willingly or unwillingly in the case of children sex worker join the profession. Out of the social poverty children are, mainly from the poor north-east of Thailand and also from the neighboring countries like Myanmar, Cambodia and Laos often sold from their parents to people smugglers with the attraction of false promises. Mostly the minors end up in brothels for paedophiles or are offered to foreigners for a higher price. Another history of child prostitution in the Thai culture is that of "Tok Khiew" or "Green Harvest" originally meant "pledging green paddy" for loans. The term had been used extensively for decades as a symbol of the farmer's hardship where they did not have funds to sustain themselves while waiting for their green paddy to be ready for harvest. So they pledged their green paddy to usually rice millers as a mortgage for loans. Recently the terms "Tok Khiew" has meant farmers' pledging their young daughters to the procurers in exchange for money to buy such things as houses or pick-up trucks. The young girls may be pledged as young as prathom 5 (grade 5) and when they finish the compulsory prathom 6 they are sent into the brothels for a number of years to pay of the parent's debt¹⁵.

According to the International Health Organisation in Thailand more than 200,000 children and adolescent are forced into sex trade. Since the financial crisis in mid 90s, the Thai government has found that tourism is a quick way to earn foreign dollars and it cannot easily stop the lucrative if degrading business of commercial sexual

¹⁵ Bangkok Post, March 20, 1994.

exploitation of children. A beautiful country, beautiful women, and inexpensive living enable the sex industry to annually earn even more money. There are two parts to the Thai policy of promoting tourism: one is to sell the physical and cultural beauty of the country; the other is to promote the Thai people which of course include sex related services. "Amazing Thailand", a tourism campaign from 1998 to 1999 promoted to foreign men to come and see Thailand's beautiful women and to enjoy the thriving sex industry. The Ministry of Public Health estimates that child prostitution amounted to about 16276 in 1995. The Centre for the Protection of Children's Right estimates that Thai and foreign child prostitutes aged under 11 years, in 1996 amounted to about 800,000 out of a total of 2 million prostitutes. During 1990-97 an estimated minimum 80,000 children and women from Mekong sub region entered sex trade; an estimated 18,000 were Thai child prostitutes¹⁶. According to the online article titled "Slavery in Thailand Today" one of the reason why child prostitution still exists is because of the corruption of the government and political system which causes the issue of sexual slavery to be overlooked and minimized. Many police officers are paid by the middlemen or brothel owners and are themselves regular customers, thus not only overlooking the problem itself but also participating and supporting it. The Thai culture regards sex not as sin but as a normal, everyday leisure activity depicting women as sex objects for the pleasure of men. In some part of Thailand child prostitution become the fastest and most convenient way of making good money and many are not willing to give that up even if it means hurting the innocent. Over the last 20 years, the country's villages have been the

¹⁶ Warasan Prachakon Lae Sangkhom. 1999 Jan; 7(2):1-9

supply base from which thousand of children and adult have been drawn for employment into brothels and entertainment houses in Bangkok¹⁷.

In summary it seems clear that US marines on R&R; together with sex tourists cannot be held solely responsible for corrupting Thailand's morals and spreading prostitution in the country, it is responsible only for making things uglier, more obvious and worse than how it used to be in the past.

Factors for the growth of Child Prostitution in Thailand:

The factors that structure the growth of supply of children for the sex trade are substantially the same as those that structure the supply of women. Some of the main factors fueling the growth of child prostitution in Thailand are as follows:

Poverty: Poverty is probably the most important factor contributing to the growth of child prostitution. Children offer themselves or, in some cases, are sold for sex in return for money. In Developing countries particularly, the lack of viable economic opportunities, particularly in rural areas, combine with rising expectation and the desire to acquire modern goods, contributes to the potential for exploitation. Procurement agents thrive in urban slums and poor rural villages, where poverty severely blunts educational and employment opportunities. These agents bribe, coerce and lie to families, promising marriage or employment, often as domestic servants, to obtain children. Then they transport the children long distances, sometimes across borders and along well worn

¹⁷ S. K. Ghosh, *The World of Prostitution*, Volume I (New Delhi, 1996) pp. 511-512

clandestine drug routes, to work in message parlors, brothels, etc. to pay off their debts to their agents¹⁸. The unequal distribution of wealth within Thai society is an obvious factor for many families who are excluded from the benefits of Thailand's economic boom, to rely on even their younger family members to contribute to the house income. As unskilled labour, without influential connections, the poor children have few alternative but to join the sex trade. With Thailand whole hearted embrace of consumerism, the only possible opportunity to join the good life, for the poverty stricken families is selling a daughter.

Gender Discrimination: Since in many societies man are held in higher esteem than women, women and girls are often treated as property and denied a voice and a right to protection against violence¹⁹. In Thailand the position of women and young girls is a traditional one, remaining from the traditional position they have been assigned in Thai Buddhism. Families who are financially poor may chose to keep their daughters from school instead of their sons, dramatically limiting the life oppurtinitites of their daughters and increasing their vulnerability to exploitation and abuse. Most girls in the rural as well as urban slums have to work without being given education while the responsibility for looking after their families fall squarely on their shoulders. With a poor self image, women in this area consider the needs of their families more important than their own personal needs and desires. In Thai society, while strict rules of sexual conducts are applied to women, men can maintain their sexual freedom, and in many cases promiscuity is taken of proof of manhood. The promiscuity of Thai men and their

¹⁸ Radha Jhappan, "Of Tsunamis and Child Sexual Exploitation: The Political economy of Supply and Demand in the Sex Tourism and Trafficking Trades", *Asian Women* (South Korea) Vol. 20, 2005 p.147.

¹⁹ Jillada Rattanapan, "The Trafficking of Women and Girls for Prostitution", *Women Empowering Women: Proceedings of the Human Rights Conference on the Trafficking of Asian Women*. (Phillipines), April 2-5, 1993 p. 77.

mentality towards the female child and women are key reasons for the enormity of the prostitution problem.

War, Natural Disaster and Political Instability: Sexual violence flourishes in situation where norms breakdown. Poverty, hunger and general desperation may place women and children in situation in which they are forced to exchange sex for food, shelter and survival. Many thousands of women and children from Myanmar are lured, abducted or sold in brothels in Thailand. Due to the military regime in Myanmar many poor family are convinced by the agents for their young daughters with false promises of lucrative jobs who are then brought to Thailand and sold to brothels and other sex industry. It is estimated that due to economic and political instability an estimate of 10,000 Burmese girls and women are trafficked to Thai Brothels every year²⁰. Many children along the Thai border so not have birth certificate or family documents as their family migrated illegally from Myanmar, Laos, Cambodia or China within the last 15 years. As they do not have the required documents they have difficulty enrolling at school and then obtaining educational certificate without which the girl cannot obtain legal employment, they are therefore easy prey for brothel owners and employers with unsafe working condition. The Vietnam War and the resultant R&R activities of servicemen in Thailand led to a dramatic increase in the use of Thai prostitutes by foreigners in the country, which also leads to the growth of child prostitution as the demand for young sex workers increase not only among the Thai men but also from the foreigners.

HIV/AIDS: Many exploiters are under the mistaken notion that younger children do not carry HIV. Yet children who are not fully grown are more likely than adult to be injured by penetrative sex, making it easier for the virus to enter their bodies. Children are also

²⁰ National Commission for Women (New Delhi) 2001. p. 5.

unlikely to be able to insist on safe sex practices or to even have information regarding risk of infection or access to condom. In the past decade, HIV/AIDS has resulted in massive rise in the number of orphans and child headed household in which children must be wage earners. This vulnerability, along with the social stigma associated with AIDS in Thailand; leave these children with few defenses against sexual exploitation²¹.

Weak Laws and Corrupt Law Enforcement: In a Developing country like Thailand, the police are often underpaid, overworked and lack resources, making them an easy target for bribery. Local leaders including some village headmen in the bordering villages with Cambodia and Myanmar, police and government officials are involved in the recruitment and transportation of girls from the border areas, to work in the sex industry throughout Thailand. In Thailand every sector of the power-that-be has a vested interest in the sex trade or benefit from it. Sometimes it is the politician and some police officers who own chains of brothels. There are also several recorded instances in which police, especially in rural area, have handed escaping girls back to their abusers. In some places police officers also work as guards in brothels in their spare time, or get involved in trafficking to get extra easy money²². This lax in the laws of the country on the careless attitude of the Government officials and the police will cripple the fight against commercial exploitation of a child and will result in its spread.

Globalization: The sex industry previously considered marginal, has come to occupy a strategic and central position in the development of international capitalism. The commercial sexual exploitation of children in Thailand has become globalize with the inflow of trafficked children from Cambodia, Laos and Myanmar. The greatest

²¹ Time Asia (Hong Kong), 30th Sept. 2002.

²² Radha Jhappan, "Of Tsunamis and Child Sexual Exploitation: The Political economy of Supply and Demand in the Sex Tourism and Trafficking Trades", *Asian Women* (South Korea) Vol. 20, 2005, p. 149.

movement of people and goods occurring as a result of globalization has made it much easier for traffickers to transport children across borders and has increased the number of destination where pedophiles can seek sex with children. In the rural areas of Thailand, globalization has also increased unemployment and reduced wages and social spending, plugging more families into poverty²³, at the same time showing or bringing to them the good life, which resulted in the selling of girl child by the family to the recruiter who promised them a respectable job and payment to the families for a good life.

New Communication Technology: New technology can help to protect children, but it can also be used to exploit them. The internet, for example, knows no national boundaries and is almost without regulation. Today text, images and audio and video files can be sent around the world in seconds with the help of the internet facility. Child pornography and sex tourism information which is also a part of commercial sexual exploitation of children are offered openly in the internet with the help of the new communication technology. While forums on the internet has become a meeting ground for middlemen selling women and predators stalking children²⁴. The information that a predator get about child prostitution in Thailand from the internet will result in the rise of tourists visiting the country for the purpose of sexual pleasure, which will in return lead to the increasing demand and the resulting growth of child sex industry in the country.

Family Dysfunction and Breakdown: Sometime in every existing human society parents cannot cope with the stress in their life and become physically emotionally or sexually abusive. Children with unresolved conflict of sexual identity can also be a strain on family relationship. Most of the children from a broken family run away in search of a

²³ Ibid.

²⁴ Radha Jhappan, "Of Tsunamis and Child Sexual Exploitation: The Political economy of Supply and Demand in the Sex Tourism and Trafficking Trades", *Asian Women* (South Korea) Vol. 20, 2005, p. 149.

better life and in other times they are left to fend for themselves. Usually in the case of children whose parents are poor and illiterate who belong to the ethnic tribe in Northern Thailand does not have much to depend on their family and they are easily lured by recruiters with a promise for a job in cities. In other case children whose parents are also in the sex trade have no other option but to join the sex industry and follow in their mothers' footsteps²⁵.

Steps taken up by Government and non-Government Organization for combating Child Prostitution in Thailand:

Child prostitution in Thailand is illegal. Section 282-286 of a 1928 law defined penalties for providing women for prostitution and living off the income of prostitution, with progressively higher penalties for cases involving girls under the age of eighteen and fifteen. The Anti Prostitution of 1960 Made procurers and prostitutes liable to a fine or jail term but impose no penalty to the customer. The 1956 Criminal Court states that procurers of adult prostitute face a fine of upto 20,000 baht. Procurers of underage prostitute face a fine of upto 40,000 baht and a 20 year jail term. Amendment in 1996 reduce the penalties imposed on prostitutes, introduce new penalties for customer who buy sex from underage girls and also impose penalties on parents of underage girls of they act as an accessory. But in practice only the 1960 Act is used, with the result that the sex workers rather than the procurers or owners of establishment often get penalized²⁶.

²⁵ Ibid.

²⁶ Pasuk Phonpaichit, Sungsih Piriyaangsam and Teerat Nualnoi, *Guns, Girls, Gambling, Ganja, Thailand's Illegal Economy and Public Policy*. (Bangkok, 1998) pp. 210,212.

In January 1992, the Interior Minister Gen. Issarapong expressed concern that young girls being forced into prostitution had been neglected; consequently the images of the country have been tarnished. Similarly the November 1992 crackdown by the Chuan Government was inspired by the bad publicity that Thailand has been receiving overseas. His policy in combating child prostitution initiatives have eventually led to the passing of the Prostitution Prevention and Suppression Act of 1996 that includes penalties for customers, procurers, as well as parents who knowingly send their children into such trade²⁷. Also in 1997, the Act of Measures to Prevent and Suppress Trafficking in Women and Children was passed to provide for humane treatment and protection of trafficked person. In other words, these individuals are now being treated as victims and given protections from those who exploited them, even from their parents²⁸. According to the 1996 Act, 2 to 6 years in prison for child prostitution customers if the child was under the age of 15 years and up to 3 years when the adolescent is between 15 and 18 years was passed, 1 to 10 years if prostitutes are over 18 years old, and 10 to 20 years in prison for middlemen and recruiters when the child was under 15 years, and 5 to 15 years in prison when the adolescent was in between 15 and 18 years, and up to 20 years in prison for people forcing children into prostitution and a life sentence when by this the child was seriously injured²⁹.

There are various measures taken up by the different Department of the country in order to check the growth of child prostitution which are given as follows:

²⁷ Jillada Rattanapan, "The Trafficking of Women and Girls for Prostitution". *Women Empowering Women: Proceedings of the Human Rights Conference on the Trafficking of Asian Women*. (Philippines), April 2-5, 1993, p. 80.

²⁸ United Nations, Report on Thailand's Position on Child Prostitution. E/CN.4/1999/71/Add.1.

²⁹ *ibid.*

Legislative measures: Within the Thai legal system, there exists a number of legislation which is designed to prevent the traffic and the exploitation of women and children for sexual purposes. It includes the following: The Sale of Women and Children Act of B.E. 2471 (1928) which is still in force today prohibits the bringing into, and the taking out of Thailand women for the purpose of prostitution. The Pornography Act of B.E. 2471 (1928), The Hotel Act B.E. 2478 (1935), The Immigration Act of B.E. 2522 (1979) which prohibits entry into the kingdom of Thailand of foreigners who are deemed on reasonable grounds to be motivated to enter the kingdom for the purpose of engaging in prostitution or in the trafficking in women and children. The Amendment of the Criminal Procedure Court, of B.E.2530 (1987) is one of the most important legal instruments for the prevention and suppression of trafficking in women and children and the traffic in sex related paraphernalia. Punishment are made heavier if the victim are induced, lured or forced into prostitution is under 18 years of age, the degree of which depends upon the age range of the victim. The Prohibition of Prostitution Act of B.E. 2503 (1960) provides for the punishment of persons involved in the business of prostitution, except the client of the prostitute. The Entertainment Act of B.E. 2509 (1966) does not authorized those who apply to establish entertainment places to make prostitution available on the premises of the establishment. The Ministry of Interior Announcement of 18 January 1990 relating to the protection of child labour, apart from raising the minimum age of employment to 13 years, also prohibits employers from employing children between the ages of 13 to 18 to work in dance halls, message parlours, or in certain adult establishments³⁰.

Policy of the Ministry of Interior: The Ministry of Interior has announced a policy concerning the prevention and the separation of crimes as a part of the problem of child

³⁰ S. K. Ghosh, *The World of Prostitution*, Volume I (New Delhi, 1996) pp. 385-386.

prostitution in Thailand. The policy announces that entertainment business will operate within the limit of law, particularly in relation to the prohibition of juvenile clients. The Ministry of Interior also announces a policy to suppress continuously and seriously the publication and production of pornographic objects depicting children as sexual objects³¹.

Policy of the Police Department: The police department in Thailand has followed two points of strategy in the implementation of law. In case of voluntary prostitution, the strategy is to restrict advertisement and unconcealed activities so as to preserve moral standing of the general public. In the case of forced prostitution, strict restraint will be applied to the owners of the brothels, those providing financial support, middlemen, employees in brothels as well as anybody who take part in forcing women and children in sex industry. The police department has stick to the following guidelines, in case of prostitute under thirteen years of age, special scrutiny is needed to determine the cause of their entry into prostitution before providing appropriate assistance and, in coordination with provincial authorities concern or the public welfare department, arranging for safe return to their residence. The police department refrained from taking legal action against those victims who have returned home to ensure that they will not again be lured into prostitution. The department keeps in contact with the parents of the victims who have returned home to ensure that they will not again be persuade into sex industry. Severe punishment will be imposed on those police officers proved to be negligent in combating child prostitution or to have taken part in sex related business themselves.³²

The Public Welfare Department: The measures taken up by the public welfare department for the prevention and the suppression of child prostitution are –

³¹ Ibid, p. 383.

³² Ibid, p. 384

- a) Inspection of passports held by children under 15 years of age. This is a measure aimed at effective prevention of sale of children for exploitation in illegal or immoral activities abroad, in accordance with the Cabinet decision of 13 May 1977.
- b) Provision of advisory service to children and their families as a way to promote healthy upbringing of children and prevent perversion in their behaviour.
- c) Extension of welfare and assistance to homeless children, to persuade them to abandon aimless life in crime-ridden area of the cities and to receive assistance at rehabilitation centres.
- d) Establishment of social welfare centres in poor communities and to dispatch mobile units for the same purpose.

To strengthen its coordination with key governmental agencies, including the Police Department and the Ministry of Education, the Public Welfare Department has exerted more efforts in the inspection of illegal "children home" run by foreigners whose actual activities are proved to be sex-related business.³³ The Public Welfare Department provides vocational training for disadvantaged women in accordance with the law by providing extensive assistance and advisory service to women who have passed over the punishment according to the 1960 law. This covers the basic needs of women, consultancy, rehabilitation and vocational training. The department also takes care of their children born at the centres by arranging safe return to their hometown after one-year stay at the centres. More than 2,000 women and children have been assisted for a year free of charge in the centres for rehabilitation and vocational training established in

³³ Ibid, p. 384

all regions of Thailand. The Public Welfare department has also assigned social workers and experts to the ad hoc unit, set up to combat traffic in persons to foreign countries, with the task of analyzing ways and means in which Thai woman and children have been lured into prostitution abroad so that effective counter-measures can be developed. The Department has also disseminated relevant information to provincial areas to keep them abreast with changing circumstances and conditions of the problems of prostitution.³⁴

Role of Non-Governmental Organization (NGO's): Non-governmental organizations (NGO's) play a key role in the protection and promotion of the rights and welfare of women and children in Thailand. NGO's in Thailand have installed a working Group for the elimination of sexual exploitation of children. The Working Group acts as the focal point for the launching of numerous projects which serve to decrease the problems of child prostitution. These projects include:

- a) "End Child Prostitution in Asian Tourism (ECPAT)" founded in 1981 with its headquarters in Thailand. The organization's goal is to eradicate child prostitution worldwide. The core of ECPAT's plan is lobbying governments to persuade them to enact laws protecting children. The group then works to make sure the laws are enforced. The organization also campaigns to dissuade tourists from the sexual exploitation of children and publishes the names of foreign pedophiles found in Asian countries. ECPAT has convinced several countries to adopt new extra-territoriality laws that permit prosecution of citizens who sexually abuse children in another country. Under these laws, foreign visitors can now be convicted in their own countries, for using a child prostitute while "on vacation" in Thailand.³⁵

³⁴ Ibid, p. 385

³⁵ Ibid.

- b) Another effective fighter against sexual exploitation of children is the Task Force to End Child Exploitation in Thailand, a coalition of 24 government and private agencies dedicated to exposing links between Europe and the child sex trade in Bangkok. In 1991, the group disclosed the existence of a Swiss Network of Airline ticket agency catering to European pedophiles.³⁶
- c) "Emergency Home and Education/Vocational Centers" project administered by the Association for the Promotion of the Status of Women, Northern People League, Catholic Council of Thailand for Development, foundation for Children's Development, Y.M.C.A. (Chieng Mai and Chieng Rai) etc.
- d) The Daughter's Education Programme which began in 1989 by its present director Sampop Jantraka, was conceived as a community based initiative aim at preventing girls being forced into the sex industry. Today, this programme has become Development and Education Programme for Daughters and communities, assisting about 400 girls and their families. The DEPDC headquarter is in Mai Sai northernmost part of Thailand and spread across Chiang Rai. DEPDC provides young women from 8 to 18 years old an alternative to prostitution by providing them with education, job training and help them in finding work. It currently runs various programme supporting, education and empowering young women and their communities against the tragedy of child prostitution and risk of HIV infection. The DEPDC, staff work among the Akha and other hill tribe groups and lowland villages³⁷.

³⁶ Times Asia (Hong Kong), 21 June 1993

³⁷ CAPCAT (Thailand) 16 January 1997

Other major Non-governmental Organizations tackling the problem of Child prostitution include: UNICEF, the International Labour Organization (ILO), and the world Tourism organization. NGOs, particularly local groups, are carrying out desperately needed programs to warn girls and their families of the dangers of trafficking, shelter those who have managed to escape, provide urgent medical and psychological care, assist in repatriation, and press governments to strengthen domestic laws against trafficking. The work of NGOs has filled the gaps left by Government inaction and, at times, had led to Governments' improving their behavior. For example, in Thailand, NGOs working alone find that after they rescue girls and send them back to their county, they often come back again, especially those from Myanmar and the border areas, where the ongoing political conflict meant there was no one to take care of the children sent back across the border. Thus, NGOs have sheltered Burmese women and girls and found safe, undisclosed ways to return them home over the borders. In addition, Thai NGOs have advocated that their Government adopt the necessary legislation and ratify the relevant international instruments to improve protections for trafficking victims³⁸.

Conclusion:

The growth of child prostitution in Thailand cannot be solely blamed on the US marines and R&R or with sex tourism, instead it has to be recognized that the reason for Thailand's development as a centre of sex trade, which might be argued is the easy going, often commercial attitude towards sex which may have been appropriate to a pre AIDS

³⁸ TED, Case Studies, (Bangkok) May 1997

society, but which now require urgent thinking. A lot of Thai simply do not know that Thailand really does have larger sex entertainment industries than most other countries.

Although Thailand is no longer a poor country, it may prove difficult to break the link between sex and commerce. Thailand's development and its new found prosperity, combines with a genuine embarrassment at the country's reputation overseas have prompt the Government to take action. To date, steps have been taken against child prostitution and against police corruption and their involvement in the sex trade. The combined efforts of the Government and non-government agencies and organizations is beginning to turn the tide and the growth of child prostitution and other forms of sexual exploitation in Thailand has shown signs of decline.

In order to get a better result in the process to slow child prostitution it will be appropriate to look at it from the roots of the problem-male behavior and the status of women in the Thai society. Male sexual behavior needs to be questioned and not accepted as the norm and education in schools should look at gender issues, eliminate sexual stereotypes and offer equal opportunities to girls and boys. Another suggestion is to publicize and make the people aware of the existence of child prostitution and the problem related to it, to all those innocent or ignorant Thais who are still in the dark about the existing problem and also those who choose to ignore it. I believe that publicizing the issue of child prostitution, no matter how painful it will be for the Thais will help them realize in how immoral something such as child prostitution are which have long been taken for granted. This will help them raise their voice and join hands to fight the growth of social ills such as child prostitution.

Chapter 3

Social-Economic Impacts of Child Prostitution.

In Thailand, Child Prostitution is one of the manifestations of a range of social ills brought on by unbalanced economic and social development. For the previous 10 to 20 years the Thai sex industry had been developing into a highly lucrative commercial industry. The declining importance of agriculture in the national economy result in consequent inability of majority of the Thai rural families to wrest a living from farming alone and they are either landless or indebted to money lenders. As a result men go to the cities for jobs in the rapidly growing service sectors and often they do not return, leaving their wives to raise families single-handedly. Faced with such pressures children from these impoverished families are often forced to drop out of schools in order to help their parents earn a living. When the children enter the labour force with no skills or education their fates are sealed, they become an easy prey to child exploiters with the ever ready supply of child labour, a situation that fuel the child sex trade. In developing countries, the lack of viable economic opportunities, particularly in rural areas, combined with rising expectation and the desire to acquire modern goods, contributes to the potential for exploitation, and also fostered the rise to the debt bondage deals and systematic exploitation of poor families with available daughters, with the attitude that the sale of young girls to brothels' agents is an acceptable form of income.

Low economic condition is the principle reason why children in rural communities in Thailand are driven into the sex trade. Social pressure, parental expectation, and a lack of educational and employment opportunities are some of the

other factors that put children at risk of economic and sexual exploitation. In some villages in Northern Thailand, up to 60 to 70 percent of young girls, aged from 11 years and above have entered the sex trade. The demand for child prostitutes grew as AIDS become more threatening and people believed younger girls will be safer. The belief that sex with a child is rejuvenating and the publicity of Thailand as a sex-tour destination for pedophiles and clients also contribute to the thriving trade in children sex workers.

In the decade of economic boom in Thailand in the 80's, the average real income doubled. Many escape from poverty, but many families were excluded from the benefit of the Boom and the gap between the rich and poor widened very rapidly. In 1981, the top 10 percent households earned seventeen times as much as the bottom 10 percent. By 1994, the multiple was thirty-seven times¹. Over one decade, Thailand has become one of the most unequal societies in the developing world. This unequal distribution of wealth within Thai society is an obvious factor why families need their children to leave school and bring in income when they are still so young. The downfall of Thailand's economy in 1996-7 has a great impact on the people as the collapse of the baht triggered a currency crisis and has increased unemployment for more than two million people, pay cuts have reduced living standards for million more and the Government has cut the social security funding resulting in the increased of poverty².

Since the economic crisis in the late 90's, the streets of Bangkok and other tourist frequented cities have become home to more and more children. Before the crisis the majority of street children are from the poor families, in 1998, 10-15% of the children are from middle class family. Some of them have lived so long in the street and have suffered

¹ Pasuk Phongpaichit and Chris Baker, *Thailand's Boom and Bust* (Bangkok, 1998) p.281

² Thailand presents report to committee on Rights of Child. HR/CRC/98/52 (Bangkok, 1998) p.1

abused, that they began to abuse younger street children and trafficking in children for prostitution³. Ranging in age from three to eighteen, these children mostly work on the street to support their families as they feel that they can help their families to improve their lives. Majority of the children are from families of low economic background or from the neighboring countries of Cambodia and Myanmar, who came willingly or unwillingly, being trafficked across the border for working in massage parlor, tea houses etc. The dire economic situation in Myanmar and Cambodia forces many rural people to migrate towards commercial centers into neighboring countries in order to gain employment and what they hope to be a better life. In some places as much as 90 percent of girls have left their villages to work. The children are exploited and once they are lured, forced or sold, they find it difficult to escape prostitution.

In the past few years the number of Thai children in sex industry is falling due to improvement in the economy, educational opportunities and legislation. On the other hand the number of economic- prostitutes constantly grow in Thailand following the horizontal business for materials reasons only. Apart from the children who are forced into the sex industry many young girls flee from the less profitable and intensive works in their provinces to experience the blessings of civilization in the big cities and to support themselves and their families. A substantial portion of the service positions in the cities are related to the tourism and hospitalities industries, and a large number of the young women and children migrants end up in the sex trade.

³ Bangkok Post, September 22, 1998.

Social impact on child prostitution in Thailand

Traditionally, Thai society was influenced by the Confucian way of life, and the teachings of Buddhism and the Indian influences, therefore their social values stressed the family system, respect for seniority, cause and effect, merit and sin, the gods and the devils, the ruler and the ruled and also passiveness rather than activeness in the roles they play in society⁴. The roots of Thai society's social acceptance of prostitution go further back into history. The Theravada Buddhism values and beliefs continue to influence the attitudes and values of most of the Thais as over 90% of Thailand's population is Buddhist. The traditional emphasis on polygamy in Theravada Buddhist society is said to have fostered the widespread practice of commercial sex work in Thailand today. Polygamy was outlawed in 1935 but is still practiced today, formally through men having more than one wife and informally through visiting commercial sex workers⁵.

In contrast to many societies, women in Thailand have historically played a central role as income-earners for their families and as financial supporters for their elders. In terms of social liberties, males in Thailand occupy a much more advantageous position than females. Young males are often given few responsibilities and allowed considerable personal and social freedoms. In contrast, young women must follow strict behavioral guidelines and must assume most of the family and household responsibilities, while sacrificing their own freedom⁶. In Thailand today, women and children are oppressed, abused, exploited and degraded by society. Compounded by rural poverty and

⁴ Somporn Sangchai and Lim Joo-Jock (ed.), *Trends In Thailand II* (Singapore, 1976), p.39

⁵ Walden Bello, Shea Cunningham and Li Kheng Poh, *A Siamese Tragedy* (London and New York, 1998), p.231

⁶ *Ibid*, p.227

a lack of educational and economic opportunities, a large number of young women are pushed into the sex industry to earn incomes for their families. Thai culture emphasized that children should listen to their parents and helps their parents, and so performing their expected duties, children and young women from Thailand's poverty-stricken north and northeast often go willingly with employment agents to work in Bangkok's massage parlors and other sex industry establishments.

According to the report by the World Health Organization, in 1995, the rate of compulsory educational enrolment in Thailand was 97.7% and grade seven enrolment 93.66%. The adult literacy rate was 93.8% in 1995. However despite these achievements, an analysis of the educational structure of the working population in 1996 revealed that 81% were still at primary education level or below and most were unskilled. These mass uneducated people are mostly from the rural region of the country whose basic income and livelihood is agriculture. Due to the decline in agricultural products in the past decade there is a mass migration of the rural youth to urban areas in search of a job and as they have little education, they find few jobs opportunities. A sizeable proportion of the male youth formed an illegal gangs engage in various crimes and the female and some male turn to work ranging form hostess in nightclubs to outright prostitution. Though prostitution in the country is illegal as well as socially unacceptable, it is widely spread and most of the employees in this business see their job only as a means to support their poor families. Most of the sex workers are either too young or are ashamed to register themselves as they want to escape the social stigma attached to their profession. The sex workers are often banned by the society to return to their civil life.

Commercial sex as a means for income has become standard for many rural communities in Thailand. It has been estimated that there are approximately two million commercial sex workers within the country. Overall estimates conclude that one in every five Thai women aged 13 to 29 is a sex workers⁷. Thailand has a larger sex entertainment industry than most of the countries and it has become one of the basis economic earners. But the problem is that a lot of the Thai's simply do not know this, and the individual families are acting out the kind of denial of the unspeakable. Only when faced with the reality of AIDS the people have started rethinking about the problem of the large sex industry.

Economic Incentives drive the sex industry.

In Thailand a web of cultural, historical and economic factors have served to make the sex industry a booming sector of capitalist growth. For centuries, brothels and the practice of concubine have existed in Thailand, but over the past few decades the sex industry has expanded rapidly and has become an integral part of the Thai economy and society⁸. The International Labour Organization, according to its surveys in 1998, point out that many sex workers entered the sex industry for pragmatic reasons and with a general sense of awareness of the choice they were making, while many current studies highlight the tragic stories of individual prostitutes, especially of women and children deceived or coerced into the practice. Sex work is usually better paid than most of the

⁷ Ibid

⁸ Walden Bello, Shea Cunningham and Li Kheng Poh, *A Siamese Tragedy* (London and New York, 1998) p.226

options available to young and uneducated persons, in spite of the stigma and danger attached to it.

In order to understand the socio-economic underpinnings of the sex industry, the first requisite would be a description of the rural economy, the migration of village youth to swell the supply of cheap, unskilled urban labor, the development of mass international tourism and the way these intersect. One must also try to understand how much intentionality there is in the system on the account of the conditions of the rural areas, as it deliberately makes it worse by weakening traditional patterns of land ownership, engaging in deforestation schemes, denying credits for investment in family farms, and manipulating crucial water and irrigation policies⁹. The street markets of Thailand also provide metaphoric reflections of the basic economic issues upon which the sex trade's complex superstructure is balanced. For example, the night market in Chiang Mai one of the best known in the country harbor the most salient collection of metaphors representing the economic of the sex industry in relation to tourism and of both to the Thai economy as a whole¹⁰. [The bazaar in Chiang Mai was originally set up to serve comparatively privileged visitors from Bangkok area, where the craftsmen's and sellers of regional delicacies from outlying rural areas converged on provincial urban centers to sell their wares. In recent years as tourism has become an important base of the Thai economy, the focus has shifted from the Thai customer, for whom the Provincial North is the source of charming arts objects and tasty dishes, to the foreigners who experiences a fundamentally undifferentiated Thailand as the bargain paradise with all sorts of Thai

⁹ Ryan Bishop and Lillian S. Robinson, *Night Market: Sexual Cults and the Thai Economic miracle* (New York and London, 1998) p.94.

¹⁰ *Ibid*, p.93.

paraphernalia sold in the market, along with bootleg audio and video cassettes addressing an international audience which are of no interest to most of the Thais. Chiang Mai's night market thus models a structure of inequality and dependency in which a national elite is catered by rural and provincial populations and is then suspended by an international customer to whom the entire nation offers its products, including its inhabitants, as commodities for sale].

Evolution of Thailand Rural Economy

Thailand's rural economy has always been agrarian. The Thai economy has traditionally relied upon the export of agriculture products as its chief means of support, particularly rice. In fact Thailand was the world's largest exporter of rice in 1990. This dependence upon one product caused Thailand great variations in prosperity due to the changes in world rice prices and fluctuations in harvest. Since the 1950's Thailand has seen a rapid extension of the industrial and service sectors, and the relative decline of agriculture. Over the past generation, forests have been chopped down and the government closed off the open frontier. Income from agriculture as a whole dropped in 1980's because of falling crops prices. According to World Bank Development Indicator and ASEAN Secretariat, agriculture contributes 10% of the GDP in 2001¹¹. The country economic evolution, starting with the description of landholding and labor relations on the mid-nineteenth-century and the economic boom of the late 20th century led to the stripping away of most of the nation's forest due to the decades of boosting agricultural

¹¹ Mark Beeson(ed), *Contemporary South East Asia* (New York, 2004) p. 6

export¹². Rice, the main export for hundreds of years, is today exceeded in value terms by textile, electronics, and tourism. Although the economy has diversified significantly most Thais are still linked to the agricultural sector.

The early development efforts by the Government was committed to economic growth and as growth was faster when investment was allowed free play, very few restrictions were imposed. The slow growth in the agricultural sector compared with the industrial sector means that there is now a wider economic gap between urban and rural folks. The policy-maker paid little attention to the distribution of wealth and it was assumed that the gains of growth would trickle down to the less privileged. Largely because of the frontier, and good crops prices, the numbers below the poverty line fell from 57 percent in 1962/3 to 23 percent in 1981. The strategy of agriculture-export-led growth was designed to pull the surplus of the countryside to build the city. Under the strategy the income gap between the urban and rural began to grow wider and with the growing income gap went a growing sense of disadvantage and exploitation. By 1981 the urban per capita income was 2.5 times the rural level and began to climb from 2.5 times in 1981 to 4 times in 1992¹³. There is a decline of agriculture and the resulting consequences of mass unemployment and poverty among the rural population due to deforestation (as a result of the exploitation of its comparative advantage of abundant land, natural resources, and labour with little thought for long-term sustainable growth) and the resistance by the policy-makers against any attempt to change the basic economic strategy and its resulting unequal distribution of income among the village and city. The job insecurity that resulted from the financial crisis led to an erosion of workers rights

¹² Pasuk Phongpaichit and Chris Baker, *Thailand's Boom and Bust* (Bangkok, 1998) p.281.

¹³ Ibid, pp.283,284

and virtually all groups were effected, although the poor and the vulnerable groups such as women and children disproportionately so, since the poor spend a larger percentage of their income on basic goods and therefore are harder hit by price increase and falling wages.

In 1998, the number of child prostitution in Thailand suddenly jumped by 20 percent resulting to nearly 7000 children in the sex industry¹⁴. The economy at that time was already entering recession but the aggressive efforts of currency speculators to turn a fast profit from the countries' difficulties were like pouring oil into the flames. The government unable to service its own foreign debt was forced to slash public spending and unemployment quadrupled, resulting in the shot up of the price of basic foods. This create the migration of a mobile population of rural youth to urban area to provide labor power for the urban service sector and ultimately working in the sex industry as a result of restricted jobs opportunities and also due to the terrible pay and working conditions outside the sex industry for the uneducated and unskilled laborers like most of them. A survey conducted by the International Labour Organization among the massage parlors and brothels in Thailand revealed that most of the girls joined/entered the sex industry for economic reason. Apart from the desire for certain degree of wealth the sex industry also offers the possibility to them to more generously help their families where at the same time their social status and the social prestige also grows because of their income, as long as their way of bread earnings does not become public. Almost half of these sex workers had previously worked in agriculture, and even the children who are forced into or sold by their parents into sex trade are there due to economics needs.

¹⁴ Work Group on a Solidarity socio-economic Alliance 21, Tokyo ,9-11 October, 2003

The sex industry previously considered marginal has come to occupy a strategic and central position in the development of international capitalism and it is increasingly taking the guise of an ordinary sector of the economy. This particular aspect of globalization involves an entire range of issues crucial to understanding the problem of economic exploitation, sexual oppression, capital accumulation, international migration, unequal development and poverty. In 1998, the International Labour Organization (ILO) estimated that prostitution represented between 2-14 percent of the economic activities of Thailand. In recent years under the impact of economic liberalization, women and children have become new raw material within the framework of national and international business development. In Thailand trafficking is a 500 million Baht annual business (equivalent to approximately 124 million US dollars), which represents a value equal to around 60 percent of the government budget (CATW). The internal traffic of Thai females consists mostly of 12-16 years olds from the hill tribes of the North and the Northeast. UNICEF estimated that a million children are brought into the sex industry every year. The industry of child prostitution exploits between 200,000 and 300,000 children in Thailand¹⁵

The earnings of Thai workers varied widely according to the sector and the number of clients they entertain, but a survey showed a mean income per month of US\$800 for all women, with a mean of US\$1,400 for massage parlor workers and US\$240 for women in brothels. The total annual value added from prostitution in Thailand is just over one hundred billion baht¹⁶. The prices for child sex workers are much higher as many

¹⁵ Richard Poulin, "Globalization and the Sex Trade: Trafficking and the Commodification of Women and Children", *Canadian Women Studies*, volume. 22(Canada), December 3-4, 2003.

¹⁶ Pasuk Phongpaichit, Sungsidh Piriyarangsam and Teerat Nualnoi, *Guns, Girls, Gambling, Ganja, Thailand's Illegal Economy and Public Policy*. (Bangkok, 1998) p. 208.

societies attach particular exotic value to the idea of sexual innocence and there are some clients who specifically seek out very young children as sexual partners either on the basis of myths and misconceptions about sexual health (e.g. the mistaken belief that children are less likely to be HIV infected, or the myth that sex with a young child or virgin can cure AIDS or other STDs, or the myth that sex with a young child or virgin will improve potency or bring good luck in business ventures) or on the basis of a particular sexual interest in powerless or vulnerable prostitutes¹⁷.

The past two decades have witnessed a change in rural attitudes toward the value of female children. As a result of new opportunities to sell a daughter into prostitution, female sexual capacity is perceived as having a market value taking “predominance over male labour, families actually celebrate the birth of a daughter, because she now has potentially more access to social mobility”. So it may be unfortunately said that the Thai values have degraded to traditional sexism and commodification of sexuality. This is an example of the ability of capitalist markets to reinforce traditional structures of privilege¹⁸. Under whatever conditions prevailing, the Thai women unfortunately have a sorry destiny, which are expressed through the *phleng luk thung*, a country music which tells of the common experience of migrants, stressing the presence of economic and about the full range experiences of the urban-migration, differently by both sexes. Women’s songs speak quite openly about restricted jobs possibilities, the terrible pay and working conditions outside the sex industry, and the life of those who become prostitutes. Almost

¹⁷ Bridget Anderson and Julia O’Connell, *Trafficking-A Demand Led Problem?* (Sweden: Stockholm, 2004) p.43.

¹⁸ Ryan Bishop and Lillian S. Robinson, *Night Market: Sexual Cults and the Thai Economic miracle* (New York and London, 1998) p.11.

all the discussion on *phleng luk thung*, contained a references to prostitution, whether as economic phenomena or personal experience¹⁹.

The rural society lives on subsistence income and hence these economically depressed areas assure the flow of labour to the industrial and service sectors, including the sex and tourism industries, they are also one of the places where the economic effects of those industries are most marked. However the funds sent home to the villages tend to be used for subsistence rather than development, it is not the most active sort of return.

Role of Tourism

Tourism is a major factor in Thailand's economic structure. It plays a central role in development strategy, and although it's badly difficult to measure, it has been the country's largest earner of foreign exchange since 1982. Many of the studies about economic effects of tourism have essentially been propagated to explain that the soft development of tourism allows a country to package resources it already possesses, such as scenery, crafts, climate and friendly people. Tourism has been posited as a solution for the Third World country for almost half a century where poverty is under development. It has been widely embraced at the national and international level, and even Thailand has implemented Tourism in order to develop its economy and increase its Gross Domestic Product after the country economic crisis. In the latest phase of globalization of the last few decades, with the availability of cheap airfares making international travel accessible

¹⁹ Ibid, p. 23.

even to working class people of the advanced industrialized countries, tourism has become one of the key sources of foreign exchange and economic 'development' for many developing countries. The Thai government started taking an interest in tourism as an economic force in the glow of the cold war and the Tourist Organization of Thailand, with the interest for promoting the industry, publicly campaign the year 1987 as "Visit Thailand Year" and its slogan was: "The one fruit of Thailand more delicious than Durian (a native fruit)-its young women"²⁰.

In recent years, as international tourism gained momentum, the focus of commerce has shifted from local customer to foreign tourists, to the extent that tourism is marked by its vendors and understood, purchased, and experienced by its customers as access to sexual services, prostitution also moves from the super structure to the base, which means that sexuality itself not only constitutes parts of culture but become part of political economy. In the 1960s, 1970s, and even the early 1982s, as commercial sex with foreigners- military personnel, business travelers, and tourists- became an increasingly significant part of the Thai economy, the standard academic studies and reference works remained silent about both phenomena. The phenomenon of sex tourism has added a novel dimension – the sex industry fuels the expansion of the tourism industry in general, and *vice versa*, and whatever its congruencies with Thai sexual tradition, sex tourism assumes the importance it does precisely because of its international dimension²¹.

The economic roots of sex tourism and the underlining of the entire Thai sex trade are acknowledged by the industry's apologists as well as its critics. There are two parts to the Thai policy of promoting tourism: one is to sell the cultural and physical

²⁰ Ibid, p. 66.

²¹ Radha Jhappan, *Of Tsunamis and Sexual Exploitation: The Political Economy Of Supply and Demand in the Sex Tourism and Trafficking Trades*, *Asian Women*, volume 20 (Korea, 2005), p.144

beauty of the country; the other is to promote the Thai person, which includes the sex related services. In 1976, the head of the Tourist Authority of Thailand acknowledged with some qualifications the truth of the accusation that tourism encourages prostitution but added that prostitution in the country exists mainly because of the state of Thai economy, because everyone needs to earn their income and also, if they can create jobs they can provide per capita income and do away with prostitution²². Although it is almost impossible to see as to how economic growth arising from prostitution based tourism could do away with prostitution.

Tourism has brought enormous growth in the construction of hotels, golf courses, condominiums, restaurants and various kinds of entertainment in the cities, and in provincial villages as well. On the global scale the economics of tourism embraces considerations like the industrialization of leisure, the interests of transnational airlines and hotel chains; and the provision of hard currency to developing areas. Promotion of tourism means promotion of shopping as well as sexuality and the promise of sexual fulfillment, where natural beauty becomes a commodity that can attract tourist. "Amazing Thailand" was the tourism campaign from 1998-99, promoted to foreign men to come and see Thailand's beautiful women and to enjoy the thriving sex industry.

Apart from legalized prostitution available to tourists in Bangkok, there is large scale well-developed illegal traffic in children in the North-East of Thailand. There is a massive migration of people from village to towns for works during the dry season and around the railway station children are collected, brought and sold for different kinds of

²² . Ryan Bishop and Lillian S. Robinson, *Night Market: Sexual Cults and the Thai Economic miracle* (New York and London, 1998) p.99.

work in massage houses, restaurants, tea houses and brothels²³ Tourism impact on sex industry has been a major contemporary contributor to the growth of child prostitution in Thailand. The infrastructures of mainstream tourism have been easily deployed by the sex tourism business, the International Labour Organization estimates that minors account for 10 – 15% of the labour market in tourism. Minors are especially vulnerable to sexual exploitation as many have personal contact with tourists as waiters, chambermaids, tourist guide or beach vendor, and may be sexually exploited by their employers, recruiters, or other workmates²⁴. In 1986, a survey conducted by Thammasat University, shows that most of the children involved in sex trade lack education and come mostly from the Northern region. The survey also shows that eight out of ten children are lured into it, while the rest come with relatives or friends knowing that they will become independent prostitutes²⁵. However it is difficult to find accurate statistics in the prevalence of child commercial sex workers and that of sex tourism as no official statistics are kept by the officials of the country, nor would they be reliable if they were, as most people do not admit that that is their reason for visiting the country or region. In Thailand, customer can order virgins who are only 13-14 years old for 130 to 230 US dollars. The owner of the tea houses procure virgins girls from poor parents for 90US dollars each and forced them to be available for the sexual desire of both the local and tourist customers²⁶.

Some interesting observation given by O'Connell Davidson, on her analysis of child prostitution and sex tourism in Thailand, is how sex tourism by white men affords the

²³ S.K.Ghosh, *The world of Prostitute*, volume I, (New Delhi, 1996), p.512.

²⁴ Radha Jhappan, *Of Tsunamis and Sexual Exploitation: The Political Economy Of Supply and Demand in the Sex Tourism and Trafficking Trades*, *Asian Women*, volume 20 (Korea, 2005), p.153.

²⁵ S.K. Ghosh, *The world of prostitution*, volume I, (New Delhi, 1996), p.512.

²⁶ Ibid

reconstruction of their masculinity, especially for working class and unattractive men who might feel disempowered on their own national contexts, whereby they can improve their relative ranking on a sexualized and racial scale. The internet has also proved an invaluable resource for those wishing to sexually exploit children. There are numerous sites where child sex tours and pornography are available. Many of these sites provide potential information sex establishments and prices in various destinations, including information on how to procure child prostitutes, with pornographic accounts written by other child sex tourists or sex tour travel agents who cater to child sex tourists. In March 1996, a Thai court convicted a German citizen of child molestation and production of pornography for commercial purposes, and until recently, a sizeable portion of the pornography seized in Sweden and the Netherlands was produced by sex tourists visiting Asia. There is a links between child pornography, sex tourism, and trafficking as many of the detected sex tourism cases includes seizures of child pornography²⁷. The practice of child sex tourism can erode the economic, social, and moral integrity of a nation, where as the greatest victims are the defenseless children who have to suffer both physical and psychological problems as a result of their exploitation. In addition to the direct harm inflicted on children, child sex tourism also has damaging implications for all fabrics of society: global health, economy, education, and security.

²⁷ Radha Jhappan, *Of Tsunamis and Sexual Exploitation: The Political Economy Of Supply and Demand in the Sex Tourism and Trafficking Trades*, *Asian Women*, volume 20 (Korea, 2005), pp. 146-147.

Supply Corresponds To Demand

In every existing economy, demand of a product or service requires an equally proportional supply to maintain a stable continuity of the trade, where it is beneficial to produce that which is demanded. Demand and supply are impelled by social, political, cultural, economic, institutional, and structural forces that vary in different societies and at different times. In cases like child prostitution, increasing the availability of supply not only stimulates the pre-existing demand but also create new demand. The demand for sex workers goes back in the history of the Thai's, but the wide spread commercial sex workers begins with the Vietnam war and the establishment of Thailand as a brothel for American GIs on leave.

It is good to remember, before even looking at the families where the girls come from or the circumstances under which they are sold or bonded, that none of this would be taking place without a demand from men for the sexual services of underage girls. One of the fundamental forces structuring the demand for the sexual services of children or women is that of male sexuality. A child engaged in prostitution is usually being forced by people or by circumstances into commercial sex. It is usually adults who create child prostitution through their demand for children as sexual objects, their misuse of power and their desire for profit. Many societies attach particular erotic value to the idea of sexual innocence, and because young people are imagined to be sexually inexperienced, passive, and undemanding there are some clients who are specially drawn to underage sex workers. Some specifically seek out young children, either on the basis of myths or misconceptions about sexual health; or a focused sexual interest in pre-pubertal; or on the

basis of a particular sexual interest in powerless or vulnerable prostitutes. Demand for sex with pre-pubertal children is not a common or widespread feature of the commercial sex market, but it does not mean that the demand for it is negligible. In Thailand the demand for boy prostitutes is particularly high among gay tourists. Children are often pushed by social structures and individual agents into situations in which adults take advantage of their vulnerability and sexually exploit and abuse them.

On the supply side, one of the difficulties that girls face within the family can be a lack of support for their own needs above those of the family. Thai traditional attitudes to children, especially girl children, as subordinate to the need of the family, make it easier to supply or sacrifice a child to the sex industry. One such example for the availability of supply is that, when there was a drought in Northeastern part of the country at the end of 2004, the poor rice crop that resulted send many young girls down from their impoverished villages on the plains of Isaan to harvest the demand of the tourist in the big city. The sex industry previously considered marginal, has come to occupy a strategic and central position in the development of international capitalism, and far from being considered an illicit and economically insignificant sector the multi-billion sex trade has insinuated itself in the main stream economy of Thailand, with a variety of beneficiary beyond the sex workers, pimps, brothels owners and patrons. As long as conditions such as mentioned prevail in the Country there will always be a ready supply of children and women ripe for sexual exploitation. The supply side will never end as long as there are poor countries, communities, classes, and individuals and people who demand their services. Hence it can be stated although the government and NGOs working in the area might consider policies aimed at education, economic development and rescue of the sex

workers, it is also necessary to realize that the real problem is not the supply but that of demand.

Conclusion.

The socio-economic condition of Thailand plays a huge role in the growth of sex industry in the country and *vice versa*. Job losses, loss of income and a spiraling cost of living especially for basic necessities, have threatened the basic survival of many families across the country. Tourism is one of the main contributors of the country's economy and as such the Government has taken high initiatives to promote tourism globally. This rise in the number of tourist resulted as a catalyst for the increase in the demand for young girls to join the commercial sex trade. This demand creates a job opportunity for the mass inflow of young and uneducated rural youth. Thus it becomes a source of livelihood not only for the youths and their families but also for the middlemen, hotel and restaurant proprietors, and the travel agency. For this reason, even though the Government takes steps to check the rise of child prostitution, they are not keen to eliminate prostitution as a whole as it is one of their main source of economic income and it contributes a good percentage to the Gross Domestic Product of the country.

The economic boom in Thailand has been divisive. It has widened the gap between rich and poor, city and provinces, urban and rural. The Government was so keen on the growth of the economy that they have neglected the issues such as distribution, social justice, and environmental protection was as important. The law has not been effective in limiting the social cause of the economic boom. The result of urban

development has been rural decline. Within a span of ten years or so agriculture has been transformed from the country's main economic device to a minor part.

The major obstacle for the study of the social and economic impact of child prostitution in Thailand is that no specific data is available in the number of children involved in the sex trade. Even the numbers given by many NGOs working for the upliftment of women and children are mostly approximation. In this matter the Government is also unable to provide valid and precise information about the child prostitutes as these form of social ills usually exist as a secret industry. Nonetheless child prostitution still exists and the social and economic factors, at the moment, unfortunately continue to influence its existence.

Chapter 4

Psychological and Health Effects on the Adolescent Prostitute.

The sex trade in Thailand has many lasting consequences on children and their well being. Although direct data are very limited, the sexual exploitation of children through prostitution results in serious, often life threatening consequences regarding physical, psychological, and social health and development of the child. The sex trade is an extremely unsafe job where the children suffer from abuse by traffickers, pimps, brothels owners and their clients, and also are exposed to dangerous sexually transmittable disease that are sweeping through Thailand almost epidemically. The sexually exploited children in most of the societies become a social outcast. Their future fertility and psychological capacity to establish healthy relationships and their own family is usually being seriously compromised. At a community level, the commercial sexual exploitation of children represent an erosion of human values and rights that threaten the health of the society¹. The child prostitute may experience degrading symptoms such as depression, self destructive tendencies, inability to enter mainstream of society and ostracism.

Child victims of sexual abuse may experience enduring feelings of guilty, shame and emotional isolation. The infliction of serious bodily injury upon a child leaves psychological scars, which endures long over after physical wounds are healed. The development of a healthy personality will be seriously jeopardized for a child, who feels unsafe, unwanted and uncared for. They suffer from low self esteem, trauma syndrome,

¹ Mark A. Belsey, *The Health and Development of the Girl Child: The Special Role of the Convention on the Rights of the Child*, p.12

guilt which in turn leads to poor development and in some cases it can be stated that the child survive the ordeals rather than develop into a healthy adult². Any or all of the child's cognitive, moral, psychological and social cognitive development may be permanently altered by a traumatic event like the one they will experience in joining willingly or unwillingly the commercial sex trade. Anxiety, insomnia, depression, and post-traumatic stress disorder are common among child prostitutes.

Unsanitary and crowded living conditions, coupled with poor nutrition, foster a host of adverse health conditions such as scabies, tuberculosis, and other communicable diseases. The children suffer growth and development problems and develop complex psychological and neurological consequences from deprivation and trauma. As children has not yet had the opportunity to develop their emotional, moral, physical or social foundations fully, they are particularly vulnerable to traumatic experiences which in turn have a long lasting effect on the psychological and physical health of the child³. During childhood and the transition to adulthood, the reproductive system of girls is particularly vulnerable to infection. The cells and secretions of the physiologically immature reproductive tract are much less capable as compared to adults, in resisting invasion and damage by sexually transmitted microorganisms. As a result, the child victim of prostitution may also experience a lifetime of recurrent illnesses, such as fertility problems, pregnancy complication, malnutrition, tuberculosis and potentially fatal danger in light of the spread of HIV (Human Immunodeficiency Virus) and AIDS (Acquired

² S.M. Mahendra Simha Karna, Child Abuse in India : an Overview, *Third Concept*, February 2006, p.35

³ Geraldine Van Bueren, "Opening Pandora's Box-Protecting Children against Torture, Cruel, Inhuman and Degrading Treatment and Punishment", in Geraldine Van Bueren, ed., *Childhood Abused: Protecting Children against Torture, Cruel, Inhuman and Degrading Treatment and Punishment. Programme on International Rights of the Child* (Ashgate, Dartmouth, USA, 1998) p.60

Immune Deficiency Syndrome). They are also associated with cervical cancer, like Human Papilla Virus (HPV) a common sexually transmitted disease.

The sex trade in Thailand is an extremely dangerous job for many women and children. The Traffickers and middle men who work in this operation have complete control over the children, leaving them with no rights or freedom over their own bodies therefore enslaving them to a world of sex. The children are so psychologically and emotionally abused that they can not escape their horrendous working conditions. The traffickers restrain the children from leaving or escaping by placing debt bondage on them. The children who are in these situations are often too vulnerable and scared to leave because they are insecure and moreover they find it difficult to adapt to the society. And even if they do escape, they are either hunt down by the pimps or their families themselves return them or resell them to other pimps. Child prostitute often will not seek counseling for their problems because they are suspicious of outsiders and authorities, fear rejection, and fear change. Prostitutes often fear admitting they have been harmed. They may have difficulty establishing enough control over their own lives to seek counseling, and they may fear that health care and other services will not help them because they are prostitutes.

In many brothels where the girls are working the owner's only concern is that the girls do not get pregnant. The brothel owner will hand out condoms to the clients that come, but the use of the condom is left entirely up to the client. Most of the girls who worked in brothels did not know about AIDS or what it was. AIDS/HIV did not come into public consciousness in Thailand until the 1990's. Because there is a demand of

having sex without condoms many, women and children are exposed to various venereal diseases. Most men who had unprotected intercourse with prostitutes also had unprotected intercourse with non-prostitutes, without a hint of irony, "while Thai men will wear condoms for family planning, they object to them with girlfriends and prostitutes"-meaning that the man that patronize prostitutes bring the disease home to their wives, and ultimately, their children⁴. HIV positive rates reached proportions of 41 percent to 54 percent among commercial sex workers in brothels. With the number of women being exposed to AIDS there was a report estimating how many women actually were infected with HIV. In 1993 the government reported that approximately 450,000 Thai women were infected with HIV. The growing occurrence of AIDS in women has contributed to some of the reasons why children have become involved in the sex trade. Pimps and brothel owners thought that they would be less likely infected. Pimps also like to market children as "clean virgins" so they will pay more for children because the misconception is that children do not carry disease. This idea is not true because children are more likely to carry AIDS/HIV because their bodies are not fully developed and they bruised easily causing it easier for the virus to enter their bodies. AIDS and HIV are affecting many women and children involved in the sex trade because of the demand of young females to enter into the sex trade. The children and women in the sex trade are not only the victim of the HIV virus; they are one of the factors responsible for the spread and transmission of the virus in and around the Country⁵.

⁴ Deepa Ollipaly, *Prostitution in Thailand and Southeast Asia*, May 1994.

⁵ Walden Bello, Shea Cunningham and Li Kheng Poh, *A Siamese Tragedy* (London and New York, 1998) p.219

AIDS and the Child Sex Industry in Thailand

While the practice of child sex tourism can erode the economic, social, and moral integrity of a nation, the greatest victims are, of course, the defenseless children: their voices unheard, their stories untold, their plight implacable, and their innocence stolen. They must endure the immediate and long-term emotional, psychology and physical impact of sexual exploitation. To make matters even worse, in countries with limited educational opportunities, people are ill-informed of the health risks and the severe long-term psychological harm that is inflicted on children who are sexually exploited. The first HIV (Human Immunodeficiency Virus) positive case in Asia was reported in Thailand in 1984. By 1989, in Thailand HIV has spread to the general population from intravenous drug users to commercial sex workers, to sexually active men, and soon after to non high risk groups including married women, children and newborns⁶. In 1994 it was estimated that 33 per cent of all commercial sex workers in Thailand were HIV positive. In Thailand as many as 70% of the girls rescued from the sex industry are infected with HIV. Because AIDS is a social disease, economic and sociocultural practices determine the rate of spread and the socioeconomic groups will most likely be affect. Poverty, labour migration, and the sex industry have served as the key elements in the spread and intensity of AIDS in Thailand⁷.

HIV managed to get established in the population before a successful national policy was enacted and the consequences are now apparent. It has been estimated that almost 1 million people have been infected with HIV in Thailand since the beginning of the

⁶ Ibid, p.223

⁷ Ibid, p.224

epidemic and this number continues to grow, although at a slower rate than before. Nearly 66,000 people died of AIDS and 755,000 people were living with HIV/AIDS in 1999⁸. The rising infection level among sex workers launched subsequent waves of the epidemic in the male clients of sex workers, their wives, and partners, and their children as well. According to a survey report made by UNAID in UNICEF, "The State of the World's Children 2003", an estimated numbers of Children (0-14 years) living with HIV/AIDS at the end of 2001, was 21,000⁹. The Health Ministry in Thailand has noted that the rate of HIV infection among teenagers rose during 2002 from 11% to 17%. The epidemic hit hardest at the lower levels of urban society, where the government's discreet publicity and targeted campaigns failed to get through to either sex workers or clients. The highest incidence rates were found among hill tribe girls and illegal immigrants drafted into the cheapest level of the sex industry¹⁰.

Thailand, has a high prevalence rate of HIV among the commercial sex workers, the clients' fear of infection has led traffickers to recruits younger women and girls, sometimes as young as ten years. Many come from areas in neighboring countries which are perceived to be unaffected by the AIDS pandemic. This ensures their purity or virginity which increase their value. Although pedophiles have always sought out young children, the AIDS scare has escalated the use of children by all customers, thus increasing the risk of infection for the child. Victims of forced prostitution are particularly exposed to health risks, especially sexually transmitted diseases (STDs) because they are not allowed to negotiate the terms of sex. Aside from the risk of sexual

⁸ Foundation for Children, Government Population Poverty Street kids Sex Workers Trafficking in Children AIDS/HIV (Bangkok, n.d.), p.5

⁹ UNICEF, The State of the World's Children 2003.

¹⁰ Pasuk Phongpaichit and Chris Baker, *Thailand's Boom and Bust* (Bangkok 1998), p. 295.

intercourse with many clients, the growing popularity of contraceptive injections in brothels also leads to the spread of disease, since the brothels owners often used the same and possibly contaminated needle several times¹¹. These children may also show physical abuse symptoms and illnesses, as well as mental instability, depression and anxiety. Additionally, the child victims of prostitution often lose interest in social activities and withdraw from the society itself¹².

Throughout adolescence, self-esteem appears to be affected by competence in certain valued domains such as physical attractiveness, peer acceptance, and perceived support from peers, family, or others. Identity is critical during adolescence. It reflects the formation of a stable, coherent picture of oneself that includes an integration of one's past and present experiences and a sense of where one is headed in the future. However children in the sex trade have no stable or clear picture of where they are headed. They are stigmatized by the society and when they become infected with AIDS they become social outcasts. And even if they happen to return to their communities of origin they increased the prevalence of STD and HIV. The communities themselves are also not yet equipped with either knowledge or strategies to combat the bio-medical and social problems related to HIV/AIDS. The end result of stigma being the demolition from "a whole and usual person to a tainted, discounted one" (Goffman 1963). The public perceptions of these diseased children were diverse, some assuming that the children could have avoided the disease if they have not chosen a deviant way of life. Being labeled as a deviant identity has a profound impact on the children's self image and their

¹¹ U.N. Document, Special Report on Violence Against Women, its Causes and Consequences(Geneva, 1994), p.50

¹² Jaeyeon Lee and Sohee Jeon, The Violation of Children's Rights Committed by Child Pornography on the Internet, *Asian Women* (South Korea), Volume 20,2005, p.213

social relationship with others. The HIV/AIDS menace has gripped the society and the victims of trafficked children for commercial sex trade are targeted as the source and spreaders of the infection. This projection is resulting into further revictimisation of the victims of child prostitution. They are becoming the targets of social wrath¹³.

State Responses Towards Battling AIDS.

Thailand's new constitution which came into effect in 1997 placed considerable importance to the upholding of human rights. Much attention is also being placed on educational reform. Both these developments have provided a valuable framework and Thailand is making headway in efforts to alleviate and eradicate poverty in its various manifestations, including the commercial sexual exploitation of children and the spread of AIDS among the child commercial sex workers. Thailand's AIDS programme focuses on three objectives: to reduce sexual contact with different partners, to increase condom use, and to treat STDs quickly and effectively¹⁴

The initial policy response was limited as in the 1980s the prevailing view was that AIDS was a disease brought from abroad that would be confined to a few individuals in high-risk groups, such as gay men and injecting drug-users, and would not spread more widely. A government official insisted that the situation was under control. It was not until 1991, with a new Prime Minister, Anand Panyarachun, that AIDS prevention and control became a national priority at the highest level. The new prime minister took

¹³ National Commission for Women, *Trafficking A Social Legal Study* (New Delhi), 2001, p. 7

¹⁴ Walden Bello, Shea Cunningham and Li Kheng Poh, *A Siamese Tragedy* (London and New York, 1998), p.235.

several important steps that have since been credited with helping to slow the epidemic. Firstly, the AIDS control program was moved from the Ministry of Public Health to the Office of the Prime Minister, increasing its political influence, and the budget was increased almost 20-fold to \$44 million in 1993¹⁵. Secondly, a massive public information campaign on AIDS was launched under the leadership of cabinet member Mechai Viravaidya, a well-known Thai AIDS activist and politician. When AIDS began exploding across Thailand in the late 1980's, Mechai, then an economist active in family planning issues, began his now famous campaign to get people to use condom to stop the spread of the disease. He handed them out to prostitute in the red-light districts, and blew them up like balloons in front of startled housewife. Thais begin calling condoms "Mechais" and Mechai "Mr.condom"¹⁶. Anti-AIDS messages were aired on the country's state-owned radio and television stations, and every school was required to teach AIDS education classes. The high-profile campaign was initially unpopular with the influential tourism industry, and tourism indeed temporarily declined. However, once AIDS had a prominent place on the national agenda, opposition to the measures gradually faded and support increased. Appointed to the cabinet in 1991, Mechai helped launch what the World Bank called "one of the few international example of an effective national AIDS prevention program"¹⁷ known as the '100 percent condom program'. This program aimed to enforce consistent condom use in all commercial sex establishments. Condoms were distributed free to brothels and massage parlours, and sex workers and their clients were required to use them.

¹⁵ Owen C., "Alarming Spread of AIDS virus in Thailand may Threaten Country's Recent Economic Gains", *Asian Wall Street Journal*(Bangkok), Vol.13, No.51, 1991, p.4

¹⁶ Robert Horn, Back to no Future, *Time Asia*, (Hong Kong), October 16, 2000, p.22.

¹⁷ Ibid.

It is estimated that within Thailand, 90 per cent of the commercial sex workers have an accurate knowledge of the mode of transmission of HIV and the use of condom to prevent infection. However, because many commercial sex workers are still forbidden to demand the use of condom, and because many men feel it deprives them of their masculinity or full enjoyment of sex, it remains an inconsistent practice especially in lower class brothels¹⁸. Although nearly 1 million Thais have been infected with the HIV virus, the institution estimates the number is 395,000 lower than it would have been without the programme initiated by Mechai¹⁹. But tragically Thailand is slipping backward. Demand for treatment from the growing numbers of infected people is taxing scarce resources and most critically the Thai Government since 1996 has been steadily cutting its AIDS expenditure. According to a draft of a World Bank report 2000, the current AIDS budget of \$34 million is 28% less than it was four years ago²⁰.

The second "National Plan for Prevention and Alleviation of the AIDS Problem", which covered the period from 1997 to 2001, maintained the previous effective programs, whilst adopting a more holistic approach, which included mobilizing the efforts of communities and people living with HIV/AIDS²¹. In the late 1990s, the Asian Financial Crisis resulted in a significant reduction and reorientation in the 1998 budget for AIDS prevention and control. Funding for medical interventions was scaled back significantly. Support for condom distribution was also reduced. In 2000, the total amount of funds dedicated to HIV/AIDS programmes in Thailand from all sources was \$65 million.

¹⁸ Walden Bello, Shea Cunningham and Li Kheng poh, *A Siamese Tragedy* (London and New York, 1998), p.236.

¹⁹ Robert Horn, Back to no Future, *Time Asia*, (Hong Kong), October 16, 2000, p.22.

²⁰ Ibid.

²¹ World Bank, "Thailand's Response to AIDS: Building on Success, Confronting the Future", *Thailand Social Monitor V*, (Thailand), 2000, p.10-11.

The third "National Plan for the Prevention and Alleviation of HIV/AIDS in Thailand", which covers the period from 2002-2006, was launched at the end of 2001, and continues the work of the previous National Plan (1996-2001)²². There are three specific targets in relation to this plan. Firstly, to reduce adult HIV prevalence to less than 1% by the end of the plan period. Secondly, to provide access to care and support for at least 80% of the people living with HIV/AIDS and other affected individuals. Thirdly, local administrations and community organizations throughout the country will both plan and carry out work on HIV/AIDS prevention and alleviation.

Five strategies have also been identified by the government as a priority in tackling the HIV/AIDS epidemic in Thailand. Firstly, individuals, families and community organizations have to be made aware of the role they play in the prevention and alleviation of HIV/AIDS. Secondly, health and social welfare services will be established for the prevention and alleviation of HIV/AIDS. Thirdly, knowledge and research will be developed, in accordance with the fourth part of the strategy, that of international cooperation. Finally, a management system will be developed to integrate the tasks of HIV/AIDS prevention and alleviation.

Though the government has come up with much strategy to tackle the HIV/AIDS epidemic in Thailand, it is still at an increasing stage among several risk groups like children who are sexually abused. The 100 percent condom usage in Thailand is important but without breaking down deep rooted social practices it will not be effective. Many researcher and activist believe that the problem with the condom campaign is that

²² National AIDS Prevention and Alleviation Committee, "National Plan for the Prevention and Alleviation of HIV/AIDS in Thailand 2002-2006", November 2001.

it focuses on prostitution and misleads men into believing they are safe as long as they are not sleeping with prostitute²³.

NGO Participation

There is great hope for Thailand's battle against AIDS, as it has one of the strongest NGO movements in Asia, with several hundred organizations playing an active and critical role in addressing social issues. One of the origins of the NGO Movement in Thailand was the traditional movement of the left which collapsed in the 1980s. The non communist movement stressing rural regeneration known as the Thai Rural Reconstruction Movement, attracting many young Thais was also considered as one of the origins of the NGOs movements in Thailand. The activist humanitarianism became the model for the Thai Volunteer Service (TVS), which in the late 1970s and early 1980s was the seeding-ground for many social activists who were prominent in the environmental, social, and anti-AIDS struggles of the late 1980s and early 1990s²⁴. The NGOs plays a very vital role in prevention, care, and community support programmes and are better able to reach those at higher risk and also individual at the grassroots level. The activities of the NGOs involve in AIDS include research, education, counseling, provision of AIDS hotlines, and needle exchanges²⁵.

The Daughter's Education Programme (DEP), based in Thailand northeast, addresses the issues of child sex trade and the child labour, and support over 400 girls to

²³ Walden Bello, Shea Cunningham and Li Kheng poh, *A Siamese Tragedy* (London and New York, 1998), p.236.

²⁴ Ibid. p. 243.

²⁵ Ibid, p. 237.

remain in education or training, assisting with school fees for those whose families are too poor to fund their education, equipment, training and extra curriculum activities to keep young girls out of brothels. DEP founder Sompop Jantraka, believes created the organization upon the believe that child prostitution will only end when the root causes are addresses²⁶.

End Child Prostitution in Asian Tourism (ECPAT) is an international organization, founded in 1991, with headquarters in Thailand. The organization's goal is to eradicate child prostitution worldwide. It has launched a four-part action plan that has had remarkable results in just five years. The core of ECPAT plan is lobbying governments to persuade them to enact laws protecting children. The group then works to make sure the laws are enforced. Further, ECPAT works with rural leaders to convince parents not to sell their children into prostitution. The organization also campaigns to dissuade tourists from the sexual exploitation of children and publishes the names of foreign pedophiles found in Asian countries. Others, such as the Rejoice Charity which is a multi faceted grassroots project based in the Chiang Mai province in northern Thailand, provide a desperately needed medical and social support system to the population of very poor, sick and underprivileged people living in Chiang Mai's villages, slums communities, and the surrounding hill/mountain areas throughout the Chiang Mai province, Thailand. In particular, Rejoice Charity programming addresses the diverse array of basic medical and social needs demonstrated by the men, woman and children infected with or affected by HIV/Aids.

²⁶ Ibid.

Empower another women's organization in Thailand, provides health education for female commercial sex workers (CSW) with foreign clientele and teaches them how to read and write in Thai and how to speak English in order to minimize exploitation and enable them to negotiate safer sex in English. The International Labour Organization (ILO) also started a project called the "Campaign Against AIDS", which trains leaders of Thai trade unions on the reality of AIDS²⁷. Thai Women's Organization, in particular has play a key role in bringing the problem of the sex industry in the forefront. Because of the strength of Thailand's Women's Movements, women's in NGOs have been effective in vocalizing the need to improve the situation of poor women. They have also been effective in making the connection between impoverishment, lack of economic opportunities, and sex work²⁸.

Measures Taken by the Tourism Authority of Thailand

The Tourism Authority of Thailand (TAT) unequivocally supports the fight against child prostitution and opposes all forms of sex tourism to Thailand. TAT has taken a firm stance on preventing and discouraging sex-related tourism and pursues the following policies on the prevention of sex tourism, and particularly child prostitution. While the primary responsibility in dealing with child prostitution or commercial sexual exploitation of children (CSEC) in Thailand lies in the hands of the enforcers of law - the

²⁷ Ibid.

²⁸ Darunee Tantiwiranond and Shashi Ranjan Pandey, *By Women, For Women: A Study of Women's Organizations in Thailand* (Singapore, 1991), p.159.

police and the public prosecutors, TAT does what it can within its scope of authority to eradicate the commercial sexual exploitation of children.

TAT play the role of an agency responsible for the promotion and control of tourism and tour-guide businesses and is entrusted with ensuring compliance with standards as prescribed by law for the benefit of all parties concerned and for the nation's tourism industry. TAT initiated the draft of a Tourist Business and Guide Bill which was passed by the National Assembly on May 18, 1992, followed by Ministerial Regulations that have been in force since May 28, 1993. The Bill empowers TAT to take punitive action against tourism operators whose actions are seen to be detrimental to the Thai tourism industry and negatively impact the country's image and reputation²⁹.

According to the Tourist Business and Guide Bill and the accompanying Ministerial Regulations, individuals wishing to become tour operators and tour guides are required by law to apply for a permit either from the Tourist Business and Guide Registration Office, or the Governors of provinces with tourism business. It also stipulates that tourism operators are to refrain from any acts that will compromise the reputation, integrity and ethical standards of the tourism industry. A tourism operator who is found to be in violation of this particular Article faces a penalty of between 5,000 to 20,000 Baht in fines and suspension of the permit for a period deemed appropriate by the Registrar, but not exceeding 6 months. In the case of repeat offences, the permit will be revoked³⁰.

²⁹ TAT News, Thailand 2002.

³⁰ Ibid.

While TAT is limited in what it is able to do in the enforcement of laws which protect children from sexual exploitation, it keeps a close monitor on tour operators and promotions offering sex tours to Thailand and works closely with law enforcement authorities, keeping the relevant authorities informed in order to pursue appropriate courses of action. To ensure that Thailand is not seen as a "a sex tourism destination", TAT has made a conscious and consistent attempt over the past many years to radically change the perceived image of the country as being a predominantly "male" destination, an image that has been the country's legacy as a result of its involvement as an "R&R" base serving military personnel during the Cold War years. Some of the key strategies include: Promoting Thailand as a family destination³¹.

For example, TAT has introduced a variety of innovative niche tourism products with special appeal for women travelers such as shopping, Thai cuisine, health, natural healing and beauty, and has organized several high impact promotional campaigns, jointly with other public and private sector operators nationwide. Recent surveys conducted by several leading travel publications prove that these destinations promotions have successfully reinforced Thailand's reputation as a world-class "Shopper's Paradise", "Spa Paradise", and a hub of cosmopolitan cuisine, among others such as one of the world's Top-10 diving sites and "Golf Capital of Asia"³².

In 2000, female visitors to Thailand grew by 12.17% - higher than the 9.93% growth in male visitors. There was also a 19.48% increase in the number of visitors who identified themselves as being 'housewives'. The gap is closing and Thailand is seeing a

³¹ Ibid.

³² Ibid.

more balanced male-female ratio of international visitors. In its advertising and marketing campaigns, TAT consciously and strictly avoids the use of suggestive images that may inadvertently encourage sex tourism. Information on the subject and on the penalties for breaking the law is disseminated to the public through various channels including the TAT web site.

Role of Education

Providing quality relevant and affordable education is the first approach that the Thai have to implement to check the rise of child prostitution and to propagate awareness for the spread of sexually transmitted disease among the sex workers. Education in Thailand should aim at serving the masses, to help them become wiser and more conscious of their human dignity³³. Thailand focuses the principle thrust of its efforts in prevention through education which constitutes the first line of protection for children. The Royal Thai Government and its agencies represented by the Thai Education and Labour and Social Welfare Ministries, recognizes that better education is vital in eliminating the root causes that lead to commercial sexual exploitation of children. They work to improve access to and the quality of education. Knowledge empowers children to protect themselves by helping them to recognize and avoid high-risk situations. A key effort here is to ensure that children, especially girls, attend school so that they can eventually support themselves and become less vulnerable to pimps and other people who may try to coerce them into the sex trade.

³³ Samporn Sangchai and Lim Joo-Jock (ed), *Trends in Thailand II* (Singapore, 1976), p.113.

The government has granted educational scholarships as well as long-term and interest-free loans for children from low-income families. This has resulted in a significant decline in the number of child workers. The number of child workers age between 15-17 years decreased from 230,000 in March 1998 to 55,000 in July 2000³⁴. Education only achieves its preventative goals if supported by job creation as the availability of alternative employment enables children and families to live in dignity.

Apart from these education for the masses should be accelerated in both formal and non-formal aspect. Out of School programmes such as the Daughter Educational Programme, should be encouraged as they are especially useful for the spreading of knowledge and awareness in a country like Thailand where the majority of the people live in the rural areas and lack the opportunities as well as the funds to continue their studies at a higher level of learning³⁵.

Conclusion

Abandoned, afraid, and abused, the child sex workers lose all bonds of trust and often find their only comfort in addictive, mind- altering drugs as they succumb to a life of emotional, psychological, and physical entrapment. The few lucky ones who do escape often return to their communities only to find that they are stigmatized as unclean and swiftly ostracized because of their past occupation. Commercial sexual exploitation at a young age destroys childhood. It corrupts the body, mutilates the heart, and suffocates the

³⁴ TAT News, Thailand 2002.

³⁵ Samporn Sangchai and Lim Joo-Jock (ed), *Trends in Thailand II* (Singapore, 1976), p.113.

soul. Nothing will ever be the same. Once guileless and inexhaustible, youthful joy is reduced to half-hearted reflex. Sadness hovers like a phantom, unrelenting and timeless. And when memories take over, the agony resurfaces.

The child prostitutes are more vulnerable to sexually transmitted diseases, and are also more likely to suffer from psychological trauma. The number of children in the sex trade with HIV/AIDS hasn't declined so much compared to the initiative taken by the Thai Government and the NGOs working in the area. The steps taken by the government and the agencies mainly deals with the child prostitutes working in the urban areas and those who are victims of the trade. It fails to create awareness in the rural areas where majority of the prospective child prostitutes are acquired. It is a must to create awareness among the people and especially parents of the physical and psychological risks involved in child prostitution so that they may take care not to let their daughters entrapped in the sex trade. Educational programme concerning AIDS and the various sexually transmitted diseases should be made known to the public so that the society can also take steps to check the rise in number of child sex workers and the increasing number of HIV/AIDS cases.

Though new drug treatments for HIV/AIDS are being developed in US lab, they still remain financially prohibitive for the poor and even the middle class. The government needs to take more initiatives so that the necessary drugs would be available at a reasonable price. Improvement in health, education, and basic preventative measures continue to be the only realistic tools with which to fight HIV infection among the girl child sex worker in Thailand. Cross border cooperation and support must take place to

stave off a resurgence of the virus within the country in order to maintain Thailand's progress in fighting AIDS. Another Key element in the effective control over AIDS is that man must educate themselves and participate in fostering change and to eliminate the barriers that deny women control over their own economic, social, political and sexual decision.

Chapter 5

CONCLUSION

The growth of child prostitution in Thailand have a long history, it cannot be solely blamed on the Vietnam War and the creation of recreational center by the US marines for rest and recreational. It has been there in the society all along but the only things is that the degree of prostitution today is the direct result of the Vietnam War and the establishment of the US base in the Country. Considering the severity of commercial sexual exploitation of girl child and their violated Human Rights, the government policy maker, NGOs, and researchers need to work together from a global point of view to uplift the condition of the children involved in the trade. More careful attention should be given to the matters of the exploitation of girl child than the grown women in the sex industry with the sexual violence and exploitation imposed on them in such unhealthy environment.

There is a great need for change from the social structure, religion and the overall response of the government in the issue concerning the problem of child prostitution. The social structure of Thailand is marked by the disparities between the have and the have not, gender differences where patriarchy prevail and the unequal distribution of wealth and power among the rural and urban population. In Thailand, being from the right family too often counts for more than being right. The rich and powerful are often reluctant to punish one another. This tendency has its roots in the traditional Thai society of Lords and slaves. When big people are found doing wrong, like in the case of many Thai big bussnessmen, police and politician who are believed to sponsored or run the

sex industry, they are rarely punished. Even though the traffickers and sex offenders are caught they are usually set free after a very short period of time, either through their good connection or by giving fines. Elite society usually save them from public confrontation of guilt, punishment and humiliation, so they continue to discretely involve in the running of the sex trade and making lots of money of the child prostitute.

The gender discrimination in Thai society is another contributor to the problem for the increasing number of girls joining or being forced into the sex trade at an early age. In Thai society boys are given less responsibility to support their family than the girl child. In poor families, if the parents could not afford it the daughters are made to leave school at an early age dramatically limiting their life opportunities and increasing their vulnerability to exploitation and abuse. The girl child are expected to work and contribute their earning to support their family and because of their lack of education and skill they do not have much option but to join the sex industry and in some cases the girl child are sold by their parents to the recruiter resulting in the large amount of migration to the city. This practice is common among the poverty stricken northeasterners, which in result show the disparity between the poor rural folks and the rich urban people. The Thai men habit of visiting brothels and their belief in the health rejuvenation of sex with virgin children should be question. In order to slow the growth of child prostitution in Thailand it will be appropriate to look at it from the male behaviour and the status of women in the Thai society. Male sexual behaviour needs to be questioned and not accepted as the norm and education in school and the NGOs should look at gender issues, eliminate sexual stereotypes and offer equal opportunities to boys and girls in the field of education and jobs opportunities.

The root of Thai society social acceptance to prostitution which goes back to the principal strain of Thai Buddhism, the Theravada Buddhism has a traditional emphasis on polygamy and its influence on the thinking and behaviour of the Thais is still powerful today. Polygamy though abolished in 1935, is still in practice today in the form of men having more than one wife and in formerly through visiting commercial sex workers. Prostitution is against the teaching of Buddha but the Thai sangha hierarchy has said virtually nothing about it. Although the primary teaching of Buddha transcends gender difference, the secondary teaching passed on by Monks have portrayed women as second-class citizens. Therefore in Thailand according to the Buddhist Law Thai women deserve to have fewer privileges than the men. Women see themselves as disadvantaged and less worthy than men. As the Thai place their religion at a high importance it will be most effective if the religious leaders or Buddhist society take active role to persecute the social evil such as the child prostitution and other forms of child abuse in the country.

In order to increase the efforts of government, officials and people, the first and most important thing is to raise their awareness in order to understand the serious consequences of child exploitation. Without increased awareness, these problems will not be given priority and support from government, law enforcement officials and people. Many people and government officials still refuse to recognize the problems or denied that the problems are not as serious as being reported. People often turn a blind eye on the problems because they do not want to know about this issue and because they think it is not very damaging. Many do not realize how much trauma the victims have to endure, as many shocking stories are not publicized to the public. A lot of campaigns have to be launched to the public and to the family of the potential victims of trafficking. The

potential victims and their families should be informed of the sufferings of those who were lured, deceived or forced in to prostitution. This information should be publicized for the public to know how much damages the sexual exploitation can cause. Whenever the awareness is high the public will support the fight against trafficking. Politicians will be forced to make this problem their priority and law enforcement officials then cannot sit back but they will also have to concentrate in prevention and suppression of trafficking and commercial sexual exploitation of children.

The existing law in the country is not up date enough to fight this crime. The law of the country have severe penalties before 1997, like The Act of Women and Girls Trafficking of Thailand which does not cover all the changing situations like the trafficking in boys which is an increasing phenomenon. That is the reason why the existing trafficking law was enacted in 1997. A new law should be enacted for the severe prosecution of the middlemen, brothels owners, traffickers and the clients involved in child prostitution. The government should also give special importance to curb the illegal trafficking of children from the neighbouring countries to Thailand for working in the sex trade. Better provision should be provided for the rescued children, counselling, medical assistance and free and safe journey home to their country must be provided to the trafficked sexually abused children.

As prostitution is a million dollar business and too many people make a lot of money out of the prostitute the government attitude of coercion and condonation is currently fixed. It is one of the major contributors of the country Gross National Product and to do away with it will effect greatly on the country economy. This I feel is one of the

main reasons apart from the corruption of the bureaucrats, why the government are not too keen or strict on implementing the existing law and making improvement on the existing laws to suite the globalised Thai society which is in existence at the present. The government is unable to provide valid and precise information about the child prostitute as these form of social ills usually exist as a secret industry. The enormous size of Thailand's sex industry provides hard evidence of the rural crisis in Thai agriculture and the rapid industrialization process. The sex industry is deeply rooted in the economy and the spread of HIV among the sex workers can be linked to the substandard wage paid to the sex worker and the terrible living condition they are put in, and the continued demand for commercial sex. The reduction of the sex industry and AIDS will furthermore depend on the creation of decent jobs for women and girls involve in the trade and the confrontation of the economic condition such as poverty and powerlessness that have cause HIV to spread in Thailand. The Thai government and NGOs are working hard to improve the condition of the HIV infected person and also to curb the growth of child prostitution in the country. Also due to the unequal distribution of power and facilities the initiative taken up by the government is not reaching the masses in the northern region where the youth are most effected by prostitution and AIDS.

The NGOs also contribute a great deal in spreading awareness and looking after and providing alternative for the children who are vulnerable or are previously engaged in the sex trade. However the measures these agencies have taken has only brought down child prostitution at a small scale. For example, the Development and Education Program for Daughters & Community Center (DEPDC), one of the leading organizations in Northern Thailand, has only 400 seats, which is clearly minimal compared to the number

of girls exploited in the sex market. Hence we can say that the NGOs cannot fully cater to all those who need assistance since their network is not wide enough and they have not the desired resources. Another shortcoming of NGOs working in this area is lack of consideration of the long term. In this regard it would be a welcome suggestion if the international agencies such as the UNICEF, WHO and others take more involvement and open larger resource to eliminate or diminish the problem of child prostitution and the spread of diseases among the child sex workers and those whom they come in to contact with. Children who have contacted HIV/AIDS and are excluded by the society needs amiable and benevolent treatment and their plight should be made known to the local and international communities so that they receive better care and also create awareness of the evil of child prostitution.

The major obstacle faced by researchers who want to research on the topic of child prostitution in Thailand is the inadequate unavailability of material in the form of books and also the lack of information about the aggregate number of children who are involve in the trade.

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