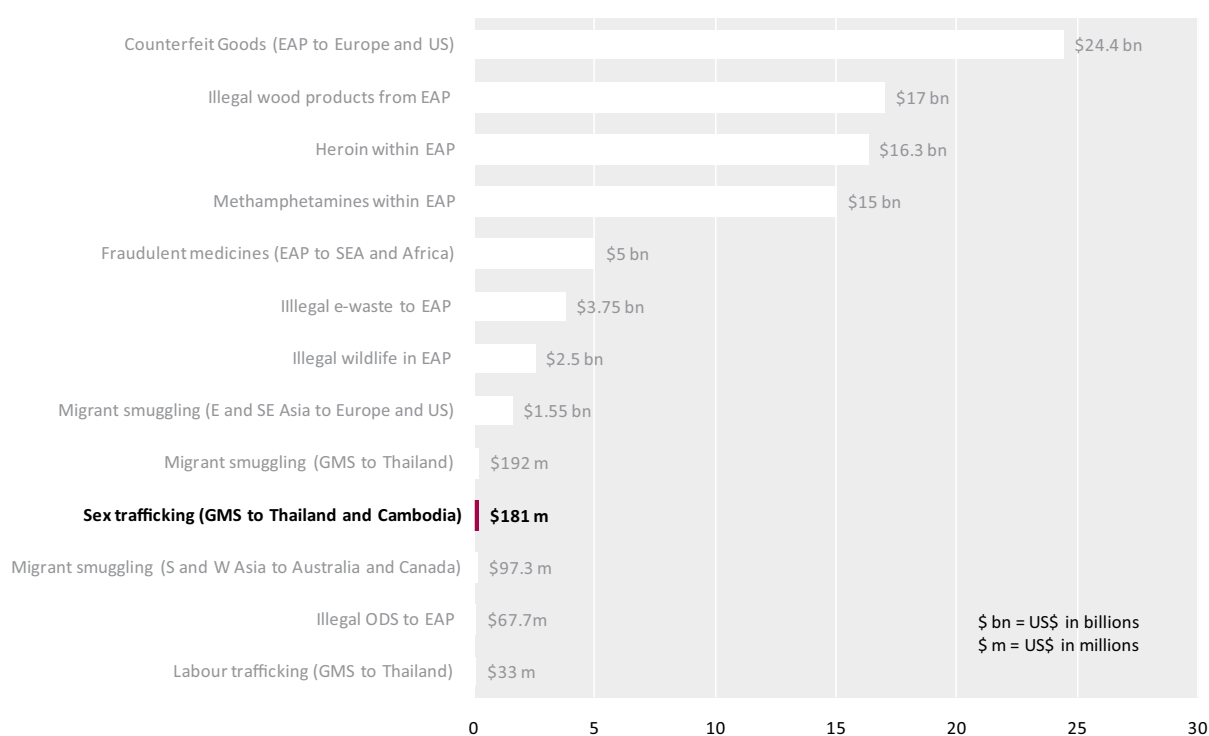


Chapter 2

Trafficking of women and girls for sexual exploitation within the Greater Mekong Sub-Region



NATURE OF THE THREAT

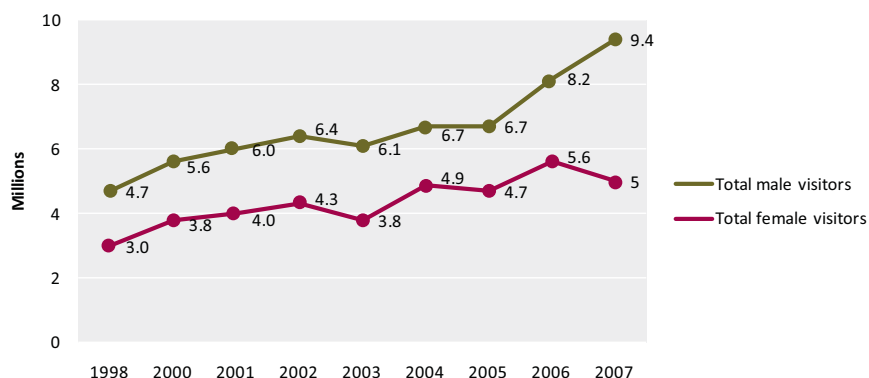
Human trafficking:

1. Slave-like conditions: human beings treated as disposable commodities – immense – often hideous – emotional, psychological and physical damage done to victims.

2. Forms of control: sexual exploitation; domestic servitude; forced marriage; forced labour (especially in construction and fishing industry); debt bondage; imprisonment; violence and torture; child begging.

Prostitution is found everywhere, but there is a smaller subset of countries whose markets have the power to attract participants, both clients and sex workers, from neighbouring countries and beyond. When there are not enough sex workers to keep up with demand, those profiting from the trade may import labour by deception and by force.

Figure 1: Total international tourist arrivals to Thailand



Source: Tourism Authority of Thailand 2008a

Foreign demand for sexual services in Thailand can be traced back at least as far as the time of the Viet Nam War, when foreign servicemen fed the expansion of a sex market in Pattaya, formerly a sleepy fishing village. In parallel, the notorious Pat Pong district in Bangkok was developed by foreign investors during the 1950s and 1960s.¹ Thus, on many levels, the sex market in Thailand is an international phenomenon.

1. What is the nature of the market?

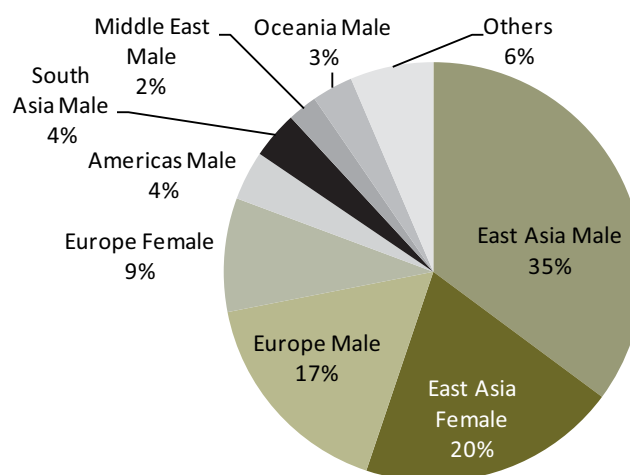
Despite the illegality of prostitution in Thailand, a recent survey in 2009 found that there were some 73,917 sex workers in 16,270 commercial sex establishments, though in 2010 the Ministry of Health estimated that the actual number was probably higher – at

between 150,000 and 250,000.² An ongoing research project estimates that there are around 140,000 sex workers in Thailand. Though the vast majority are female, around 10% are male.³ Given the size of the industry, it is not surprising that a percentage of these workers are victims of trafficking. While 10% of the sex workers found in the survey were men, this chapter focuses on the commercial sexual exploitation of women and girls, due to their special vulnerability to violence and exploitation.

Most of the trafficking victims who are not Thais come from poorer countries in the region, from Cambodia, Lao PDR and Myanmar, migrating irregularly. Like many of their compatriots, they are in search of a better life.

Foreign sex workers are inherently vulnerable, given that both their presence and work status are illegal, and that they are unlikely to speak the local language. They have no official existence, no labour rights, and no one to hear their complaints. Under these conditions, exploitation is to be expected.

Figure 2: International tourist arrivals to Thailand by region and gender in 2007



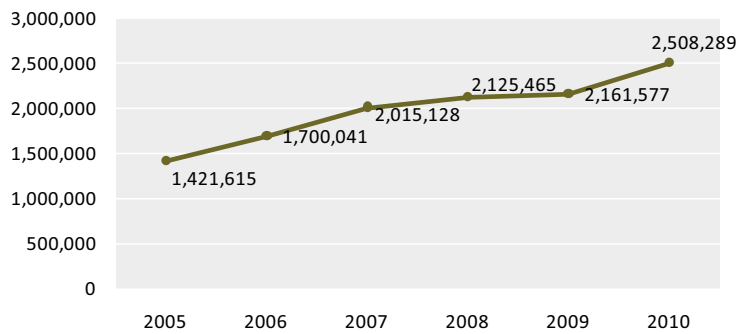
Source: Tourism Authority of Thailand 2008b

¹ Much earlier, in the late 19th Century, brothels were established in Chinatown to cater to the Chinese expatriate population. In the first year prostitutes were registered (1909), 1441 (57%) of the registered prostitutes were Chinese, and 950 (38%) were Thai. See Baffie 2010: pp. 195-203.

² NAPAAC 2010: p. 79.

³ Preliminary estimates on at risk populations presented at Ministry of Public Health (MoPH) Workshop, Richmond Hotel, Nontaburi, 10 January 2012.

Figure 3: Total international tourist arrivals to Cambodia



Source: Cambodia Ministry of Tourism 2011

The trafficking of sex workers from a relatively rich country to a poorer one also occurs. Trafficked Vietnamese women make up a small share of sex workers in Cambodia. However, some of these trafficked women are ethnic Vietnamese from Cambodia. Ethnic Vietnamese make up around 13% of the Cambodian population and a disproportionately large amount of the sex workers. Perhaps because of the association of the Vietnamese with sex work in Cambodia, women and girls are also trafficked from Viet Nam.

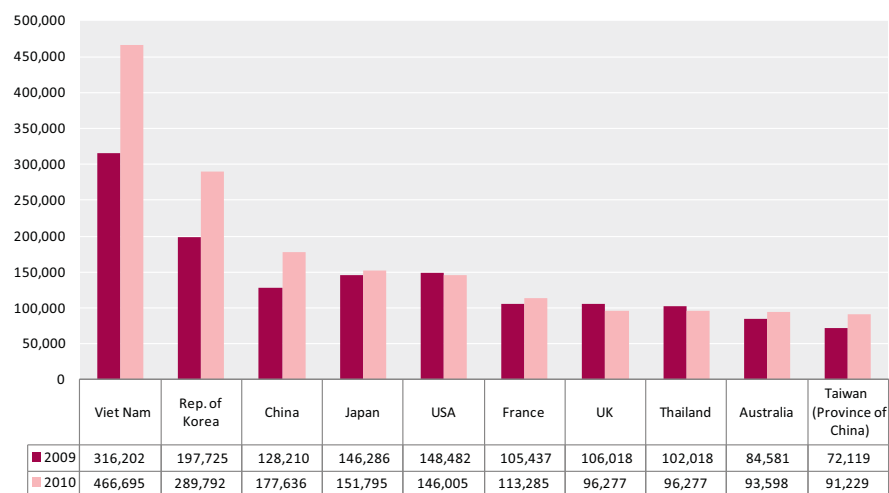
In both countries, domestic and foreign men exploit victims. While women outnumber men in many tourist destinations around the world,⁴ almost twice as many men as women holidayed in Thailand in recent years, with the number of male tourists doubling within a decade. Over half of male tourists come from East Asia itself (see Figures 1 to 4). According to academic studies, East Asian sex tourists come from China, Japan, Malaysia, Republic of Korea, and Singapore in particular. Several sex venues in Thailand cater almost exclusively to visiting East Asian men.⁵

Sex tourism is an issue for Thailand, but the main problem driving trafficking of women and girls today is rooted in high domestic demand for commercial sex. Of a sampling of men in north-eastern Thailand, 43% of single men and 50% of married men reported having purchased sex in their lifetimes, with 13% of married men having purchased sex within the last year. Of those who had patronized sex workers, 70% reported that their first sexual experience was with a sex worker.⁶

Similar to Thailand, the clients of sex workers in Cambodia appear to be predominantly from the country itself,⁷ but there is evidence that Cambodia is developing a sex tourism industry of its own.⁸ It also appears that certain sectors are being developed to cater for regional demand for sex (for example, in Siem Reap), especially for tourists and investors from China, Japan, and the Republic of Korea.⁹

The number of sex workers in Cambodia reportedly increased from 20,829 in 2002 to 27,925 in 2008, of which 15,070 are estimated to work in Phnom Penh and 12,855 in the provinces.¹⁰ Of these, a share would be trafficked.

Figure 4: Top ten sources of tourist arrivals to Cambodia in 2009 and 2010



Source: Cambodia Ministry of Tourism 2011

⁴ This gender variation is not standard for tourist arrivals. For example, female tourists to the Maldives were 3% more numerous than male tourists, in 2011.

⁵ Le Roux 2010: p. 125.

⁶ Maticka-Tyndale and others 1997.

⁷ HRW 2010a

⁸ Peters 2007: p. 9.

⁹ Peters 2007: p. 19.

¹⁰ Steinfatt and Baker 2010

Child Sex Tourism

When a person is too young to consent to sex, any sexual activity is inherently exploitative. In the region, the sexual exploitation of children appears to be especially prevalent in Cambodia, Lao PDR, Thailand and Viet Nam. Travelling child sex offenders make use of these markets, and also pursue children not involved in commercial sex. The Association of Southeast Asian Nations (ASEAN) has defined “child-sex tourism” as the sexual exploitation of children by men or women who usually travel from a richer country to engage in sexual acts with children in a less developed country.¹¹ Child-sex tourism is committed by an individual or a network that facilitates the exploitation.

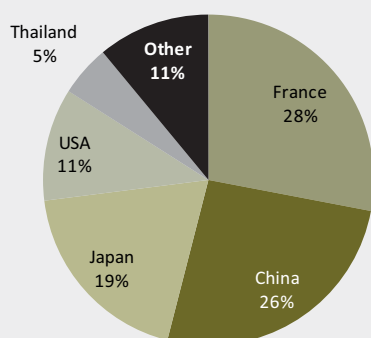
Many males from Australia, the European Union and the United States, working as business travellers, development workers, teachers or long-term residents, have been identified as travelling child sex offenders in the Greater Mekong Subregion. According to UNICEF, however, the majority of sex tourists in East Asia are regional tourists. Due to the close links of commercial sex industries with child-sex tourism, cases involving East Asian travelling sex offenders - mainly from Japan, the Republic of Korea and Taiwan (Province of China) - have been detected in a number of Southeast Asian countries.¹²

In the Greater Mekong Subregion, travelling child-sex offenders make contact with local children through their accommodation or other tourist-related services. In addition, some resident foreigners have strong links to the community and it is one of the ways that travelling child-sex offenders groom children for abuse.

Although relevant legislation has been adopted in countries of the region, including Cambodia, Lao PDR, Thailand and Viet Nam, these laws are often weakly enforced.¹³ There have been some law enforcement successes. Between 2001 and 2012, 80 Cambodians and 148 foreigners were arrested for child-sex offences in Cambodia after a total of 400 victims (263 boys and 137 girls), were recorded as “abused” by these foreigners (see Figures 5 and 6). ECPAT International reported that three international and 20 Thai child-sex tourists have been convicted since 2008 in Thailand.¹⁴

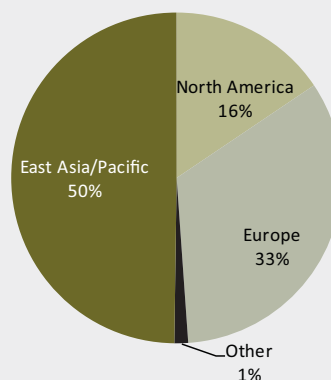
Although some countries, including Australia, Germany, Japan and the US, have established extra-territorial legislation against child-sex tourism, the number of arrests remains low.¹⁵ Based on available records, seven US citizens have been convicted in the US for sex offences against Cambodian children; three of these cases are still pending.¹⁶

Figure 5: Nationality of foreigners engaged in the sexual exploitation of children in three districts of Cambodia in 2001



Source: Niron and others 2001: p. 32.

Figure 6: Breakdown of region of origin of child sex tourists arrested in Cambodia 2003-April 2012



Source: Action pour les Enfants 2012

¹¹ ASEAN 2007: p. 5.

¹² ECPAT International 2010: p. 12.

¹³ ECPAT International 2010: p. 33.

¹⁴ ECPAT International 2010: p. 32.

¹⁵ Child Wise Australia 2009: p. 8.

¹⁶ Action pour les Enfants 2012

2. How is trafficking conducted?

As indicated in the previous chapter, the large majority of migrants from Cambodia, Lao PDR, Myanmar, and Viet Nam enter Thailand voluntarily, with or without the assistance of a broker. Most traffickers control migrant sex workers through debt bondage accumulated from the cost of smuggling them into Thailand. Some brothel owners buy these debts and then use them to exploit the victim. To the initial sum, inflated costs may be added for the feeding, housing, and upkeep of the victim, extending the period of debt servitude.

Even those who migrate with the intention of working in the commercial sex industry may be exploited and become trafficking victims. For example, the district of Svay Pak, north of Phnom Penh, Cambodia, attracts a large number of sex workers who migrate from the south of Viet Nam for work.¹⁷ Certain brothel managers in this area exploit debt-bonded sex workers by placing restrictions on their freedom and ability to safeguard their own health. Brothel managers dictate how many and which clients “their” sex workers should entertain, and whether or not condoms are used.¹⁸

The Thai sex industry is also partly supplied by women and girls trafficked from neighbouring Myanmar, which remains one of the least developed countries in the region. One established route is the border crossing at Tachileik in Myanmar to Mai Sai in Thailand.¹⁹ It has been reported that traffickers offer sexual favours to border officials or bribes of between



Source: Wong and Rigg 2011: p.13; Le Roux 2010: p. 133-7; UNIAP: 2010; UNODC sources

US\$30 and US\$78 to facilitate the irregular border crossing.²⁰ Police officers reportedly extort money or accept bribes from brothel owners to prevent raids or to provide notice of planned raids.²¹

Trafficking of women and girls from Myanmar into Thailand for the purpose of sexual exploitation has been reported by World Vision and Asian Research Center on Migration (ARCM) in a 2004 joint research study. The study found that from a sample of 534 women migrants from Myanmar who had been involved in sex work in Thailand, 28 (or 5.3%) had been forced into prostitution.²²

¹⁷ Busza 2004: p. 242.
¹⁸ Busza 2004: p. 242.
¹⁹ Busza 2004: p. 142.

²⁰ Busza 2004: p. 139.
²¹ US TIP 2011
²² Cited in Hugueta and Ramangkura 2007: p. 28.

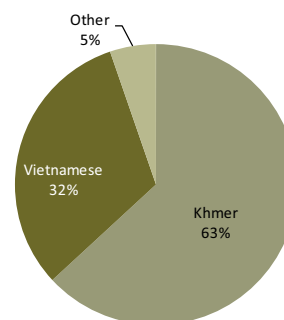
The sale of virginity seems to be a particular problem in Cambodia, and the means by which many young women are first exploited.²³ Of 203 women surveyed by the International Organization on Migration in Cambodia, 38% had their first commercial sexual encounter while selling their virginity. In this sample, Cambodian men reportedly accounted for about half of client demand, the other half being male tourists, largely from Asian countries. Ethnic Vietnamese women and girls represented over one quarter (28%) of virginity sales.²⁴ On average, the girls selling their virginity were reportedly between 16 and 17 years old.²⁵ The average price paid for the virginity of a Khmer or ethnic Vietnamese girl is US\$482, but can range from US\$20 to US\$2800.²⁶

Ethnic Vietnamese women represent a substantial portion of the commercial sex workers in Cambodia, and form the majority of sex workers in some areas such as Siem Reap and Svay Pak. The Cambodian sex market is negotiated in two distinct venues: brothels and beer gardens. The beer garden scene, which also includes karaoke bars, has grown in popularity due to the advantage of deniability: the bar owner does not pimp the women, but rather charges clients a “bar fine” to take a woman off-site. It also provides some social interaction before business is arranged and gives the women more manoeuvrability in general.

The purpose of brothels is more explicit, and they are where most of the trafficking takes place. With less freedom of movement, the women are more easily controlled and coerced. Most of the ethnic Vietnamese sex workers are based in the brothels. It is often assumed that brothels are a metropolitan phenomenon, but this does not appear to be the case. In one study, only 34 of the 377 brothels surveyed were found in Phnom Penh, with most (343) found in the provinces.²⁷

The share of these women who are victims of trafficking is difficult to determine, but the best study to date polled over 2000 venues, and found that of an estimated 27,925 sex workers, 1058 (4%) were estimated to be victims of trafficking for sexual exploitation, of which 29% were underage. Most of

Figure 7: Ethnicity of sex trafficking victims in Cambodia in 2008



Source: Steinfatt and Baker 2010

these victims were Khmer (63%), but a large share were ethnic Vietnamese (32%) and a statistically significant share ethnic Chinese (5%).²⁸

3. Who are the traffickers?

It does not take great organizational sophistication to traffic a woman or a girl in Southeast Asia. Since most of the women migrate across borders voluntarily, and most are subsequently exploited in a brothel setting, it is the brothel owners who are most often the “traffickers”.

There are also professional procurers, who are often of the same nationality as the victims, but may have resided in the destination country for many years. Using their community linkages to entice and entrap victims, they are generally independent and small scale. In one recent study of trafficking from Myanmar to Thailand, information was gathered on 100 of these recruiters.²⁹ Of the study sample, at least 65 were female, of various ethnicities (Palaung, Shan, Chinese, Burman and Kachin). Their professions were diverse, including police officers, government workers and one nun. Many were from Namkham in northern Shan State, with some from China, and some from central Myanmar.

Women may also be trafficked by friends or family members. Research in Viet Nam has found that many women are trafficked by their own boyfriends.³⁰ Sales of children by parents knowing they will be sex trafficked is rare.

²³ UNIAP 2010: p. 55.

²⁴ Brown 2007: p. 71.

²⁵ US TIP 2007

²⁶ Brown 2007

²⁷ Steinfatt and Baker 2010: p. 34.

²⁸ Steinfatt and Baker 2010: p. 44. This report uses “ethnicity” to refer to culture of origin rather than citizenship.

²⁹ Palaung Women’s Organization 2011.

³⁰ CEOP 2011

Child Sex Tourism and the Internet

The Internet allows the gathering of information to facilitate all forms of tourism, including child-sex tourism. Travelling child-sex offenders are able to anonymously gain access to networks that provide information on local children and the services available at destinations.³¹ Child-sex traffickers also advertise sexual services through the Internet.³²

A number of cases have been prosecuted where the Internet was key. In 2008, Japanese authorities arrested a Japanese man for arranging child-sex tours for Japanese tourists to Cambodia. He allegedly managed a specialised website allowing offenders to select children prior to their arrival in Cambodia.³³ In 2011, a New Zealand man was the first in that country to be convicted for organizing a tour with underage boys in Thailand, advertising over the Internet.³⁴ It appears that Internet use can also be a liability for child-sex tourists, however, as it allows legal authorities in the richer countries to intervene before the damage is done. Those trolling for victims may fall victim to a police sting.

Many East and Southeast Asian destinations and source jurisdictions such as Cambodia, Japan, the Republic of Korea, Taiwan (Province of China), Thailand and Viet Nam do not yet have a protocol for Internet Service Providers to report unlawful cyber activities in relation to child pornography and child sexual abuse.³⁵ These must be established as a vital means of undermining criminal activity.

Police corruption helps to facilitate the trade. In 2009, the Deputy Chief of the municipal police of Phnom Penh was arrested for allegedly accepting bribes in exchange for warning brothel owners of impending raids.³⁶ Border control officials have also been implicated.

4. How big is the flow?

To determine the number of women currently trafficked into sexual exploitation in Cambodia and Thailand, two things must be estimated;

- the number of commercial sex workers in both countries; and
- the share of these workers who are trafficked.

In 2012, preliminary research by the Ministry of Public Health indicated that the number of commercial sex workers in Thailand at around 140,000.³⁷ In 2008, based on extensive survey research, it was estimated the number of sex workers

in Cambodia at just under 28,000.³⁸ This leaves the question of what share of these people are trafficked.

Ironically, the best research on the rate of trafficking is not in the relatively well-known market of Thailand, but in Cambodia's sex industry. There are problems with applying the findings of the Cambodian research to the Thai situation, of course, including the fact that the Thai situation is both much larger and is based on a correspondingly larger tourist demand. Still, in the absence of comparable research in Thailand, the Cambodian research is the best available proxy for in-country trends in the region.

Field observation in over 2000 venues in all 24 provinces of Cambodia in 2008 concluded that 3.8% of the women at these venues met the rather strict criteria for trafficking, namely that they were either under the age of 18 or that they were not free to leave the venue.³⁹

There are problems with the methods and the criteria used for determining trafficking. To determine the availability of under-aged workers, researchers posing as potential customers simply asked the proprietors, who would have arguably had economic incentive to lie, possibly inflating the number of victims.

³¹ ECPAT International 2010: p. 60.

³² ECPAT International 2008: p. 6.

³³ ECPAT International 2008: p. 10.

³⁴ Hannan 2011

³⁵ ECPAT International 2010: p. 36.

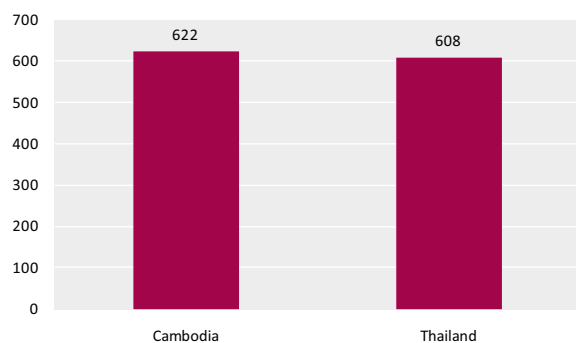
³⁶ US TIP 2010

³⁷ Preliminary estimates on at risk populations presented at Ministry of Public Health (MoPH) Workshop, Richmond Hotel, Nontaburi, 10 January 2012.

³⁸ Steinfatt and Baker 2010: p. 28.

³⁹ Steinfatt and Baker 2010. Venues included bars, restaurants, karaoke bars, massage parlours, and brothels.

Figure 8: Sex workers per 100,000 adult males aged 15-65 in the population



Source: UNODC estimates⁴⁰

On the other hand, victims can be trafficked while still permitted a degree of freedom. In fact, some venues, such as karaoke bars, may lack the facilities to provide sex on the premises, so some movement off-site may be required. This would lead to an underestimate of the number of victims. Given these conflicting biases, the estimate provided by the Cambodian research is applied here.

In Cambodia, this implies that about 4% of the estimated 28,000 sex workers in the country are trafficked, or about 1,120 victims. Applying these ratios to Thailand, taking 4% of an estimated number of 140,000 sex workers would result in a total of around 5,600 victims.

Since, for the purposes of this threat assessment, we are looking into the transnational nature of the flow – not the total number of all victims in Cambodia and Thailand (certainly a larger number) – we need to know what proportion of a total estimated 5,600 victims in Thailand and 1,120 victims from Cambodia would have originated from neighbouring countries in the Greater Mekong Subregion.⁴¹

Regarding Thailand, based on historical data (2005-2010), approximately 150 foreign victims of sex trafficking are rescued annually. Almost all of these individuals would have come from Cambodia, Lao PDR and Myanmar.⁴² The next question is, approximately what percentage of the overall total

⁴⁰ For Thailand, this figure is based on recent estimates by the Ministry of Health and Mahidol University project (140,000 sex workers); for Cambodia, this is based on the estimate of 28,000 sex workers, see Steinfatt and Baker 2010: p. 44.

⁴¹ The assumption is that the number of foreign trafficked victims from outside the Greater Mekong Subregion would be quite small.

⁴² UNODC 2009: p. 185.

does this represent? Because average interception rates for rescuing sex trafficking victims in Southeast Asia are not established a European proxy is used. In Europe, the standing estimate is that between 3% and 5% of sex trafficking victims are detected annually. Thus, using the average interception rate (4%) and applying it to the figure of 150, there would be approximately 3,750 victims of sex trafficking in Thailand from neighbouring countries (150 multiplied by 100 divided by 4).

The above-referenced study into sex trafficking in Cambodia estimates that around 35% of victims were not Khmer but ethnic Vietnamese.⁴³ This translates to about 300 victims.⁴⁴ In 2009, Cambodian authorities reportedly assisted with the repatriation of 11 Vietnamese sex trafficking victims to Viet Nam.⁴⁵ Using again the average interception rate of 4% and applying it to the number 11, it is estimated that there would be approximately 275 sex trafficking victims from Viet Nam in Cambodia (11 multiplied by 100 divided by 4).

The income generated by an estimated 4,025 foreign victims (Thailand - 3,750 victims, Cambodia - 275 victims) is difficult to calculate, given the lack of data on prices and hours worked. Court testimony from victims suggests an average of six clients per day for about 25 days per month. Prices vary greatly depending on the locations, venues, and the services provided, but an average spend of US\$25 per client seems to be a conservative estimate.

These figures suggest that each trafficked sex worker generates about US\$45,000 in income for her trafficker per annum. With an estimated 4,025 trafficked victims in these sex industries, this would place the annual value at about **US\$181 million** in Cambodia and Thailand.

Given the gaps in the data and the use of proxy indicators for other countries and regions, these figures can only be considered very tentative estimates of the possible magnitude of the problem.

⁴³ Steinfatt and Baker 2010: p. 44. The study does not set out to estimate what proportion of these ethnic Vietnamese or Chinese were 'domestic' or 'foreign' sex trafficking victims from Viet Nam or other countries.

⁴⁴ It is probable that more than 50 of those 300 victims may constitute ethnic Vietnamese 'domestic' victims, given that around 13% of Cambodian nationals are of ethnic Vietnamese origin and a relatively large proportion of people of this ethnicity found in sex work.

⁴⁵ US TIP 2010. In general, limited data is available on foreign trafficking victims in Cambodia. In 2010, 500 Vietnamese trafficking victims were repatriated to Viet Nam, including 100 who had been trafficked to South Korea, Malaysia, and Singapore. Source: US TIP 2011.