Corruption, Human Trafficking and Human Rights: The Case of Forced Labor and Sexual Exploitation in Thailand

*Malinvisa Sakdiyakorn**
*Sutthana Vichitrananda***

Abstract

Human trafficking is considered to be a serious violation of human rights. Causes that contribute to human trafficking are commonly believed to be related to poverty, globalization and economic disparities among countries. This paper raises corruption as an important factor that not only facilitates but causes and perpetuates trafficking activities. The argument is strengthened through empirical evidence of labor and sex trafficking in Thailand wherein corruption invariably plays a role. In order to foster respect for the fundamental rights and freedom of people, the article seeks to promote greater awareness among all parties involved about the adverse relationship between corruption and human trafficking.

Keywords: *Human trafficking, corruption, human rights, labor trafficking, sex trafficking.*

1. Introduction

Human trafficking is a serious violation of human rights because of the involuntary manner in which trafficked victims are recruited, entrapped, transported and subsequently subjected to the exploitation and abuses inherent in the act (Obokata, 2005; Piper, 2005, p. 209). Data compiled by different international organizations and government agencies suggest that the number of people trafficked each year ranges from approximately 500,000 to 2.5 million persons globally (ILO, 2008; UNODC, 2008; US State, 2008; UNESCO Bangkok, 2009; UNIFEM, 2009). As the fastest-growing and third-largest criminal industry after the arms and drug trade, human trafficking is also believed to be one of the lowest risk and most profitable illegal activities (Hughes, 2000, p. 1; Van Impe, 2000, p. 119; Newman, 2006, p. 5; Siobhan, 2006). According to ILO (2005a), trafficking in people is estimated to generate almost US$ 32 billion annually.

In mere figures, it would be difficult to pinpoint to what degree Thailand fits into this overall picture in view of the fact that the statistics concerning human trafficking are largely unreliable, scattered and unsystematically collected (Salt, 2000, pp. 37-41; Piper, 2005, pp. 203, 215; Zhang & Pineda, 2008, p. 43). Yet, as a major source, transit and destination country for trafficked victims, Thailand has been highlighted in the existing literature as having great significance and being an excellent example with regard to the nature and extent of the problem (Derks, 2000, pp. 16-17; Piper, 2005, p. 204).

When trafficking networks in Thailand are viewed as "business organizations" (Salt & Stein, 1997), it is perhaps easier to understand how they operate and why they continue to expand. This paper targets "corruption" as the fuel that drives the crime, although strong supply and demand forces readily enable the conduct of the business. Linkages between corruption and trafficking become clearer when trafficking is considered an "economic activity" and trafficked victims are perceived as a "commodity" through which the parties involved in the trafficking process are able to make profits (Kyle & Liang, 1998, cited in Salt, 2000, p. 35).

2. Corruption as a Causal Factor

The causes of human trafficking have been explained by what are often regarded as

* **Malinvisa Sakdiyakorn,** Ph.D, is a lecturer at the Business Administration Division, Mahidol University International College. E-mail:malinvisa@gmail.com

** **Sutthana Vichitrananda,** Ph.D, is currently working for the Center of Philanthrophy and Civil Society, National Institute of Development Administration

push and pull factors. The macro factors that push people into becoming victims of human traffickers are commonly related to poverty and its social and economic causes, such as income inequality, war and internal armed conflict, environmental degradation, limited educational opportunities, and gender disparities. The pull factors are often described as those which promise economic prosperity in the richer destination countries, stimulated by the globalization infrastructure that induces and facilitates the movement of goods and labor (Heyzer, 2002; Zhang & Pineda, 2008). However, these push and pull factors, minus the exploitation and abusive crimes of the traffickers, would only merely explain regular labor migration. These trafficking crimes exploit human beings for the benefit of the involved traffickers, employers, and corrupt officials (Heyzer, 2002). A study in Europe conducted by the Program against Corruption and Organized Crime in South Eastern Europe reported on linkages between corruption and human trafficking by stating that "trafficking cannot take place without the involvement of corrupt officials" (Zhang & Pineda, 2008).

In establishing the linkages between human trafficking and corrupt practices, this paper adopts the operational definition of corruption of Transparency International: *"the misuse of entrusted power for private gain."* Corrupt acts in the trafficking industry exist at all stages of trafficking, ranging from recruitment, transportation, and exploitation at the destined workplace, to the prosecution and justice system. A vicious cycle is created by corruption, which ensures the continuation of the trafficking business and obstructs the efforts to prevent trafficking, protect the victims, and prosecute the traffickers.

2.1 Corrupt Practices in the Various Stages of Trafficking

Successful trafficking requires collusion with corrupt accomplices. Recruitment can be facilitated by bribes paid to corrupt labor service and immigration officials in reaching out to targeted laborers and in securing forged labor documents (Richards, 2004). Roby and Tanner (2008), in their study of prostitution and sexual trafficking in Thailand, also mentioned that brothel owners routinely bribe local police, and officials often help "recruit" and detain the young women.

Similarly, the second stage of trafficking, which involves the transportation of trafficked victims, could hardly succeed without the assistance of corrupt officials working in border control and immigration. The long ride to cross borders before reaching the destination requires organized acts by traffickers so that they can pass smoothly through numerous police and immigration checkpoints.

Exploitation and the abuse of trafficked victims forced into labor or prostitution occur at the third stage, when workers are delivered to their employers. At this stage, although workers are entitled to be protected under labor laws and human rights conventions, such measures would function only if properly enforced. Exploitation continues to occur as employers are able to bribe law enforcement officials to work in their favor. Some employers use corrupt police also to help exert control over trafficked employees through a combination of physical abuse and threats of arrest and deportation. Charges made against traffickers or the employers involved are dropped when those employers are able to bribe their way through the corrupt law enforcement and judiciary system (Richards, 2004). The staff member of a non – governmental organization (NGO) that we interviewed said: *"It is very difficult to bring the traffickers to justice. Victims that were rescued just wanted to go home; most do not want to pursue charges as they do not know whom to trust. They are afraid of their own safety as well as their families'. Authority and traffickers are the same to them."*

2.2 Research on the Interconnections between Corruption and Human Trafficking

Linkages between corruption and human trafficking have been explored by scholars despite the great difficulties most of them faced in obtaining data, thus limiting their research.

Richards (2004) indicated that corruption in human trafficking could take the forms of active involvement as well as passive negligence. The active involvement of corrupt parties in human trafficking ranged from paying, accepting and transferring bribes to facilitating trafficking transactions (recruitment, transport, exploitation), as well as obstructing the criminal justice system. In Thailand, some law enforcement and government officials were reported to have become parties to trafficking crimes; many were reported to have ownership stakes in the brothels concerned (Roby & Tanner, 2008).

Passive negligence refers to the act by officials of ignoring what is taking place and not taking action to protect trafficked victims, or neglecting to perform their rightful duty. This is not the same as inertia, lack of skills, or the ineffectiveness of the authorities. The term refers to those who are parties to corruption and who choose not to execute what responsibilities/duties are demanded of them. When those in authority turn a blind eye to the issue, they enable aggravation of the unlawful activities. Lack of enforcement of labor standards, for example, has also been raised as an incentive for labor trafficking. In addition, indicators of trafficking could also be ignored and victims' testimonials neglected, which enables traffickers to continue to succeed (Richards, 2004).

A recent exploratory research study by Zhang and Pineda (2008) hypothesized corruption as being a stronger predictor of human trafficking than other assumed poverty- related causes. To test this hypothesis they compared data from various tiers of countries, ranging from the richest to poorest, using the following: (a) the corruption variables in the Corruption Perception Index (CPI) of Transparency International; (b) poverty variables (per capita income, infant mortality rate, primary education, life expectancy) from several United Nations-based sources; and (c) human trafficking variables in the Trafficking in Persons (TIP) ranking report of the United States Department of State. The research found that income, infant mortality, primary education, and life expectancy were not good predictors of human trafficking because there were inconsistencies in the correlation and regression results across the countries concerned. Corruption was the only variable found to be consistently correlated with the TIP ranking across the countries, and was the only variable that achieved statistical significance in correlation to the TIP ranking. This led to their conclusion that country corruption practices contributed much more to human trafficking than did poverty. Therefore, efforts to curb human trafficking must address this important causal factor.

3. Curbing Human Trafficking in the Thai Context

For many years, Thailand has made efforts to deal with human trafficking by establishing mechanisms, conducting national policy and planning exercises, implementing preventive measures, and engaging in law enforcement measures (ILO, 2005b). Most recently, the Anti-Trafficking in Persons Act B.E. 2551 was enacted, entering into force on June 5, 2008; it sets out a new definition of human trafficking and establishes penalties for offenders (see Box 1).

In line with the Trafficking Protocol – the United Nations-based international agreement on preventing trafficking crimes and protecting the victims of trafficking – the Anti-Trafficking in Persons Act B.E. 2551 holds certain important implications with respect to human rights and corruption.

Box 1

Definition of human trafficking under the Anti-Trafficking in Persons Act B.E. 2551

Whoever, for the purpose of exploitation, conducts the following acts is considered guilty of trafficking in persons (Chapter 1, Section 6):

(1) Procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving of money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control; or

(2) Procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving a child (under the age of 18).

Source: Anti-Trafficking in Persons Act B.E. 2551 (2008)

First, it denotes as a human trafficking crime use of force, fraud, or coercion to exploit a person beyond his/her basic human rights. Although these basic human rights are not explicitly stated within the law, they include the right (a) to be born free and equal in dignity and rights (Article 1); (b) to not be held in slavery or servitude (Article 4); (c) to not be tortured or treated cruelly, inhumanly or degradingly (Article 5); (d) to work and have free choice of employment under just and favorable work conditions, and to be given equal pay for equal work (Article 23); (e) to be able to rest from work and be give time for leisure, which implies reasonable limitation of working hours and the granting of periodic holidays with pay (Article 24); (f) to have a standard of living adequate for maintaining the health and well-being of the worker and his/her family, including food, clothing, housing and medical care and necessary social services (Article 25); and (g) to education (Article 26) (United Nations, 1948).

Second, unlike previous Thai anti-trafficking legislation which defined trafficking only in terms of sexual exploitation and allowed only females and children to be classified as victims eligible to receive shelter or social services from the government, the new law prohibits all forms of trafficking in persons by extending protection for the first time to male victims of sexual exploitation and to all victims of labor trafficking (Office to Monitor and Combat Trafficking in Persons, 2008; UNODC, 2009). For this purpose, the law allows for the coverage of existing trafficked victims so that they are protected under the extended standards of human rights.

In terms of prosecution, the new law clearly recognizes the concrete role played by other parties beyond the direct traffickers; they shall be punished in the same way as the direct offender for offences related to trafficking in persons, if he/she:

(1) Supports the commission of the offence of trafficking in persons;

(2) Aids the trafficking process by contributing property, or procuring a meeting place, or lodge, for the offender trafficking in persons;

(3) Assists the offender trafficking in persons by any means so that he/she would not be arrested;

(4) Demands, accepts, or agrees to accept a piece of property or any other benefit in order to help the offender trafficking in persons escape punishment;

(5) Induces, suggests or contacts a person to become a member of an organized criminal group, whose purpose is to commit the offence of trafficking in persons (Chapter 1, Section 7).

While the term "corruption" does not appear in the legislation, it is apparent that the above-mentioned practices can easily constitute "acts of corruption;" those involved in such practices are liable to incur penalties: imprisonment ranging from 4 to 15 years and a fine ranging from 80,000 baht to 1 million baht.

A necessary yet insufficient solution in curbing human trafficking is the establishment of a prosecution mechanism that would point out the main concern of the problem. Although there is greater clarity under the new law in defining the "victims" and "involvers" of trafficking activities, practically it is still very difficult to track down the various key parties involved in the process let alone bring them to court. The cases described in the next sections suggest that human trafficking in Thailand will likely continue to exist if corruption, whether in the form of "active involvement" or "passive negligence," is not truly eradicated throughout the entire process in a systematic manner.

4. Labor Trafficking in Thailand

An estimated one-third of victims worldwide were trafficked for economic purposes other than sexual exploitation (ILO, 2005a). In Thailand, the International Organization for Migration has estimated that currently there are about 1.9 million migrants in the Greater Mekong Subregion (GMS). In the past, a large influx of migrants into Thailand was due to war or internal conflict in other GMS economies. However, in recent years, migration from Thailand's neighbors was stimulated largely by economic conditions. A shortfall in low-skilled laborers in Thailand created a demand for migrant workers, from neighboring relatively poorer economies with surplus labor.

Although Thailand instituted a registration program for issuance of work permits to regularize the stay of migrant workers in the country, the majority of migrant workers are in Thailand illegally. Migrant workers enter Thailand through many channels, both legal and illegal, and in many cases they became victims of human trafficking. Many of those who registered upon entry stayed beyond their permit period; others did not register at all. In 2008, an estimated 1.3 million migrants in Thailand were unregistered (Sciortino & Punpuing, 2009). Their illegal status, coupled with their general lack of understanding of the relevant Thai laws and their rights plus the fear of deportation, open them up to exploitation and harassment from their employers, police, and other officials. The vulnerable conditions of migrant workers also provide fertile ground for corrupt practices to take place. Their abuse and the violation of their human rights and labor rights continue to be reported.

Although linkages between human trafficking and the forced labor of migrants can be established, they are not always straightforward. Largely because of the economic situation in their own country, many aspirant migrants chose to migrate illegally on their own before being coerced or deceived into forced labor at their destination. Sometimes, if such adverse events do not occur at their first destination, the migrants may be trafficked or led into forced labor at their second or third destination. Therefore, the distinction of whether they were cases of human smuggling or trafficking is often raised, but any conclusion needs to be treated with care. The cases described below also reflect these elements of complexity; however, they also represent empirical evidence that enables better understanding of the linkages between and manifestations of trafficking, corruption, and violation of human and labor rights.

4.1 Recruitment and Transportation

Recruitment and transportation occur upstream in the process whether or not the laborers are smuggled or trafficked. Workers are recruited through "brokers" who receive orders for laborers from employers. Recruitment may take place in various forms, such as through abduction or by luring victims with false promises of a well-paid job and a better life at their destination. Increasingly, owing to economic hardships in the GMS economies

surrounding Thailand, many people migrate voluntarily, and they may even pay the recruiters in the hope of getting the promised employment.

The brokers often collaborate with corrupt officials in order to facilitate the transportation process (UNIAP, 2007). With numerous checkpoints throughout the border provinces, it would be quite a challenge, if not impossible, to transport migrants to the workplace successfully without help from corrupt officials. Adisorn (2008) also described how broker operations would be possible only if they could collaborate with officials. The forms of collaboration could be as simple as paying bribes but in some cases officials even partner with or lead these broker operations. Another study by ILO (2006) also revealed that police officers have been involved in the transportation of illegal migrants. In conducting the present research study, migrants were asked if they had paid anyone to get the job; many responded that they paid police officers. In the same research, a number of migrants also indicated that the police had transported them to Bangkok in exchange for money.

During the transportation process, the migrants were often hidden in a truck or container, which put them at risk of accidents, injuries and sometimes death. An example of such an incident occurred in April 2008 when 54 (out of 121) Burmese migrants died from suffocations while being transported in a seafood container traveling from Ranong to Phuket. This was not the first such incident. According to local NGOs, more than 100 deaths have been recorded as a result of more than 10 such incidents in 2007 (Nopporn, 2008). Serious violations of human rights occur during recruitment and transportation; however, at this stage is it often difficult to identify the migrants as victims of human trafficking owing to the absence of all the elements of a trafficking crime. This situation creates loopholes, and certainly opportunities for corruption, as an arrest made during transportation could be for illegal immigration, a violation receiving fewer penalties than the crime of trafficking. Such a lesser charge would certainly cut off any deeper probe into the organized crime of trafficking.

During recruitment, brokers might charge workers fees directly; in some cases, brokers would collect the fees from the employers who in turn would then deduct them from the workers' salary. Fees in such cases are sometimes excessive and give rise to "debt bondage,"1 a means commonly used by traffickers to control and later abuse and exploit their workers. The Labour Rights Promotion Network (2007) estimated that 80-90 per cent of the 200,000 Myanmar workers in Samut Sakhon Province are in a debt bondage situation. In addition to debt bondage, brokers and employers could also use other techniques to exert control and prevent workers from changing jobs, such as holding their registration or travel documents, threatening deportation, restricting communication and movement, and abusing them physically.

4.2 Labor Rights in the Workplace

Labor rights were incorporated within two articles of the Universal Declaration of Human Rights: Articles 23 and 24. Of these rights, the most frequently violated are *"just and favorable conditions of work," "equal pay for equal work," "just and favorable remuneration," and "reasonable limitation of working hours and periodic holidays with pay."*

Sciortino and Punpuing (2009) found that registered migrant workers who arrived in Thailand from GMS economies were employed mostly in agriculture (18 per cent), construction (15 per cent), fisheries and fish processing (15 per cent), and domestic work (11 per cent). The wages of these workers were found to be much less than those paid to Thai workers, especially if the migrant workers were not registered. Table1 demonstrates the wage disparities between Thai and migrant workers in these sectors.

Table 1. Comparative Monthly Wages of Thai and Migrant Workers in 2004

Sector	Thai workers (baht)	Registered migrants (baht)	Unregistered migrants (baht)
Agriculture	3,000-4,000	3,000-4,000	1,000-1,500
Construction	3,000-6,000	4,500-6,000	3,000-3,300
Fisheries	10,000	3,000-4,500	2,800-3,900
Domestic work	5,900-7,000	1,000-4,000	700-1,000

Source: Chantavanich, 2008 (in Sciortino and Punpuing, 2009).

ILO (2006) also reported that migrant workers in the manufacturing and fish-processing sectors earned about 60 per cent of the minimum wage. In particular, child migrant workers and unregistered workers, the two most vulnerable groups, often receive reduced wages. In some cases, the wages of some migrant workers are further reduced by what employers call "deductions for mistakes" and "in-kind" wage payments, such as for their food and accommodation.

The violation of labor rights in terms of long and uncompensated working hours is an issue for many migrant workers. ILO (2006) has reported that excessive working hours occurred more frequently among domestic workers, followed by those in fishing, manufacturing, and agriculture. The majority (82 per cent) of domestic workers in that research study worked more than 12 hours per day. Migrant workers in manufacturing were forced to work long hours. Cases documented by the Asian Human Rights Commission in 2003 showed that at least 75 Burmese workers in a garment factory were forced to work continuously for 41 hours without rest during the period September 19-21, 2003. All of them were reported to be underpaid and half of them were fired on September 24, 2003.

In the fisheries sector, in addition to working long hours, the workers were given insufficient time for rest. The working hours were long and overtime was mandatory but usually uncompensated. During their 20-25 days at sea, the fishermen had to work around the clock in 2.5-hour shifts, with only a half hour break between those shifts. They would receive only about 1,500-2,000 baht per trip plus about 1-1.5 percent of the proceeds from the sale of the fish for a total of about 5,000-6,000 baht per trip (Wille, 2001). ILO (2006) reported the physical abuse of migrant fishermen in Thailand, and IRIN (2008) reported that more than 4,000 Cambodians were trafficked from that country and sold to boat operators in Thailand. "Once on the fishing boat, life is unbearable; we get little to eat and are often beaten….It's so bad there are only two choices: commit suicide or jump ship," said Kong, a Cambodian fisherman, describing conditions on a Thai boat (IRIN, 2008).

Migrant workers are pressured, either by force or by a lack of choice, to accept wages much lower than what they are entitled to. Such workers are already inside Thailand, most do not know the Thai language and jobs are not easy to find. Their illegal status also puts them at a disadvantage and they have little negotiating power. Furthermore, their vulnerability increases owing to their lack of knowledge of their rights. Access to justice is also complicated by the risk of deportation. The authorities were perceived as working for the benefit of their employers rather than for that of the migrant workers.

In the absence of corruption, the above-mentioned abusive practices of trafficking networks and some employers would not have endured and escalated to the current scale. Collusion between corrupt officials and employers drives and sustains this crime.

Amnesty International (2005) stated that the Burmese migrant workers whom they had interviewed mentioned that if they were to demand proper pay they would be punished or subjected to force by their employers, through such means as beatings administered by local gangs hired by their employers or they would be arrested by the local authorities and deported to Myanmar. The following case was among many that were submitted by the Asian Legal Resource Center to the Commission on Human Rights.

> *…On 16 December 2003, police arrested over 260 legal migrant workers on strike and planning to sue their employer for insufficient pay, after 25 of their number were sacked. Police reportedly surrounded a monastery where the workers, including about 200 women, were staying after they had decided not to continue work at Nasawat Apparel Company, and to file charges against the factory. The police beat the workers before taking them to the Immigration Detention Centre for deportation. The owner of the Nasawat Apparel Company, Kwanchai Wimut, previously had police beat and deport workers who had attempted to organize strikes, and had had his security men sexually harass women workers. On 25 November 2003, prior to the workers' walkout, drunken police had also entered the women's quarters and threatened them sexually (Asian Legal Resource Center, 2004).*

The above description casts doubt on this incident being a normal police operation: arresting the migrant workers for illegal entry just after they coincidentally had gone on strike and had announced their plan to sue the factory; more likely the employer had given the police incentives to conduct the raid. Also, it could be asked what induced the police allegedly to violate the workers' human rights during this operation?

Many conventions, treaties, and laws have been enacted to protect the rights of laborers; unfortunately in practice they remain much less protected than called for under such measures. As these cases have shown, corruption prevents such victims from accessing protection and justice. Corruption fuels the exploitative practices of employers to whom cheap labor means greater profit. This is particularly so for employers who have paid fees to the trafficking brokers and bribes to others.

5. Sex Trafficking in Thailand

Trafficking for the purpose of sexual exploitation in Thailand has long been a heated topic widely discussed in many trafficking-related research studies (Piper, 2005, p. 209). Part of this is related to the magnitude of the sex trade activity, which can be found to occur throughout the country in a "socially acceptable" manner (Roby & Tanner, 2009, p. 94). Despite the growing debate that a large number of sex workers – alternatively termed prostitutes, entertainers, hostess, or hospitality companions, among other euphemisms – enter the "sex industry" on their own initiative and therefore should not be considered trafficked victims. The reality is that there exist unfortunate women, and in the worst cases children, all of whom are actually forced into situations of sexual exploitation by their lack of choice, compensation and legal status (see Table 2).

Several characteristics can be used to describe the current trend of sexual exploitation cases in Thailand. First, although the number of trafficked Thai victims of sexual exploitation is believed to be on the decline, there is a growing consensus that foreign victims are replacing them (Archavanitkul, 1998; Piper, 2005, p. 220; Roby & Tanner, 2009, pp. 91-92). Transported across borders, the majority of these victims come from countries in the Mekong River basin, namely Cambodia, China, Lao People's Democratic Republic, Myanmar, and Viet Nam (Archavanitkul, 1998; Wille, 2001, p. 1; Steinfatt, 2002, p. 28; Jayagupta, 2009, p. 234).

Table 2. Human Trafficking: Sexual Exploitation versus Prostitution

Criteria	Human trafficking for sexual exploitation	Prostitution
Choice	Individuals are forced to provide sexual services and work even if ill	Individuals consent to provide sexual services
Compensation	Victims are not paid or their compensation is very limited	Workers are paid for the services which they provide
Legal status	Always illegal	May be legal or illegal depending on the regulations

Source: Batsyukova (2007).

Second, unlike well-established bars, cocktail lounges and massage parlors, wherein the providers of the relevant services consider themselves to be decent "sex workers" eager to make a living, most trafficked victims are normally abducted and kept in closed brothels or hidden establishments (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993), many of which are located in the northern and north-eastern parts of the country, such as in Nong Khae, Mae Sai, Mae Sot, Mukdahan and Savannakhet (Wille, 2001, pp. 50-53; Brown, 2000 in Roby & Tanner, 2009, p. 92).

Third, child prostitution seems to be increasing disproportionately, mainly as a result of demand fueled by the fear of AIDS among clients combined with the perception that having sex with children is safer than with adults. Another factor is related to the cultural and social mores of "deflowering" a virgin sex partner (Berger & van de Glind, 1999, p. 7; Brown, 2000 in Roby & Tanner, 2009, pp. 94-95).

Fourth, the extent of child trafficking for sexual exploitation goes beyond the purpose of the sex trade involving girl victims to include other illicit sex crimes, such as pornography, and boy victims made to serve foreign pedophiles who see Thailand as a haven for engaging in sexual activities with children (Wille, 2001, p. 1; ABC News, 2006).

What makes all these events possible? Is it poverty, primitive conditions, political fear, lack of education and job opportunities that the victims in sending countries encounter? Or is it the growing demand for sex, the availability of advanced technology, transportation and communications, or the dream of a better life in the receiving countries? While trafficking for sex normally evolves from a mixture of all these factors, most incidents are made possible because of the various forms of corruption involved.

The "flexible" nature of the trafficking process, involving diverse parties that respond to particular situations and constantly changing routes and tactics makes corruption an essential component in sex trafficking crimes (Skeldon, 2000, p. 12). Unfortunately, there is no clear-cut pattern concerning the ways in which corruption takes place. However, what can be drawn from the empirical evidence is that corruption exists in all stages of the trafficking process – from the recruitment and transportation phases to the delivery, marketing and exploitation phases.

5.1 Recruitment and Transportation

In the recruitment process, the arrangements made for trafficking victims for sex are normally conducted through the medium of brokers, who act in a similar way to that of their counterparts in labor migration. At this point, "strings" of brokers or agents loosely connected to one another are responsible for preparing documents and transporting victims from one point to another. Victims of trafficking are brought into Thailand through four main borders: passing

through cities on the Myanmar border, such as Chiang Rai, Ranong and Mae Hong Son, on the Cambodian border, such as Trat and Sa Kaew, Mukdahan and Nong Khai on the Laotian border, and Yala and Narathiwat on the Malaysian border (The Nation, 1997).

Once across the border inside Thailand, both the traffickers and the victims of trafficking continuously risk being stopped by police patrols at various checkpoints. The provision of "tea money" along the way, however, makes it possible for them to continue their journey safely (Skeldon, 2000, pp. 9-10). In the worst cases, facilitation is provided by certain groups of policemen that choose to transport the victims themselves in order to make harboring the victims easier.

> *"Nyi Nyi" and her friend left in a truck driven by a policeman to Chiang Rai. … There were many police checkpoints between Mae Sai and Chiang Rai … the policeman had everything arranged … [he] took them to a hotel and told them to wait until the agent came to collect them (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993).*

> *"Pyone Pyone" spent three days in Mae Sai at the home of an agent before a uniformed policeman arrived and drove her and twelve other Burmese girls from the agent's house to a brothel in Bangkok. Their van was not stopped at any of the police checkpoints along the way (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993).*

5.2 Marketing Activities and Exploitation

While some public figures have been found to assist traffickers in the delivery of the victims of trafficking, some have also extended their roles into marketing activities. According to Erlanger (1991), "many [Thai] politicians, officials and policemen invest in the sex trade or benefit from it [with some] owning chains of brothels." In 1997, an Australian newspaper reported on two Pattaya policemen who were arrested for running an operation that sold under-age boys to tourists seeking prostitutes and planted drugs on other boys in order to blackmail them (Sydney Morning Herald, 1997.) Another officer had been charged with running a brothel and kidnapping a 15-year-old girl for prostitution. In many instances, brothels are located next door to or a short distance down the street from local police stations. Why would they have been situated in such close proximity to law enforcement agencies if not to make it easier for the "operations" to be looked after and harder for the trafficked victims to escape?

> *When she got to the brothel, "Pyone Pyone" was told she could not leave. She said she knew there was no way to escape anyway, because all the police in the area knew the policeman who had brought her there (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993).*

> *Thuza explained to us her inability to escape by the fact that the police station was just next door. She said it was impossible to leave because the policemen came every day to the brothel, usually in full uniform and carrying guns (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993).*

Acts of corruption are also exhibited in the exploitation process. As facilitators or protectors of the illegal establishments, many police officials have been given special privileges or free services from the owners to exploit the trafficked victims against their wills.

> *"Aye Aye," who came to Thailand when she was fourteen years old, told us that the police came often to the Dao Kanong brothel in Bangkok where she worked. They usually came in uniform in groups of two to five men and were very friendly with the owner. The policemen were the only ones allowed to take girls out of the*

brothel, and they never had to pay (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993).

A Laotian girl, aged 14, was approached by a stranger, who offered her better paid work in Bangkok. She was excited about her good luck. Upon arrival she found that she had been lied to about the hours and the pay, and was forced to sleep without payment with a local police officer, who threatened to arrest her if she left (Wille, 2001, p. 43).

While preventive measures can become lax throughout the trafficking process because some officials ignore sex work, mostly in return for sexual favors or bribes, "corruption" has been found to hinder protective action too. In an interview with a Thai NGO, the difficulty in both finding and rescuing the victims of trafficking is made more complicated when information on rescue missions is placed in the wrong hands. Brothels or victims of trafficking can easily disappear overnight thanks to the assistance of certain public figures. In other cases, "rescued" victims are sent back to brothels after certain exchanges have been made.

Several of the Burmese we interviewed had previously been arrested by local police and returned to the brothel after the owner paid money to the police. Their fine was then added to their debt and furthered their bondage to the owner (Thomas, Jones, Asia Watch Committee, & Women's Rights Project, 1993).

5.3 The Rights of Sex Victims

Victims who are trafficked for the purpose of serving the pleasure of sex clients lack access to their basic rights as is also the case with the previously mentioned victims of labor trafficking. During exploitation, they are forced to work long hours, endure threats and abuse as well as work without adequate health and sanitary protection while getting little or no pay. In an interview with Siri, a 15-year-old victim, Bales (in Roby, 2005, p. 139) described this inhumane condition as follows:

[Siri] is forced to have sex with 10–15 men a night in a brothel. She lives in fear of AIDS and pregnancy, but may be beaten if she insists that the men use condoms. At first she ran away from the brothel but she was quickly brought back, beaten and raped, until her will was broken. Now she lives with resignation, convinced that she is a bad person and seeing herself as 'just a whore.'

In addition to the physical injury they suffer, victims of sex trafficking normally experience psychological deterioration which can last a lifetime. Attempts to rehabilitate the victims, whether they are children or adults may work. Their traumatic experience may sadly render them unable to develop themselves socially and find a better life. According to IOM (in Roby, 2005, p. 140), many victims have no place to go and may even form attachments to the very people who have exploited them. They often return to prostitution as their sole means of support.

6. Conclusion

From a human rights perspective, trafficking is unacceptable; therefore, serious efforts should be made to combat the factors that contribute to such activities. That being said, human trafficking will continue to flourish if awareness and acceptance of corruption as a causal factor of human trafficking is not truly established. In order to tackle this problem, an elaborate justice system is only a means to the end. Thailand provides a clear example of how corruption and human trafficking are strongly interrelated. Sadly, these social evils are shaped by the wrong attitudes of different parties in society. Trafficking is a profitable business that may require extra assistance from certain groups of public figures. For such persons, the additional earnings to be realized from facilitating trafficking activities have already become the expected norm for them. While others may not approve of their behavior, no one does anything to obstruct such malpractice. Trafficked victims,

even if they managed to escape, are afraid of confronting public officials for fear of being imprisoned or sent back to the traffickers. The general public has become used to stories of human trafficking and regards such cases merely as daily news stories to be acknowledged although not tackled seriously. Given these circumstances, the efforts made by public agencies, international organizations and NGOs involved in curbing human trafficking depend not only on how the corruption embedded in the process is dealt with, but also on realigning the perceptions of all the actors involved or affected by the issue of human trafficking in the right direction.

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