

## Trafficking in persons in the North-South, East-West Economic Corridors (EWEC-NSEC-SEC) and Border Area Management

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### Abstract

As well as facilitating land transportation among ASEAN countries, the formation of ASEAN Economic Community and the utilization of the North-South and East-West Economic Corridors has given rise to human trafficking rings. The routes established by ASEAN have been used for transporting trafficking victims.

The research “Trafficking in persons in North-South and East-West Economic Corridors and Border Area Management” sheds light on the situation of trafficking in persons in Economic Corridors. Issues were found with varying degrees of severity depending on the local context of each corridor. Major loopholes can be found in natural passages and temporary border checkpoints which have been exploited by trafficking rings from neighboring countries to smuggle victims into Thailand. Travelers from Burma (Myanmar), Cambodia, Laos and Vietnam arriving at checkpoints are not aware of the definition and pattern of trafficking in persons and they do not think that they can become trafficking victims. Once they have become trafficking victims, they have no idea how to help themselves out of the situation they are in.

Findings from this research are useful for developing recommendations for legal and policy reform. The findings can also be used for border area management, particularly the formation of the “Border Area Development Committee for Sustainable Solutions to Trafficking in Persons” to enhance the prevention and suppression of trafficking in persons.

**Keywords:** trafficking in persons, North-South, East-West Economic Corridors.

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### 1. Introduction

Trafficking in persons is an emerging threat to national security. It has been gaining worldwide attention recently due to publicity showing how dehumanizing and degrading the acts of the trafficking rings can be. It has also led to a range of problems. Thailand is one of the most vulnerable countries to trafficking in persons in the ASEAN economic area.

According to 2016 Trafficking in Persons Report, [1] Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. Thai victims of trafficking and some of the estimated three to four million migrant workers in Thailand are forced, coerced, or defrauded into labor or sex trafficking. Some labor trafficking victims are exploited in commercial fishing and related industries, factories, agriculture, and domestic work, or forced into street begging. Migrant workers who are trafficking victims are sometimes deported without effective screening for indicators of trafficking. Sex trafficking remains a significant problem in Thailand’s extensive commercial sex industry.

Women, men, boys, and girls from Thailand, Laos, Cambodia, Vietnam, and Burma are subjected to labor and sex trafficking in Thailand. Thailand is also a transit country for trafficking victims from China, North Korea, Vietnam, Bangladesh, India and Burma. Victims from these countries are subjected to sex trafficking or forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States and countries in Western Europe. Thai nationals have been subjected to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia, and the Middle East. Members of ethnic minorities, highland persons and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Children from Thailand, Burma, Laos, and Cambodia are victims of sex trafficking that can be found in brothels, massage parlors, bars, karaoke lounges, hotel rooms and private residences. Local NGOs report the use of social media to recruit children into sex trafficking. Some parents or brokers force children from Thailand, Cambodia, and Burma to sell flowers, beg, or work in domestic service in urban areas. Reports indicate

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separatist groups in southern Thailand continue to recruit and use children to commit acts of arson or serve as intelligence agents.

Many foreign trafficking victims migrate willingly to Thailand seeking employment. They often do this with the assistance of relatives and community members or informal recruitment networks. Many migrate through irregular channels without identity documents or travel documents from their countries of origin. Instances of human trafficking, smuggling, abduction, and extortion of migrants occur as migrants move between Thailand and neighboring countries. Traffickers, including registered and unregistered labor brokers of Thai and foreign nationalities, bring foreign victims into Thailand through both formal migration and smuggling routes. They also serve as intermediaries between job-seekers and employers. Some brokers charge substantial fees or collaborate with corrupt law enforcement officials. Some migrant workers incur significant debts to obtain employment and are subjected to debt bondage. A number of brokers and employers continue to illegally confiscate identity documents. Thai men and women who migrate overseas also rely on registered and unregistered labor brokers to facilitate acquisition of low-skilled contract work or agricultural labor. They are also sometimes subjected to conditions of forced labor and debt bondage.

Trafficking in the fishing industry remains a significant concern. Thai, Burmese, Cambodian, and Indonesian men are subject to forced labor on Thai and foreign-owned fishing boats. Some remain at sea for several years, are paid very little or paid irregularly. Many work as much as 18 to 20 hours per day for seven days a week, or are threatened, physically beaten, drugged to work longer. In the most extreme cases some are even killed for becoming ill, attempting to escape, or disobeying orders. Some trafficking victims in the fishing sector had difficulty returning home due to their isolated workplaces, unpaid wages, a lack of legitimate identity documents or a safe means to travel.

Thailand's problems relating to trafficking in persons may become further exacerbated by the creation of Greater Mekong Sub-region Economic Corridors. These were created by six countries sharing the Mekong River. These are Cambodia, Lao PDR, Myanmar, Thailand, Vietnam, and the Yunnan Province of the People's Republic of China. These countries have a combined population of 250 million in an area of 2.3 million square kilometers. This is an area equal to that of Western Europe. The nine priority areas of activities in this cooperation include transport, telecommunications, energy, tourism, human resource development, environment, agriculture, trade, and investment[2].

The East–West Economic Corridor (EWEC), North–South Economic Corridor (NSEC), and Southern

Economic Corridor (SEC) were subsequently designated as flagship programs under the Ten-Year GMS Strategic Framework, 2002–2012. Complementary efforts such as trade and transport facilitation, border and corridor town development, investment promotion and enterprise development have been largely focused on the EWEC, NSEC, and SEC. The development of GMS corridors as economic corridors continued to be at the center of the GMS Program under the succeeding GMS Strategic Framework, 2012–2022[3].

The “Greater Mekong Sub region Economic Corridors” project has received funding from the Asian Development Bank (ADB) for a range of infrastructure projects. These include improvements to road connectivity, power grids, telecommunications and the environment [4]. ADB has divided its transportation into three major routes. These are the East-West Economic Corridor, the North-South Economic Corridor and the Southern Economic Corridor. Each of these enters Thailand as follows:[5]

The East-West Economic Corridor (EWEC) or Route R9 covers a distance of 1,450 km. 950 km of this is located in Thailand. R9 starts from Vietnam's Danang, through Hue and Lao Bao. This is where a Vietnam's Special Economic Zone is situated at the border of Lao People's Democratic Republic (Lao PDR). The R9 then meanders through Savannakhet in Lao PDR and crosses the Mekong at the Second Thai–Lao Friendship Bridge (Mukdahan-Savannakhet) into Thailand's Mukdahan province. It then goes on through the provinces of Kalasin, KhonKaen, Phetchabun, Pitsanuoke and Tak's Mae Sot. It crosses the border again into Myanmar through to the Gulf of Martaban in Mawlamyine, which is sometimes known as Mawlamyaing. It connects the South China Sea to the Indian Ocean. In the future it may even connect with India and the Middle East. Road connectivity among the four countries serving the East-West Economic Corridor is already open for public use.

The North-South Economic Corridor (NSEC) is the major route connecting Southern China (Yunnan Province) with ASEAN through the North-South road which starts from Kunming and then splits to two destinations linking Chiang Rai and Bangkok. It has another route to Hanoi, Vietnam's capital city where it connects with the North-South A1 Highway.

The route that connects Southern China and Bangkok is called Route R3. It consists of two smaller routes. The first travels through Laos in the East (R3E) and the second travels through Burma (Myanmar) in the West (R3W).

The 830-kilometer-Route, R3E, from Bangkok-Chiang Rai is a four-lane road, with the exception of the 115-kilometer-section from Chiang Rai to Chiang Khong (at the border) which is still a two-lane road. A 2.48-

kilometer-bridge over the Mekong River has been built in Chiang Khong at Ban Don Mahawan connecting Chiang Rai's Chiang Khong with Laos at Ban Don Muang Houayxay, Bokeo Province. In addition, there is a plan to construct another stretch of 6 kilometers of road into Houayxay. This would be a two-lane paved road connecting Route R3A of China-Laos to Thailand. Immigration checkpoints have also been constructed. The bridge was completed on 12 December 2012 and was officially inaugurated on 11 December 2013. The 228 kilometer stretch in Laos, was completed with funding from ADB, Thailand and China. It is thought that route R3 will help to boost border trade, particularly in the "Emerald Rectangle". This is an area within which there are borders between Thailand, Laos, Myanmar and China.

The final route connects Thailand to Cambodia and travels on to Vietnam. It consists of four smaller routes. The Central Sub Corridor starts from Bangkok and travels via Phnom Penh to Ho Chi Minh City. It ends in Vang Tau at the Vietnamese coast.

The Northern Sub corridor starts from Bangkok and goes on to Aranyaprathet. It shares the stretch of road with the Central Sub Corridor until it enters Cambodia where it heads North through Siem Reap and finally ends in QuyNhon, Central Vietnam.

The Southern Coastal Sub corridor starts from Bangkok and travels through Eastern Thailand along the Gulf of Thailand via Trat Province. It crosses the sea to Cambodia's

Koh Kong and ends at the tip of the Vietnamese cape in Nam Can.

Given all the road connectivity, Thailand is placed in a strategic position the middle of Southeast Asia. Thailand is a source, destination, and transit country for human trafficking. The research question for this research is:

*"Will routes established by the Greater Mekong strategy lead to an increase in human trafficking activity in Thailand?"*

## 2. Research objectives

The objectives of this research were threefold:

1. To explore human trafficking in terms of its causes and types and to explore the social, economic and political contexts in the North-South, East-West Economic Corridors, (EWEC-NSEC-SEC).

2. To explore practical aspects and problems relating to the enforcement of the Anti-Human Trafficking Act. This included the screening process to determine victims and perpetrators of human trafficking and prosecutions of human traffickers.

3. To explore the opinions of travelers through immigration checkpoints between Thailand and neigh-

boring countries in the North-South, East-West Economic Corridors.

## 3. Research methodology

This research employed mixed methods to collect data. The qualitative and quantitative methods that were used are as follows:

A qualitative method was used for in-depth interviews with 10 key informants. These included the Chiefs of checkpoints in Tak, Mae Sai, Chiang Khong, Chong Mek, KlongLuek, Sadao, Padang Besar and Ranong. They also included interviews with the Chief of the Center for the Prevention and Suppression of Trafficking at the Royal Thai Police and the Chief of the Department of Special Investigation. The thematic scope aims were to explore human trafficking in the North-South, East-West Economic Corridors (EWEC-NSEC-SEC), enforcement of the Anti-Human Trafficking Act, screening process of trafficking victims, practical problems in the anti trafficking trials and any problems and obstacles to the enforcement of trafficking laws in the North-South, East-West Economic Corridors (EWEC-NSEC-SEC).

Quantitative methods were used while conducting a survey of travelers arriving at 8 checkpoints between Thailand and neighboring countries. These included Mae Sot immigration checkpoint in Tak, Mae Sai and Chiang Khong Checkpoint in Chiang Rai, Chong MekCheckpoint in Ubonratchathani, KlongLuek Checkpoint in SraKaew, Sadao, PadangBesar Checkpoint in Song-khla and Ranong Checkpoint in Ranong.

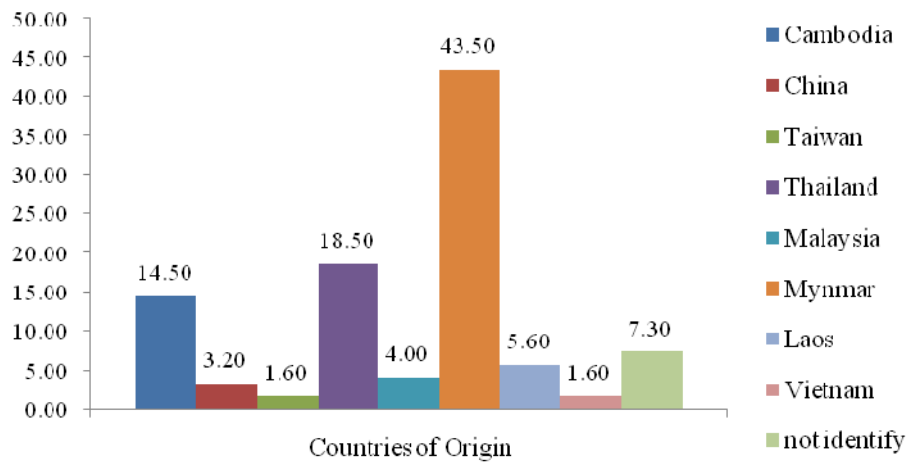
Purposive Sampling was used to collect 148 travelers from Myanmar, Laos, Cambodia, Vietnam, China and Malaysia. The Statistic Package for Social Science, SPSS, was used to analyze the descriptive percentages of the survey.

## 4. Results and discussion

### 4.1 Qualitative Research

4.1.1 The state of human trafficking, transnational and economic crime, and economic and social contexts in the North-South, East-West Economic Corridors

It was found that human trafficking has taken place in all of areas that were studied. It was found to occur even in border areas where immigration checkpoints (under the Immigration Bureau) were located. Most of the trafficking victims were brought into Thailand through natural passages along stretches of land borders or the narrow bends of rivers that form the border beyond the control of the officials in charge. The officials in charge included administrative officials, military officials and border patrol police. Immigration and emigration of illegal travelers can simply be made through mountain hiking or boat crossing since the



**Figure 1** Nationality of Traveler and their basic background

**Table 1** The anxiety of travelers while staying in Thailand

Anxiety	Percentage
1. Lack of job	5.5
2. low income	16.7
3. Illness of their parents and relatives	16.7
4. Security in life and poverty	22.2
5. Communication with father, mother, children, hard working, arrested, traveling	38.9
Total	100

rivers that form the border are narrow and can be easily crossed.

Most human trafficking was found to involve girls from 15-18 years who were being trafficked to work in prostitution. Arrests were made by police entrapment, through though this approach is rather complicated and prudent planning is required since the networks of perpetrators have been operating more carefully in recent years. Members of the trafficking rings who have been arrested include agents, delivery persons, accompanying persons, guards and coordinators.

Northern Thailand's Chiang Rai province shares borders with neighboring countries including the Republic of the Union of Myanmar and the Lao People's Democratic Republic (Lao PDR). It is treated as the origin of the main human trafficking route in Thailand. Non-Thais, particularly women and children, have been smuggled into Thailand through the route and brought further into inner city areas including Chiang Mai or Bangkok. Here they were forced into prostitution, labor or begging. Through organized crime, they have been illegally brought into Thailand through various channels including land natural passages through mountain ridges

that form the national border. It is currently possible to get into the country illegally on foot and through rivers including Sai River, Roug River, and the Mekong that form the border. Parts of these rivers are narrow and shallow making it easy to cross. Human trafficking has also occurred through permanent passes, including the Mae Sai, Chiang Saen, and Chiang Khong Checkpoints. To get into Thailand through these routes, the migrants often apply for border passes that authorize them to enter and stay in the country temporarily in a designated area. Those passing through Mae Sai, for example, are allowed to travel just within the district of Mae Sai. Yet, they have been trafficked beyond the designated area to cities.

The Mae Sai Immigration Office was able to arrest 16 human trafficking fugitives in August 2018 before they left the country. In addition to this some stateless persons have been arrested on charges concerning human trafficking and kidnapping. In these cases children from 15-18 years of age were from their parents, custodians or caretakers and trafficked for exploitation. Tools used for aiding and abetting the crime including

**Table 2** Understanding the meaning of human trafficking

Understanding of Human Trafficking	Percentage
1. Understand	41.6
2. Not understand	58.4
Total	100

**Table 3** The possibility in being victim of human trafficking while staying in Thailand

Possibility in being victim	Percentage
1. possible	6.7
2. Not sure	20.0
3. Impossible	73.3
Total	100

pickup trucks, mobile phones, and motorcycles were also seized.

In the South, Ranong Immigration Office reported that it had found incidences of forced labor in the fishing sector. Prostitution raids and arrests were carried out. Some individuals from Laos who had voluntarily worked in a karaoke in Thailand were found to have later been forced into prostitution. The victims managed to run away and asked for help from their families to alert the authorities. The authorities then carried out a raid. Agents or owners of the parlors were arrested and prosecuted including karaoke managers who recruited prostitutes. In the fishing sector workers were forced to work on board fishing boats. Some were subjected to torture and were kept offshore for up to six months. Some were even been denied any wages.

Human trafficking in Ranong often starts with migrants illegally entering the country for work. It was found that they were then deceived into signing employment contracts, were forced to work and were bought and sold in different provinces. These acts were carried out by organized criminals.

If Myanmar nationals attempt to make entry to Thailand with proper documents they are vetted by the immigration officials. If the officials find something abnormal, they deny the persons entry. In most cases it was found that they had entered the country illegally through natural passages and were charged fees for different portions of the travel.

Human trafficking through natural passages is quite common in the province of Songkhla as entry into Thailand can be made at any point from the vast Andaman sea. Even when land passages are blocked with fences migrants can choose to climb over walls or cut open fences in order to get into the country. Malaysia's economy is more robust than Thailand's. It is easy for brokers to convince people from outside Malaysia to travel there to work in restaurants,

entertainment parlors, and massage parlors. Once arriving in Malaysia, they are forced to work and their passports are withheld. Most Thai and Lao nationals are forced into prostitution, whereas most Cambodian and Myanmar nationals end up becoming forced labor working in sugar cane, rubber or palm oil plantations.

In the East, SraKaew Immigration Office has set up a permanent border crossing at Ban KlongLuek, Aranyaprathet and three other temporary crossings including (1) Ban Ta Phraya temporary pass, (2) Ban NongPrue temporary pass in Aranyaprathet and (3) Ban Khao Din temporary pass in Klong Hat. All these areas are under the jurisdiction of the SraKaew Immigration Office. The remaining natural passages that are used along the 165-kilometer-border between Thailand and Cambodia are under the control of the Burapha Military Force (a taskforce under the 12<sup>th</sup> and 13<sup>th</sup> Ranger Regiments) and the Border Patrol Police.

The SraKaew Immigration Office has been collaborating with agencies to prevent illegal actions and to maintain national security. Any illegal migrants caught by the military are handed over to the SraKaew Immigration Office for immediate processing. About 200 of them per month are detained. Most of them are of working age and travel with their young children. No cases of human trafficking, transnational crime and economic crime were reported in the areas under the charge of the SraKaew Immigration Office since most of such criminal activities have been carried out through natural passages, rather than the official checkpoint.

In the Northeast, the border areas are under the jurisdiction of the Chong Mek Immigration Office on the Ubonratchathani border with Laos. The Mekong serves as a conduit for cross border trade. Most Lao nationals enter Chong Mek checkpoint for trade or hospital care. Each day, the Chong Mek Immigration Office records the number of travelers passing through. There is no system to track where they are heading to or

**Table 4** What to do if they were a victim of human trafficking

How to do	Percentage
1. Escape	11.9
2. Report to the police	37.3
3. contact relatives / family / friends	4.5
4. Contract the embassy	4.5
5. Don't know what to do	41.8
Total	100

whether they have already left the country. Authorities may randomly check certain travelers. The border passes issued in Laos are different from those issued in Thailand. The immigration office makes photocopies of such border passes of passing travelers for record without charge. All passengers are required to get off buses for inspection when they cross the border.

Those entering the country using passports and who overstay their visas shall be fined 500 baht per day up to a maximum of 20,000 baht. If they have no money to pay the fine, they are transferred to local police stations and then prosecuted and imprisoned instead. The whole process takes around one week, after which they are transferred back to the Ubonratchathani Immigration office in the evening. Here they are registered, fingerprints are collected, photos are taken, and they stay over night before being deported to Laos. It is not uncommon that people do not give their real names. Deportation to Laos is carried out once a day every day at around 9.00 am.

There are four or five natural passages in Ubonratchathani and five temporary passes. Most of the illegal immigrants that were intercepted were found to have been using these natural passages. This is due to there being a long stretch of land border beyond the control of local authorities.

Mae Sot district in the West of Thailand is now home to a Special Economic Zone with lots of investment. There has been an increase in demand for industrial labor. Most of the Myanmar nationals passing through Tak Immigration Office travel to Thailand as waged labor. A 30-day-border-pass is issued to allow them to work in Tak's three border districts including Mae Sot, Mae Ramad and PhrobPhra. They are required to register and have to be Myanmar nationals with domicile in Myawaddy. For normal entry through the permanent pass at the Moei River either a border pass or a passport is required.

Approximately 90% of Myanmar nationals who come to Thailand for work use tourist visas and work illegally for up to three months each time. The Tak Immigration Office operates in compliance with MoU between the governments of the Kingdom of Thailand and the Republic of the Union of Myanmar regarding border

crossing between the two countries. Nationals of both countries are allowed to cross in and out at the Tak Immigration checkpoint using either a passport or a border pass. Travelers' fingerprints are collected in an automatic E-Fingerprint system and their photos are taken as well. They are then issued with Immigration Control Cards or a bar code for their border passes.

It is not easy to inspect and screen travelers. A report of the total number of travelers can be made once every three months but no further detail is reported. It is not possible to track travelers who have failed to depart the country as required. If Myanmar travelers are allowed by the Myanmar authorities to come to Thailand, it is hard for the Tak Immigration Office to deny their entry for fear of repercussion on international relations. It might elicit a tit for tat retaliation whereby Thai nationals might be denied entry into Myanmar. It is thought, therefore, that there has to be some flexibility and leniency with regard to the screening process applied to those who want to enter Thailand. Travelers who have applied to enter and stay in Thailand are required to leave for their country within seven days. Many fail to leave in time. They are dealt with in two ways by the Tak Immigration Office. These are as follows:

- 1) If they are found in the area under jurisdiction, the officials arrest and try them in the court immediately.
- 2) If they identify themselves at the Immigration Checkpoint, they are fined for overstaying their permit at a rate of 500 baht per day.

If they are found to have entered the country illegally without having a border pass they are detained in a waiting area for deportation. During this time their personal information and fingerprints are collected before their deportation to Myanmar.

Trafficking rings operating in the areas under the jurisdiction of the Tak Immigration Office have been prosecuted in nine cases. Most of them involved forcing ethnic Karen girls as young as 15-18 years into prostitution. Arrests were made possible by rather sophisticated entrapment plans which were made carefully and involved complicated process. Such arrests are rarely of late as the trafficking rings have been operating more carefully. The trafficking rings that have been arrested revealed that they had been operating

through brokers, most of whom were found to be fellow Myanmar nationals.

In total, based on interviews with the Police Superintendents and Deputy Superintendent of the eight Immigration Offices, it was found that foreign brokers who had abetted human trafficking had been operating in similar ways. The victims were often brought to stay in a hotel in Thailand awaiting other groups, to transfer them elsewhere. Each were charged 14,000 baht for the transfer to Bangkok. Some were transferred to Phuket whereas others ended up as fishing workers on Ranong's fishing piers.

During each arrest, the offenders were often charged with a range of offences. These included the following:

- Committee a trafficking offence,
- breaching the Anti-Human Trafficking of BE 2551 [11],
- being complicit in gratifying sexual desire of another person,
  - helping to procure a person for molestation,
  - helping to procure a person for prostitution,
  - being the owner of a sex parlor,
  - being caretaker or a person in charge of such place,
  - being a person who, in order to gratify the sexual desire of oneself or another person, has sexual intercourse with or acts otherwise against a person over fifteen but not over eighteen, years of age in a prostitution establishment, with or without his or her consent,
  - committing exploitation by procuring, buying, selling, 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 giving 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,
  - kidnapping a child not yet fifteen years old from their parents, custodians or caretakers by means of corruption for sale and making profit thereby.

In addition, employers are also charged for employing foreign workers without permission, harboring illegal migrants, those who stay in the Kingdom without permission and for harboring foreigners who have been working in the Kingdom without permission.

#### 4.1.2 Practical problems regarding the enforcement of trafficking laws in the Economic Corridors

It has been found that two laws are applicable to human trafficking in Thailand. These are the Immigration Act B.E. 2522[6] and the Anti-Human Trafficking Act B.E 2551 [7]. Their enforcement has become a problem for Immigration Offices in all areas. This problem is due to a state policy for leniency, according to an order of the Royal Thai Police no. 0007.24/1041,

dated 24 January 2002, on Guidelines regarding the treatment of foreigners who have entered the Kingdom and have become suspects in a criminal case. According to the police order, foreign nationals from Myanmar, Cambodia and Laos who have entered the Kingdom without permission shall not be charged for making an illegal entry. Rather, they shall be subject to deportation invoking Section 54 of the Immigration Act BE 2522 without having to stand trial in the Court. The reason for this leniency is that following crackdowns in Bangkok there were a large number of illegal migrants detained. In each crackdown more than 300 were detained. As a result, detention facilities have become overcrowded and there is not enough funding to provide for their living while being held in detention. The police have therefore asked the prosecutors to refrain from prosecuting such cases and deport offenders instead. This leniency has created even more problems since they do not stand trial in Court and after their deportation many return to Thailand again. The threat of deportation does not seem to be providing sufficient deterrence. A small number of cases have been brought to the Court for conviction, which should help to deter others from coming back following deportation.

Another major obstacle to the enforcement of the law is that once arrested, the illegal migrants are not willing to cooperate. This means that they will often not reveal if they have been a victim of human trafficking or not. It takes time during the first interview to collect their personal information. If they are flagged by the Immigration Office as victims of human trafficking, their cases are handed over to inquiry officials who may take too long in their investigation, claiming that they have been inundated with many other cases. In the meantime the trafficking victims have to be detained by immigration authorities. Some could be detained up to six months. Even after this period inquiry officials have rarely prosecuted their cases. Victims of human trafficking would feel a lot of pressure and stress and may want to return to their home countries. Inquiry officials claim they have many cases to handle even though according to human trafficking law they are allowed to interview the victims as witnesses prior to the indictment of the cases. If no other issues require further interview these victims could be allowed to return to their countries. Inquiry officials, however, often choose not to use this process. While awaiting the investigation report of the police, the trafficking victims are put under care and stay in shelters provided by the Ministry of Social Development and Human Security. Having to stay in these shelters for a long period of time often prompts victims to attempt to escape. Under Thai law this is treated as an offence. A solution to this problem would be to expedite the investigation process. Inquiry officials should conduct witness examination of

the victims and then release them to leave. In Ranong, they can be detained for up to seven months before being able to leave. If the cases are indicted, trials might take as long as ten years before their conclusion.

There are many international treaties which aim to reduce human trafficking, transnational crime and economic crime stemming from neighboring countries. The Immigration Bureau, however, does not have much experience using such trafficking laws and has room to improve regarding its' collection of evidence. If evidence is not properly collected and corroborated, the cases could be dismissed by the Court. Constant efforts have nevertheless been made to have meetings and ongoing coordination with our neighboring countries. Despite this at the operational level, particularly with regard to the arrest of perpetrators, such cooperation might not be obtained as there is no extradition agreements between the countries.

#### 4.1.3 Screening process of travelers arriving at checkpoints between Thailand and neighboring countries

According to the study, the largest number of arrivals and exits per day among all of immigration checkpoints that were studied were found to be SraKaew's Aranyaprathet (25,186 persons/day), followed by Tak's Mae Sot checkpoint (13,027 persons/day), Ubonratchathani's Chong Mek (Siridhorn District, 5,074 persons/day), Padang Besar checkpoint (4,175 persons/day) and Chiang Rai's Mae Sai checkpoint (2,573 persons/day)[8].

There is a universal screening process applied to travelers arriving at checkpoints between Thailand and neighboring countries adopted by Immigration Offices countrywide. The process is called "Border Cooperation On Anti-Trafficking In Persons" (BCATIP). It is based on collaboration with neighboring countries and installs billboards to inform people at the border about human trafficking. Billboards are also provided to inform people how to fill out the Immigration Office 6 cards including detailing their home addresses.

Officials start the screening process by examining their appearance and then they check their passports. If there is no suspicion, the travelers are asked to have their fingerprint scanned in the E-Fingerprint system. They then have their photos taken and their personal information recorded. An Immigration Control Card or a bar code on their border passes would then be issued. Unaccompanied minors or women who look suspicious, are separated and have to undergo special interviews to determine the reasons they want to enter Thailand, their destinations and what they want to do here. The purposes eligible for crossing the border as provided for by the Immigration Bureau include (1) family visit, (2) tourism, (3) government business, (4) private business, (5) sport competition, (6) commuter or seasonal work, (7) participating in seminars, meetings and consultations,

and (8) other purposes that may be agreed upon later by the contracting parties.

Passport checks can be made with the adoption of information technology enhanced screening system called the "Personal Identity and Blacklist" system. This is used to explore any relation to blacklisted persons and to determine the types of visas the applicant has previously obtained. If they have a tourist visa, they are required to bring with them 20,000 baht per person or 40,000 baht per family. Any persons that looks suspicious, who may be entering the country to commit an illegal offence or who is a victim of human trafficking is interviewed by police officials invoking Section 12 of the Immigration Act BE 2522 and denied entry. If after vetting, they are found to have legitimate employers and workplaces, they are allowed to enter the country. Once in the country, if they are found to have left from designated areas, their permits would be immediately revoked, invoking Section 81 of the Immigration Act BE 2522. They would then be subject to deportation, invoking Section 54 and people involved with harboring them would be prosecuted invoking Section 64.

Those entering the country using passports who overstay their visas are fined 500 baht per day up to a maximum of 20,000 baht. If they have no money to pay the fine, they are transferred to local police stations and prosecuted and imprisoned instead. The whole process takes around one week, after which they are transferred back to the Immigration Office in the evening for registration. Fingerprints are collected and photos are taken. They stay over night before deportation the following morning. It is thought that many do not tell their real names.

Even though the Immigration Offices have a strictly enforced screening processes, there are varying numbers people arriving and exiting each Immigration checkpoint. It is thought to be difficult to implement the vetting and screening process since the only data that is available is the number of people arriving and exiting through the checkpoint, which is reported every three months. It is impossible to track down if any persons have failed to depart the country within the permitted duration.

Domestic laws including the Immigration Act BE 2522 have been used as a tool in the screening process. In addition, Thailand also relies on collaboration at the bilateral agreement with neighboring countries for the prevention and suppression of human trafficking. These are; the MoUs on cooperation in the employment of workers with Myanmar (2003)[9], Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking between Thailand and Vietnam (2008)[10], Cambodia (2013)[11], Laos (2015)[12]. The content of the MoUs is being revised to catch up with the changing situation of human



trafficking. More consultations are being carried out in order to develop cooperation frameworks with more countries. These will focus on countries likely to be the origins of the victims and/or the receiving countries of the Thai nationals who have become trafficking victims.

At the ASEAN level, there exists a framework for the prevention and suppression of human trafficking to which Thailand is a party. These include the ASEAN Declaration Against Trafficking in Persons Particularly Women and Children (2014) [13] which focuses on law enforcement, victim screening and imposing harsh punishment on perpetrators of human trafficking, and the Treaty on Mutual Legal Assistance in Criminal Matters among Like-Minded ASEAN Member Countries. This was ratified by Thailand on 31 January 2013[14].

There are, however, practical problems in the Southern Border Provinces. According to international law, illegal migrants can only be deported to countries that agree to accept them. This means that Malaysia can push back people of all nationalities to the border of Thailand regardless of whether they are from Myanmar or Laos.

#### 4.2 Quantitative Research

The researchers conducted surveys at eight checkpoints between Thailand and neighboring countries in ASEAN. 148 travelers were interviewed during their arrivals and departures Thailand. Figure 1 shows that the majority (43.5%) came from Myanmar followed by Laos, Cambodia, Malaysia, China, Vietnam and Taiwan. Most were found to be 21-30 years of age (41.9%), 29.8% had completed primary education, 48.4% work as waged labor and 26.6% were found to earn less than 6,000 baht/month. 30.6% had travelled through local immigration checkpoints more than 30 times with the intention of working in Thailand.

Table 1 shows that a majority (38.9%) of the respondents, while staying in Thailand, worried about communication with father, mother, children, hard work, being arrested and traveling. 22.2% responded that security in life and poverty was their main concern. 16.7% reported that it was their low income and illness of their parents and relatives (16.7%). Finally 5.5% of the respondents were concerned about lack of jobs (5.5%).

Table 2 shows that the majority (58.4%) of the respondents did not understand the term "human trafficking". For those who understood the term, (41.6%), they think "human trafficking" is about forced prostitution, forced labor and being deceived to work abroad.

Table 3 describe a majority (73.3%) of respondent though that they won't be victim of human trafficking while 20% were not sure. Only 6.7% of the respondents said that they might be victim of human trafficking.

Table 4 describe that the majority (41.8%) of respondents did not know what to do if they were a victim of human trafficking while. 37.3% said they would report it to police, 11.9% would try to escape, 4.5% would contract relatives / family / friends and their embassy.

Based on the survey of travelers through the eight checkpoints, it may be summarized that the travelers could become victims of trafficking rings. This is the case given their relatively low education, low income in their own countries and their concern about joblessness or about having low income. They could be deceived by trafficking rings that they could earn more by working elsewhere. Coupled with their lack of awareness about human trafficking, it is likely that they may believe and agree to go with trafficking rings. Most importantly, on becoming trafficking victims, they have no idea how to help themselves. This clearly shows that most travelers through the eight immigration checkpoints are at risk and are not aware of the danger that they face. They simply look for jobs and want to earn more than the jobs they do in their own countries. They do this without any preparation to protect themselves from the trafficking rings that may disguise themselves as brokers lurking around the border immigration checkpoints.

#### 5. Conclusion

This research aimed to explore human trafficking in Thailand in terms of causes, types of trafficking, social, economic and political contexts. It also explored practical aspects of the enforcement of the Anti-Human Trafficking Act, the screening process to determine victims and perpetrators of trafficking in persons, prosecution regarding trafficking in persons cases, practical problems in trafficking trials and the opinions of travelers through immigration checkpoints between Thailand and neighboring countries in the North-South, East-West Economic Corridors. Mixed methods were used to collect data. These included interviews with key informants in the immigration department and surveys of travelers arriving at eight checkpoints between Thailand and neighboring countries.

The findings were that human trafficking is a complicated problem which involves many countries at the regional or even at the global level. Modern technology helps to facilitate rapidly emerging human trafficking. Many criminal rings are systematically related to each other. The Greater Mekong Sub-region Economic Corridors aims to develop a road network between major cities in the Mekong Basin. These include road links between Thailand, China (Yunnan Province), Vietnam, Cambodia, Laos and Myanmar. On one hand, it may help to encourage economic growth in the Mekong Sub-region. On the other, it may serve as a route for trafficking rings to commit crime. This is attested to by the research findings at the checkpoints of

Mae Sai, Chiang Khong, Chong Mek, SraKaew, Mae Sot, Songkhla, Padang Besar and Ranong where arrests of trafficking rings continue. Natural passages provide opportunities to trafficking rings, making it easy for them to get in and out of the country without passing through official checkpoints. Legal measures that have been enacted in Thailand to prevent and suppress human trafficking in the border areas include the Immigration Act BE 2522, the Anti-Human Trafficking Act no. 1 BE 2551, no. 2 BE 2558, and no. 3 BE 2560 and other bilateral and multilateral agreements with and neighboring countries. Despite these measures there have been practical obstacles to law enforcement in terms of prevention, protection, and prosecution.

## 6. Suggestions

Based on the findings of this research, the researchers recommend the government to develop major mechanisms for the development of border areas in the North-South and East-West Economic Corridors. Committees which take part in these mechanisms should be composed of representatives for four sectors in the local area. These should include;

(1) Representatives from the state sector including the Provincial Governor, municipalities and local administration organizations, heads of sub-districts and village headmen,

(2) Representatives from the business sector including Provincial Chambers of Commerce and Industrial Councils,

(3) Representatives from the civic sector including people's organizations that have been formed as volunteer organizations or *Chit Arsa* organizations as they are known in Thailand,

(4) Representatives from civil Society including Foundations or Associations that have been formed locally with the objective of combatting trafficking in persons.

The committee could be called the "Border Area Development Committee for Sustainable Solutions to Trafficking in Persons" with a mandate to coordinate among suppression agencies including the Immigration Bureau, Border Patrol Police, Provincial Police, business sector, civic sector and local CSOs for the systematic and comprehensive prevention and suppression of trafficking in persons. It should make possible effective law enforcement to prevent abuse of office among state officials. The committee would be under the charge of the Prime Minister and would have the following duties;

1) To promote and enhance the roles of families and communities as a major mechanism for the prevention and suppression of trafficking in persons, transnational crime and economic crime. Strategic preventive issues should be determined to raise public awareness and to

solicit collaboration to monitor trafficking in persons and to encourage families and communities to look after their children. Implementation of this could be made through use of public campaigns and public relations measures or tactics to instill awareness and offer capacity building. The campaigns should empower communities in the effort to monitor trafficking in persons, enhance life security of members of the families and promote human rights education and education on trafficking in persons. They should include training of various vulnerable groups and distribute resources and develop initiatives for the prevention of human trafficking suitable to local areas.

2) To integrate efforts of various parties including state and private sectors, not-for-profit organizations and foundations to raise their awareness about the problems human trafficking and its' impacts. Public education should be provided about the prevention and suppression of trafficking in persons. This should include coordination with domestic and international agencies. Trafficking in persons must be treated as an international issue and an effort should be made to enhance the quality of life for peaceful coexistence of human beings. Efforts of various agencies should be streamlined and each agency has to act in compliance with their individual laws and regulations through mutual collaboration. This should give rise to complimentary efforts with the least redundancy and help us to effectively achieve our goals to eliminate human trafficking in Thailand.

3) To actively collaborate with neighboring countries based on MoUs and bilateral agreements in order to proactively address the problem of human trafficking in the countries of origin of the victims. This can be done through efforts to raise the awareness of those who want to come to work in Thailand, making them be more careful to avoid becoming victims of human trafficking circles. They should know how to behave when traveling outside the country and should be equipped with knowledge to protect themselves. They should opt for entering and departing a country through lawful channels and know how to access help from state sector or CSOs if they encounter a problem.

4) To promote or support joint investment between business persons in Thailand and their counterparts in neighboring countries along the border. This is area in order to cater for the labor supply from neighboring countries. This should help to stop them from seeking employment opportunities in industrial areas far from the border in Thailand. They could be offered jobs in joint venture industrial projects instead. As well as helping workers to have access to stable incomes and generate output for the investors, this can help to reduce the risk for workers from neighboring countries of becoming victims of trafficking rings.

5) To nurture collaboration between Thailand and neighboring countries. Clear measures must be announced and public relations made. The countries of origin of the trafficking victims should make genuine efforts to educate their own people and ensure proper economic development of their own countries to reduce the need for people to travel outside for work.

6) Information technologies should be used as widely as possible to accelerate implementation and to ensure that it is effective in achieving its goals. For example, technologies should be employed to efficiently inspect travelers when they arrive in Thailand. This should make it possible to track where individuals are traveling, where they are staying, and whether they have overstayed their permitted duration or not.

7) To develop clear recommendations to solve the problems hindering sustainable development of the border areas. It is recommended that further study be made to analyze laws and policies concerning border area development. It should study the economic, social, and cultural context and outline opportunities to forge collaboration for border area development between Thailand and neighboring countries.

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