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ARTICLE REVIEW

Human Trafficking for Sex Exploitation in Thailand

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This article highlights human trafficking in Thailand as an example for the rest of ASEAN to consider so as to improve the effectiveness of its mechanisms to combat this human rights violation across the region. The paper presents the problem within the ASEAN legal framework and highlights the weaknesses of the current regional approach. However, whilst it is beneficial for ASEAN and Thailand to reflect on the context of human trafficking, some general perceptions of the situation presented in the article call for further and careful examination in order to have a clarity and a more accurate understanding of the phenomenon which would better contribute to a suitable design and improvement of interventions to solve the problems.

Firstly, further sources or justification to support some claims made in the article are strongly required. For examples, a source or evidence to support the claim that Thailand is “the *largest* sex tour operator in the world” and “[p]rices are *lowest* in the world” (p.108; *italics added by reviewer*) are needed. Similarly, the claim that such human rights violations

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“take place in Thailand *on regular basis*” (p.106; *italics added by reviewer*) requires further explanation, so that the claim can be justly warranted.

Secondly, it is problematic to generalise “human trafficking” as “slavery” (p.104) as it is not *always* the case; the following two points explain this notion. A) The term “slavery” is defined by 1926 Slavery Convention, Article 1, as “[s]lavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. [...]” In this regard, based on the definition of “slavery”, it is true that not all people who are trafficked experience violation on the right of ownership of themselves. In some cases, trafficked people may accept exploitative working conditions and wages which still financially provide them a better life than a life in their homelands. B) It is also the case that in some contexts, trafficked people are not free to leave such exploitative employment. However, rather than applying the term “slavery”, which can be interpreted differently by various states, understanding human trafficking requires a more nuanced examination of the root causes, consequences and experiences of the worst forms of labour.

In the context of Thailand, it is indeed a valuable point that the article in emphasizing addressing demand for sex (in the form of sex tourism) can make a positive impact on an effort to tackle sex trafficking. Although the article does not specifically state that the demand for sex refers to only foreign tourists; the article brings in important historical social norms on gender roles and expectations that lead to a level of tolerance for prostitution, including engagement of underage children in sex services, in Thai society (Pimonsaengsuriya, 2016, p.16-24). In this regard, it is worth noting that while some adults and underage children are trafficked and forced into providing sex services, some are trafficked into sex services with their knowledge. The demand for sex and the social tolerance on demand for sex in the patriarchal social structure of Thailand contributes to the existence of commercial sexual exploitation of adults and underage youth in different forms. These points are therefore important to understand for relevant government and non-governmental agencies to consider and include in their designs on interventions to address such issues.

Reference

- Pimonsaengsuriya, K. (2016). *“Voluntary” transactional sex among Thai female adolescents above 15 years old: Challenges to cultural values and social norms on sexuality in Thai society*. (Unpublished master’s thesis). Mahidol University, Institute of Human Rights and Peace Studies, Thailand