

# How to Transport Illegal Migrants?: The Slavery Route of Trans-border labor from Mae Sot to Inner Area\*

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## Abstract

This study analyzes the transportation of illegal Myanmar labor from Mae Sot to inner area. Qualitative research was conducted using the investigative technique, which includes “spies” and “intelligence”. To identify key mechanisms of illegal labors, several groups of illegal laborers and their agents were interviewed. Data were collected by in-depth interviews coupled with illegal immigration case reports by state officers. The researchers adopted a triangulation method to verify data before analysis consisting of: illegal laborers, agencies, and reports from state officers. This study revealed that the transportation process for Burmese illegal trans-border labors (BITLs) occurred in three main areas. These included: 1) the entry point or the gateway, Mae Sot District, Tak province was the major entry point; 2) on the Asia Highway route AH 1, at least 2 different methods of the transportation were employed, the revealing method in which the transportation of BITLs were openly transported because the transporters, or the agencies, periodically paid state officials. And the concealing method which was employed to avoid inspection where they paid immediately if they were arrested by state officers. This method can be divided into 5 categories including: hiding in vehicle, creating special hidden space in vehicle, hiding among goods or produces, disguising themselves as Thais, and using different varieties of transportation (e.g., by vehicle and by foot). Such illegal transportation forced upon laborers was dangerous and potentially violated their human rights. And 3) the hiding places included two shelter places; on Asia Highway route AH 1 (Baan Tak-Kamphaengphet), route 1175 (Mae Ra Mard-Baan Tak) and route 105 (Mae Sot-Tak). And at the border between the two provinces, Tak (Baan Tak, Muang Tak and Wang Jao districts) and Kamphaengphet (Kosumphakorn and Klonglan district). The shelter was small and temporarily built, hidden deep inside the forest close to the Highway.

**Keywords:** Illegal labors, Migrants, Myanmar labors, Transported

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## วิธีขันส่งแรงงานข้ามชาติผิดกฎหมาย: เส้นทางค้าทาสจากแม่สอดสู่พื้นที่ชั้นใน

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### บทคัดย่อ

บทความนี้ มีวัตถุประสงค์เพื่อวิเคราะห์วิธีขันส่งแรงงานเมียนมาที่เข้าเมืองโดยผิดกฎหมายด้านชายแดนจังหวัดตาก ใช้ระเบียบวิธีจี้เชิงคุณภาพด้วยเทคนิคการสืบสวน โดยการใช้สายลับและวิธีการข่าวกรอง เพื่อค้นหาผู้ที่ข้ามมูล ได้แก่ กลุ่มผู้ขันส่งแรงงาน และกลุ่มแรงงานที่เคยถูกกล่าวอุบหมั่นส่งเข้าสู่พื้นที่ชั้นใน รวบรวมข้อมูลด้วยการสัมภาษณ์แบบเจาะลึก ควบคู่กับการวิเคราะห์สถิติคดีค้นเข้าเมืองของเจ้าหน้าที่ภาครัฐ แล้วจึงตรวจสอบข้อมูลแบบสามเส้า ก่อนทำการวิเคราะห์ ผลการคึกข่าวพบว่า วิธีการขันส่งแรงงานเมียนมาผิดกฎหมายจากพื้นที่ชายแดนด้านอำเภอแม่สอด เข้าสู่พื้นที่ชั้นในมี 3 ส่วน ได้แก่ 1) จุดข้ามแดนและพื้นที่พักคอย พบมากที่สุดบริเวณพื้นที่ชายแดนด้านอำเภอแม่สอด จังหวัดตาก 2) วิธีการขันส่งมี 2 รูปแบบ คือแบบเปิดเผย โดยยินยอมจ่ายส่วนรายเที่ยวหรือรายเดือน และแบบปกปิด ซ่อนเร้น อำเภอ แม่พร่าง แม่เปี๊ย 5 ลักษณะ คือซุกซ่อนภายในรถ ซุกซ่อนในช่องพิเศษที่ทำขึ้น ซุกซ่อนกับสินค้า ปลอมเป็นบุคคลอื่น และแบบผสานระหว่างรถยนต์กับการเดินเท้า ซึ่งล้วนใช้วิธีอันตรายและละเมิดสิทธิมนุษยชน และ 3) สร้างพื้นที่เพื่อซุกซ่อนพักรอ มี 2 พื้นที่ คือริมทางหลวงแผ่นดินหมายเลข 1 (ช่วงอำเภอบ้านตาก-กำแพงเพชร) 105 (แม่สอด-ตาก) และหมายเลข 1175 (แม่ระมาด-บ้านตาก) และพื้นที่เขตติดต่อระหว่างจังหวัดตาก (อำเภอบ้านตาก อำเภอเมือง และอำเภอวังเจ้า) กับจังหวัดกำแพงเพชร (อำเภอโภสัมพันดร และอำเภอคลองลาน) ซึ่งมีลักษณะเป็นห้างนาชั่วคราวขนาดเล็กชายปาริมทางหลวงแผ่นดิน

คำสำคัญ แรงงานผิดกฎหมาย แรงงานข้ามชาติ แรงงานเมียนมา วิธีขันส่ง

## 1. Introduction

Trans-border labors or migrant labors have long been the global phenomenon. They have seen as a resurgence of archaic forms of labor in certain industries since the 1970s. The old capitalist strategy of employing multiethnic workforces was emerged as the cheapest capitalist investment in developing countries for centuries.

In 21<sup>st</sup> century, the new capitalist globalization pursues its ancestor's strategy. The institution of modern slavery extends in countries within different socio-economic and political forms. In Southeast Asian, for instance, the preference for slave labors over cheap or free labor is strengthened when the use of slaves brings benefits in cost. In 2016, Thailand, the world's third-largest seafood exporter, received warning and wide boycott from European Union because of intensively using illegal trans-border labors. During the international investigation, the Environmental Justice Foundation (EJF) reported problems of human trafficking; modern slavery, murder and corruption at all levels of Thai government. The latest reports revealed of corrupt state officers on both sides of the border (Trent, 2016; EJF, 2016; Tip 2014).

There were estimated that two to three million migrant workers in Thailand most of whom were illegal trans-border labors from Myanmar. They were forced, coerced or defrauded into exploited in commercial fishing, fishing-related industry, sex trade, low-end garment production, factories, beggars and domestic servants (Tip 2014; EJF, 2016).

Thailand became one of Asian countries where numbers of illegal trans-border labors (ITLs) are increasing every year. In 2016, Thailand formally announced number of trans-border labors at 1,394,446. This number was divided into 398,777 legal labors and 995,669 illegal labors. Among these migrant labors, ethnic Burmese was formally counted the highest at 1,047,643, of which 325,191 with legal entry and 722,452 illegal migrant labors. This statistic put 60%-70% of migrant labors, or trans-border labors, in Thailand to be from Myanmar. Most of them entered the country illegally (Foreign Workers Administration Office, 2016).

Thailand has severely confronted with 3D's labor shortage (Dirty, Difficult, and Dangerous work). Without proper strategic planning, these trans-border labors have played crucial role in driving Thai economic growth. In short, Thai economy, especially

in the field of fishery, contract agriculture, unskilled labor and domestic servants has been driven by these ITLs for decades. It was estimated that without supplying from these ITLs, Thailand might lose at least 0.49% of GDP (Growth Domestic Product). Therefore, it is these ITLs who are taking a major role in launching Thai economy. The country would not be able to compete with others Asian neighbors in capitalist global economy without them (Foreign Workers Administration Office, 2016).

Thailand has long been destination of labor recruiters and of users of trans-border labors for decades. However, few considerations in citizenship and human rights have been established. Only few and obsolete law and regulation concerning opportunities of trans-border children as well as trans-border patients in accessing education and health services have been systematically implemented. Moreover, development discourses of state government relating to ITLs have been highlighted merely problems of their passive existence instead of their benefits to Thai economy. By this, their quality of living and human right has been ignored.

By applying critical policy concept, the researcher proposes that ITLs are the explicit example of implicated in processes of class formation and social struggle that cut across state boundaries. By applying the concept of ideological state apparatus, the researchers offered a clear picture about the root cause of ITLs. In fact, it is the development paradigm of Thailand that excluded ITLs from development scenario. By establishing the nationalism policy based on social inclusion and exclusion, the state government created the national identity of "Thainess". Using this metaphor, the Thai government valued individual persons based on their relationship with motherland and fatherland. As a result, ITLs became "the otherness". Although these labors correlated with current foreign labors situation of Thailand, they have been ignored and became the so called policy invisible. In short, these ITLs are useful for Thailand's economic growth but they are considered as "the otherness" and aliens.

To clarify their existence, the researchers investigated the truth about these ITLs' vulnerable life. First, the researchers adopted the preponderance of "push-pull" theories of migration. Three main factors including "Push, Pull, and Acceleration factors" were related with immigration of trans-border labors from Myanmar. The "Push factor" highlighted deteriorating and impoverish livelihood in the country origin. It was found

that thousands of ethnic Burmese have gone over the Thai frontier during the last decade. The “Pull factor” included Thailand’s more economic expansion and higher minimum wage. Additionally, influences of borderless policy, globalization and ASEAN Economic Community (AEC) were the “Acceleration factor” which increasing the immigration of trans-border labors (Buadaeng and Sirasoothorn, 2013; Buadaeng and Sirasoothorn, 2016).

Nonetheless, the researchers found that using the “push-pull theories of migration” have numerous limitations. Therefore, they have applied grounded theory to investigate the situation of their living condition. To provide a crystal picture about ITLs, first the researchers revealed transportation methods of human traders. ITLs from Myanmar, in particular, were observed and interviewed in-depth. Those who entered the country illegally through Mae Sot area, Tak Province into inner area were followed. The researchers spent times observing, interviewing and travelling with these victims on Asia Highway route AH 1, from Mae Sot District, Tak province to Aranyaprathet District, Sa Kaew Province. The investigation has been conducted during 2016-2017. The researchers highlighted problematic philosophy of state policy of Thailand based on the linear design of “the nation-state based”. Unable to identify “truly Thai’s characteristics”, the Thai government has applied social exclusion concept to discriminate “the otherness”. By this, not much consideration relating to human rights and social wellbeing of these ITLs has done.

## 2. Situation and Truth

Each year number of ITLs from Myanmar entering Thailand was increasing. However, corrupted officials on both sides of the border helped facilitating the smugglings by allowing undocumented ITLs to enter the country. Some of the ITLs were repetitively charged as criminal by Thai laws. They were sent home and regularly returning days after. To survive, these ITLs were concealed themselves. Fear of being arrested and deportation to their country origin, they have kept themselves secretly travelling to inner areas of Thailand. Without much choice, they were smuggling by using several methods. To evade capture and prosecution or even monetary loss through bribery for government authorities, they turned themselves into the victims of modern slavery in

human trafficking chain. Currently, unidentified ITLs were among the largest numbers of trafficking victims in Thailand (Foreign Workers Administration Office, 2016; EJF, 2016).

Legally, ITLs were considered as “aliens” by Thai law. Socially, they were the otherness and not Thai. They were usually called by ethnic instead of calling by name. After stepping in Thailand, they were transported by using dangerous methods. Some of which was heavily violated basic human rights i.e. the globally known as tragedy of 9 April 2008, in which 121 illegal Burmese labors were being smuggled from Ranong Province to Phuket Province, Thailand. By hiding in the freezer container of a seafood truck, 54 ITLs were suffocated to death because of the failure of air-conditioning inside the container truck (Irrawaddy, 2008).

In order to gain a better international reputation, Thai government claimed that the problem has been preceded via the improvement of state policy. The new implementation included stipulating regulations such as individual registration, working allowance leniency or prove of nationality. In order to keep control and accountability of ITLs as well as legalized them, the current government applied complicated procedures leading to costly actions to ITLs. As a result, many of them were unable to follow the policy and choosing an easier solution of maintaining their illegal status. This decision allowed these ITLs to step into the grey area of human trafficking chain. Despite both Thailand and Myanmar being members of ASEAN, privileges and exemptions were available only for those who can afford to register, in-the-system, and legal labors. Therefore, ITLs became victims of social policy’s exclusion. They were not in any way eligible for any rights or protection in the AEC (Asian Economy Community).

This study found that current socio-political situation has led to higher smuggling of ITLs from border areas to inner areas. The strong emphasis on social security as well as income distribution of state policy increased more investments in mega construction project. Nonetheless, the state’s poor labor planning policy increased problems of labor shortage. More ITLs from Myanmar were thus smuggling into inner areas. The most prominent point of origin was through Mae Sot District in Tak province where statistics show highest cases of Burmese smuggling activity comparing with the other 9 provinces bordering Myanmar. During the last three years (2014-2016), there were at least 407

ITLs reported by Thai state authority. (53 persons were prosecuted, 354 persons were sent back to Myanmar (Tak provincial police, 2017). All of these ITLs happened on two main routes from border areas to inner area. These were the public road Route 105 (Mae Sot-Tak) spanning 87 kilometers, and Route 1175 (Mae Ra Mard-Baan Tak) spanning 116 kilometers respectively. Both routes started from the same location which was border area of Mae Sot district located in Tak Province.

Besides, empirical evidences showed that transportation used by human traders to transport Burmese ITLs employed dangerous methods that violated basic human rights especially the right to safety of wellbeing. Human traders intended to bring ITLs to their destination by using the fastest and most convenient means. This also evaded capture, to profit from transportation fee per head without consideration of safety or suffering during the transportation process. Meanwhile labors who wished to succeed in reaching their destination despite suffering and risking their life have no choice but surrendering to transportation methods selected for them (Buadaeng, 2013; Buadaeng et al, 2013; Sirasoothorn and Buadaeng, 2015). Therefore; the objective of this study is to investigate the methods and procedures used to smuggle Burmese illegal trans-border labors (BITLs) that entered Thailand from Mae Sot border area, Tak province, to inner area via Asia Highway AH 1.

### **3. Research Methodology**

#### **3.1 Data Collection**

In order to investigate the root cause of vulnerable life of Burmese illegal trans-border labors (BITLs), this research employed grounded theory. Three major qualitative techniques were adopted including 1) participant observation, 2) in-depth interview and 3) documentary study. Firstly, the statistical document of local authorities on transportation of BITLs was investigated from police stations located 1.5 Km. near Asia Highway route AH 1. Secondly, in-depth interviews were carried on with two target groups: 8 transporters or human traders who illegally transported BITLs on Asia Highway route AH 1 in Thailand; and 14 BITLs entered Thailand. Both groups were selected through investigation technique using Thai intelligences and spies which gathering information from those appropriate with the job and able to reach necessary information.

Furthermore, the researchers can obtain very hidden information with photographs because we were state official insider.

### **3.2 Data Analysis**

Data was analyzed by using content analysis. Triangulation technique was employed to verify content validity from three sources of information: document, participant observation and in-depth interview. Last, method of agreement was applied to inspect correlation and legitimacy of the information from different sources.

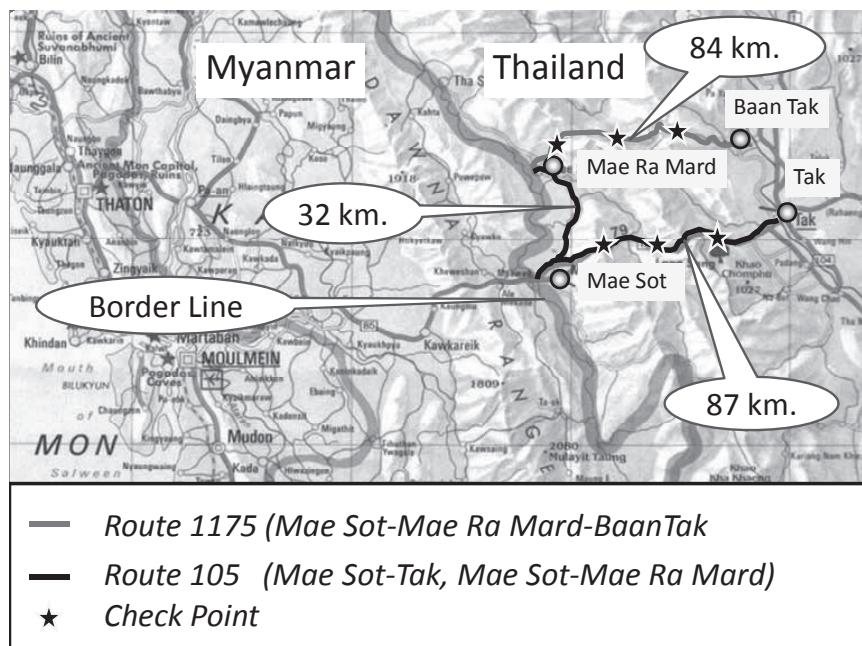
## **4. Results**

This study revealed that the transportation process for Burmese illegal trans-border labors (BITLs) occurred in three main areas. These included the entry point or the gateway, the transportation types on Asia Highway route AH 1, and the disguise areas. Not much human trafficking activities relating to BITLs occurred on the route heading to Aranyaprathet District, Sa Kaew Province.

### **4.1 The entry point or the gateway**

Mae Sot District, Tak province was the major entry point or the gateway of BITLs. The physical linkage of routes running from border area to inner area (Route 1, Phahonyothin road) was the gate way. The routes were convenience and in good condition. Moreover, varieties of public transportation were available for users. Both illegal goods and BITLs were transported on this route. Two main routes included: 1) Route 105; from Mae Sot to Route 1 at Mae Sot intersection with 87 km. On this route, there were at least three check points (Hui Hin Fon, Hui Ya Ou and Mae Tho) with 24 hours service checking every vehicle. Furthermore, there were at least two temporary check points (Mae La Mao and Moo Sur) for observation and could immediately transform to absolute check points if situations increased. And 2) Route 1175; from Mae Ra Mard District to Baan Tak District with 84 km. There were at least three check points (Pha La, Sa Mae Yai, and Kaeng Chei) with 24 hours service checking every vehicle. Apart from the two main routes, there were multiple walk ways spread throughout the forest (Figure 1).

Figure 1: Main routes from Mae Sot border area to inner area



On the gate way, BITLs were normally waited for a short time at border area (only one night or a day). Many of them were arrested by police and were returned to Myanmar. Some of BITLs were managed to make illegal agreement with state authorities. They paid for their new arrival with undocumented report. The illegal entrance fee was from ten thousand to twenty thousand baths per person depended on mutual agreement between government officials and traders. The price covered the whole transportation process from the gateway to the final destination. Therefore the successful and fast movement from the gateway was crucial. The waiting period was varied from hours to a day. The shelter was normally temporary constructed in the rice field or a forest nearby. Some BITLs were murdered after being arrested several times in order to end the transportation contract between BITLs and traders.

#### 4.2 The transportation types on Asia Highway route AH 1

This study found two major types of transports using on Asia Highway route AH 1: Type 1: The revealing method; and Type 2: The concealing method. The researchers exhibited each type of transportation as follow:

#### 4.2.1 Type 1: The revealing method

This method applied to the condition related to mutual agreement between traders and corrupted state officers. The mobility of BITLs was opened to public transportation. No checking or inspecting from state officials at all check points. Both traders and state officers had long term corporate benefits. By monthly payment, all illegal transportations were approved from the gateway to the destination. The transporters considered BITLs as “the objects” which were convenient to transport at nights or early morning because of less vehicles or traffic on the route. This type had two major methods:

The first method included transporting by vans, personal cars and bus, or so called “VIP method”. There was no checking or inspecting by any state officials. It was the easiest and most expensive type of transportation. BITLs were normally safe and not confronting state officers (Figure 2).

**Figure 2:** Transportation by small local bus



The second method was the avoiding check points. BITLs were transported by van, bus, private vehicles or other public transportation. However, BITLs had to get off the vehicles, walked through the forest nearby before returning to the vehicle without passing the check points. Only their luggage sat on the empty vehicle which drove passed the check points. This method helped protecting state officials from corrupted charge or illegal smuggling ignorance (Figure 3).

**Figure 3:** Only their luggage sat on the empty vehicle



#### **4.2.2 Type 2: The concealing method**

This method created for smuggle transportation. The transporters or the agencies did not pay periodic bribery but rather paid immediately if they were checked by state officials. This Type 2 was found in five different methods.

First, the Hiding in vehicle method: BITLs were carried together with other labors or goods in a very crowded vehicle. Sometime they were concealed under canvas in the carriage. In addition they were hidden inside the vehicle such as in the locker for

passenger's luggage of a bus, under driver's seat, under seat in space cab or behind driver's seat (Figure 4).

**Figure 4:** Concealing under canvas in the carriage



Second, the Creating special hidden space in vehicle: This included the special modified carriage in order to provide special space for BITLs. To hide 2-3 small BITLs, the transporters developed additional small space or a small tray inside the smuggling vehicle. This tray was covered and concealed under max liner of the carriage. Only few air ventilation around the tray for breathing. By the type, BITLs could not move and had only little air to breath (Figure 5).

**Figure 5:** Drilling car to be a tray for hiding



Third, the Hiding among goods or products: BITLs were hidden among other goods or agricultural products. Without precise information, the state officials were normally too afraid to inspect and refill the truck. The misleading information may lead to damaging goods or products which might bring costly payment to the involving officers. The researcher found that this method was very popular among traders on the route from Mae Sot to inner area. Lots of BITLs were caught hiding among agricultural products such as potato, pumpkin and other goods such as boxes of snack. Transporters made only small space in the middle of each carriage for hiding BITLs and concealing them. Sometime BITLs were hidden in big ice buckets and torturing from condition of suffocation (Figure 6).

Figure 6: Hiding among goods (boxes of beer)



Fourth, the Disguised themselves as Thais or others ethnic: Avoiding being arrested, some BITLs disguised themselves by using student uniform of Border Patrol Police School. The others disguised themselves as ethnic Karens who had received Thai citizenship (Figure 7).

**Figure 7:** Female BITL disguised herself as ethnic Karen



Fifth, the using different transportations in one trip (e.g., by vehicle and by foot): Transporters used mixed methods including walking in nearby forest and travelling in various types of vehicle (Figure 8). Each type of transportation was immediately set up with mutual agreement among involving transporters.

**Figure 8:** Walking in forest and get on vehicle again after passed check points at all



#### 4.3 The disguise areas

The study found that there were two places on Asia Highway route AH 1 that transporters used as the half way shelter for BITLs. The first shelter was on Asia Highway route AH 1, route 1175 (Mae Ra Mard-Baan Tak) and route 105 (Mae Sot-Tak). The second shelter was at the border between the two provinces, Tak (Baan Tak, Muang Tak and Wang Jao districts) and Kampaengphet (Kosumphinakorn and Klonglan district). The waiting took only two to four hours before the next transporters arrived. The shelter was small and temporary built hidden deep inside the forest or in the nearby sugar plantation close to the Highway. This area was convenient because only few check point available and it was a remote area where few officers were around.

This researcher found that destinations of BITLs were varied. However, they did not smuggling to the end of Asia Highway route AH 1 in Aranyaprathet district, Sa Kaew Province. Nonetheless, many of these BITLs became victims of human trafficking. Men were mostly entered commercial fishing or fishing-related industries. BITLs who worked in commercial fishing or seafood industries spent less than a month

at sea. They experienced forced labor conditions, physical abuse, and kicking out from fishing vessels without payment. Some men were transported to construction sites in Bangkok and Thonburi. They were not allowed to go outside the construction site after 6 p.m. They were forced laborers working 6-8 hours a day. Their wage was weekly or monthly paid.

Women (age between 30 and 40 years old) often became laborers in low-end garment factories or domestic servants. Some of the women might be able to join relatives or friends in Samutsakon or Samutsongklam province. Teenagers and girls (age between 13 and 25 years old) often started their work in small restaurants. However, many of them ended up forced to work in sex trade in small brothels in Bangkok, Chiang Mai and Chonburi. Some of the girls were exported to Malaysia, Indonesia, Singapore, Russia or the United States. Those who remained in sex trade were paid very little and forced to work 17-20 hours per day. They were forced to live in a small and dirty room during their early arrival. Some were locked up for months until the traders were confident of their stay.

This study found that all traders mentioned BITLs by their ethnic instead of by names. The only relationship between traders and BITLs was successful transportation. They saw BITLs as sources of income with quick payment. They saw BITLs as "aliens" or those who are not Thai. Moreover, they perceived BITLs as "the otherness"; "outsiders"; "the Burmese" or "illegal labor" that had the lowest social class in Thai society.

## 5. Conclusion and Discussion

### 5.1 Discussion

In 21<sup>st</sup> century, Thailand's capitalist economy is growing more intensively and extensively. The country is confronting problems of natural resource scarcity, unemployment, poverty and inequality. Accompanying with political crisis and instability, the struggles over resources become more violent. Apart from lower class such as farmers, laborers, and rural villagers, Burmese illegal trans-border laborers (BITLs) become the lowest class in Thai society. The researchers seek to put a critical spotlight on the ways in which social identities are constructed among the BITLs. Using the transportation process, social identities of BITLs reflected the way Thai

traders, state officers, local villagers and involving human trafficking are internalizes established social categories within their societies. These social categories shape their ideas about themselves, how they want to be seen by others, and the groups to which they belong. This study is supported by works of several sociologists worldwide such as Frankenberg (1999); Hage (2000); and Anderson (2016).

BITLs are condemned by the Immigration Act 2522 B.E as “alien illegally entering the kingdom”. These BITLs are living, working and driving the national economy of Thailand for decades. Their lives have long been vulnerable. Most of them become victims of human trafficking. They are hidden, abused, evading arrested and subsequent deportation. Corrupted state officers from both sides of the borders exploited them. They are later exploited from transporters, traders and employers. Their vulnerable status within the country is threatening from the beginning till the end of their journey. They are forced labors in a modern slavery chain. They are illegal immigrants who have no choice but surrendering in fear of deportation. Some of them may return in Thailand several times because of expecting a better life.

When illegal immigrants are travelling within Thailand, especially the new arrivals from Myanmar who had been waiting along the Mae Sot border, Tak province, they travel to their destination under conditions and methods provided by either the agents or transporters as each smuggling ring has differing capability and relationships with government authorities along the route. Some smugglers are willing to pay bribery both monthly and per-head on each trip so they can afford to be, while not too obvious, more open during transportation. They will be facilitated at checkpoints by authorities who would look the other way by letting them through or check only the baggage but let the immigrants get off the vehicle and walk around to get on beyond the checkpoint. This convenience is nicknamed among the smugglers as “VIP Travel”. This method of transportation thus demand higher payment from the Myanmar labors since they are facilitated throughout the trip and will reach destination safely without being arrested and deported. Myanmar labors who choose this method are usually those who are already working in Thailand, have regular income and experiences traveling in the country, and their agents and transporters have good relationships with local authorities along the route. This phenomenal is supported by cases of state official police in Tak

Province such as Border Patrol Police Division 34 (2016); Tak Provincial Police (2016); and Tak Immigration Police (2016).

Other transporters who do not have such capability to pay expensive per-head price bribery, or not having regular business to pay the monthly payment, choose to hide and conceal to avoid detection. Their transportation price that illegal migrants have to pay will be cheaper than that of the VIP. Only, they would not be informed detail of transportation which include how they would be hidden or concealed.

Mr. John (victim 1) revealed that "*I selected the hidden transportation because I didn't have enough money for monthly payment. Although it's risky to get arrested but I always survive because of my experience and hiding technique*" (Mr. John, 2016).

Nevertheless, along the two main routes from border area of Mae Sot district, Tak Province to inner area through public road Route 105 between Mae Sot district to Muang Tak district, and Route 1175 from Mae Ra Mad to Baan Tak district, there was very low rate of illegal Burmese labors transportation arrests comparing to the number of illegal transportation. This is because most arrests occurred from disagreement over head-price of trip-price, or transporter is unable to pay corrupted state authorities.

Mr. Brown (victim2) said that "most of transporters had a good connection with police officers. At each checkpoints they can conceal the smuggling. Sometimes the police officers neglected the illegal transporters (Mr. Brown, 2016). Aside from those, sometimes the vehicles used for the transportation involved in suspicious auto accidents. As the routes are high and surrounding by steep mountain, speedy driving or escaping led to loss of life. However, the cause of these accidents are often unclear and no public interest.

The various transportation methods and procedures aim to avoid detection. The strong illegal networks and cultural linkage connected the transporters to local state officers. For example, disguising the illegal immigrants as schoolchildren to avoid be arrested by border polices. This shows the depth understanding of these transporters about local and organizational culture of governmental institution.

This study found that dangerous illegal transportation methods invaded human rights in numerous ways especially the right to safety of individual persons. Moreover, the vulnerable status as illegal immigrant forces them to surrender to any method given

to them. Hiding under commercial trucks or among goods easily put them in risks of suffocation or death. Being dehumanized by methods of illegal transportations, these migrant workers became passive citizens and having low self-esteem. These situations were supported by number of empirical evidences (Irrawaddy, 2008; Komchadluek, 2017a; Dailynews, 2017; Bangkokbiznews, 2016; and Komchadluek, 2017b).

Even though suppression of the aforementioned smuggling activities is being executed continuously, this phenomena still persists. This particular crime is not a stand alone process but emerging from divided duties among strong corrupted networks between state officers and illegal transporters in many areas. These include employers, agents, transporters from each section of transportation, and accommodator. Each crime does not lead to enough evidence to the legal punishment, especially those employers who still continuously demand more unskilled labors. Hence arresting and suppressing strategy are not solving the problem at its cause.

Nevertheless, Thai government has carried out the policy to keep order concerning trans-border labors to tackle this problem. This policy has banded illegal Burmese labors while those who are registered receiving TR.38/1 document (pink card) and work permit. This policy allows them to work in Thailand until 31 March 2018 as “exonerated alien labor”. Those labors who can not be able to prove their nationality will be deported back to their country of origin immediately. Merely those who could prove their nationality will be able to apply for passport, visa and work permit, and receive “legal labor” status. These workers will be allowed to work in the country for 4 years as well as travel anywhere in Thailand. (Foreign Workers Administration Office, 2016). Still, so far, this policy has not been effective due to the complicated procedures, too limited announcement, issues of cost, and problematic cooperation from employees. These problems lead to unable to apply for the legal approval. Meanwhile, employers usually forced taking work permit and identification document from “exonerated labors” and “legal labors” to manipulate their workers. This leads to force and suppressive labors.

## 5.2 Conclusion

Mae Sot District, Tak province is the major entry point or the gateway of Burmese illegal trans-border labors (BITLs). The physical linkage of routes running from border area to inner area (Route 1, Phahonyothin road) was the gate way. The routes were convenience and in good condition.

The transportation of BITLs from border area in Mae Sot district, Tak province to inner area has 2 types; the revealing method and the concealing method. The first method can divide into two categories including V.I.P method and smuggling method. The concealing method refers to immediate payment to state officers. This type can be divided into 5 categories including hiding in vehicle, creating special hidden space in vehicle, hiding among goods or produces, disguised themselves as Thais, and using mixed method between by vehicle and by foot. The second method are more dangerous and potentially violated the human rights than the first one, both methods usually put BITLs into the human trafficking chain.

The shelter on Asia Highway route AH 1 becomes disguise areas which located along the route from border area in Tak province to inner area (route 1175 and route 105); and along the route which connecting between two provinces at inner area (Tak and Kampaengphet province). The waiting took only two to four hours before the next transporters arrived. The shelter was small and temporary built hidden deep inside the forest or in the nearby sugar plantation close to the Highway.

## 5.3 Suggestion

Three major causes of modern slavery of the BITLs needs to be removed immediately. First, it is the ideology of state apparatus of Thailand where the root cause of the otherness has been established. Second, the state government should be seriously focused on a long-term plan for labor's shortage. Last, a better implementation to stop corruptions among state government officials need to be reconsidered. Without considering these three factors, problems of BITLs would not be able to demolish. Thailand will continue being the notorious country where human trafficking is a common practice.

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