CHAPTER IV

THAILAND'S POLICY TO ELIMINATE HUMAN TRAFFICKING.

This chapter will answer the research question in the first chapter and explain how the government solves the problem, in which the government uses policy in domestic policy and cooperates with ASEAN states through International Agreement.

Throughout years, human trafficking has given huge influence to the society and government who were involved. However, human trafficking is illegal in Thailand. Thai government has to eliminate human trafficking based on the rules and laws of the country to control, led by Prime Minister General Prayut Chan-o-cha.

A. People Empowerment through Educations

1. Development, Education and Training

A large number of scholarship programmes as detailed above have recently been introduced, most significantly through the Ministry of Education, but also through a variety of other government organizations and NGOs primarily to enable children to continue their formal schooling. Lack of knowledge, or incorrect information, or concerns about repayment may, however, interfere with children's ability to access these loans. They also do not address the problem of children's contribution to family income, as they are generally just adequate to cover school and a child's

living expenses. Generally, although no research has been carried out, it would appear that for a variety of reasons the poorest children, and those from remote areas, may find it most difficult to access these funds and the opportunities they can provide.

Additionally schools may simply be unable to cater to the needs of many of these children, and may be perceived as irrelevant by their parents, who consider children will learn more from work experience. Addressing the weakness in the education system and the lack of appreciation of education within certain social groups is vital to encouraging the continuation of these children's education.

A very wide range of government and non-government organizations provide vocational training for school-leavers to attempt to equip them with employment skills. Among the major efforts is that of the Department of Labor which offers 45-day training courses in traditional areas such as dressmaking and hairdressing for girls and auto mechanics and electrics for boys. The comments of several graduates of these courses are included in Appendix III (Case B).

Trainees are offered a subsistence payment of 50 baht per day while completing the courses, and they are operated more or less on demand, with requests for training being directed through provincial labor offices. About 3,000 children have been trained in these programmes since 1995. In many ways this training is similar in content to that offered by Huay Krai school described in Appendix III Case C, and to that offered by

many NGOs in northern Thailand and it suffers from similar handicaps. The length of period of training, the skills of the trainers and the equipment used together very often do not provide trainees with adequate skills to equip them to enter the workforce as even semi-skilled workers, or to enable them to earn an adequate income as homeworkers. The training is also not targeted to areas of labour force demand, and local jobs and even migratory jobs may not be available after its completion.

One programme which has largely overcome this problem is the Rural Sri Sa Ket Women's Association for Occupational Promotion and Development (RUSWOP), which through its close links to industry and practical and high-skill training produces within only 45 days graduates who are in high demand, or who are able to make an adequate living from homeworking. (This programme is described in Appendix III, Case E.) This programme is heavily dependent on the particular skills of its founder, and any attempt at replication would require very careful selection of administrative and training personnel, but its strong commercial focus no doubt offers a strong lesson in "best practice".

In these, and in many other programmes, it is important for organizers to think beyond the obvious forms and areas of training, and to encourage their target groups, both children and their parents, to be aware of non-traditional studies and occupations which may offer better life opportunities for children than traditional areas. If asked what area of study they prefer it may be that girls will say dressmaking and hairdressing

and boys mechanical skills, but providers have a responsibility to assess if these are practical and appropriate.

Two other programmes which have also taken fresh approaches are the Se-Ma Life Development Project and the UNICEF hotel skills training project. Operated by the Ministry of Education, Se-ma, targeting girls in northern Thailand at high risk of entering the commercial sex industry, has, in addition to traditional vocational training (See Appendix III, Case G), offered limited numbers of girls concessional places in two-year college nursing courses. After completing this training, it is intended these girls should return to work in or near their home villages, where their skills would be in high demand.

In the UNICEF programme a similar group of girls is offered the opportunity to undergo a specialized five-month hotel training course conducted within and in close consultation with five-star hotels in Bangkok. All of the programme's graduates have proved readily employable, and are in high demand. In the first year 10 girls entered the programme, a figure to be raised to 90 in 1997. This, however, illustrates the major difficulty of such programmes. On a per capita basis they are far more expensive than conventional, basic educational training, and would thus be difficult to implement on a large scale. Ideally it might be said that employers should be prepared to conduct this training at their own cost to obtain a skilled workforce, but with little tradition of such practices in

Thailand, and a tradition of "poaching" trained employees from other companies, this appears unlikely to occur on a large scale.

The Non-Formal Education Department is also very important to addressing issues of child labor. It has recently adopted a pro-active approach, initially being piloted in Chiang Rai, which actively seeks all individuals who drop out of the formal education system at any level to attempt to encourage them to continue studying through the non-formal system. In northern and western Thailand, it is responsible for the primary provision of education to hill tribe groups in particular. To address some particular concerns, the Department has developed a Basic Minimum Needs Kit which, among other topics, contains information on ethical moral concerns, designed particularly to prevent the selling of daughters into the commercial sex industry. This has not clearly, however, been linked to the broader effort against child labor.

2. Protection and Prevention

To work from a grassroots level in preventing child labor, volunteer child labor monitors were appointed in 22,000 villages nationwide in 1996. (See Appendix III (Case C)). This programme, however, suffered from numerous problems which have meant it effectively ended soon after it started, and while attempts are being made to address a major problem of the lack of an annual honorarium for

volunteers, for the programme to work effectively a total redesign is probably necessary.

A recently-instituted programme provides for grants of not more than 1,000 baht from the Public Welfare Department to help families keep their children in school. This relies on schools informing the district officer of children in need, but there are doubts as to how widely this programme has been publicised and utilised, and anyway the sum provided is probably not sufficient to make a real difference to family decisions about children's schooling. Discussion of official law enforcement efforts to protect children is included above. A somewhat different approach has been taken by an NGO which works directly with child workers, who may or may not fit the definitions of child labor. They seek to work if not cooperatively then at least not in oppositional terms with employers and children, including efforts to develop children's skills and knowledge which may attract employers' support. The Foundation for Child Development (FCD) conducts a child labor club in Bangkok, catering to around 200 children who attend the club on their Sunday and other holidays, to engage in recreational and educational activities. They are encouraged to become involved in further education through the non-formal education department and provided with information about their rights and entitlements as employees.

Additionally, the club is located near Hua Lumphung Station, the main railway station in Bangkok, to which many children come on first

migrating to Bangkok, and from which many are recruited into abusive conditions. The FCD also runs a programme to intercept these children, provides them with temporary shelter as necessary and assists in coordinating among government agencies and employers to ensure they obtain appropriate work.

While this is obviously a valuable programme which can be very helpful to participants, it can only cater to a relatively small number of children who live and work within a reasonable vicinity of the club, and who have employers who are at least reasonably sympathetic to it. In its rescue efforts at Hua Lumphung it can again reach some children, but by no means all. This is a valuable effort, but only highlights the importance of preventative rather than curative measures to address the most intolerable forms of child labor.

In any programmes addressing protection and prevention, it is vital that children's perspectives are considered. Associate Professor Phikul Khowsuwan from Thai Women of Tomorrow (TWT) in Chiang Mai, which among other efforts finds jobs for girls at risk of entering the commercial sex industry, told researchers she found herself frequently having to deal with girls who started work, then left suddenly and without explanation, for which supervisors held her personally responsible. She noted the need for programmes to ask: "Do they (target children) see the value of what we are trying to do for them? Do they appreciate them?" "Without that, programmes will never work," she said.

Broadly it can be said that nearly all programmes at present fail to take adequate account of the views of children, and often also parents, as a target group. Children frequently feel an enormous responsibility to support their families, either their parents or often younger siblings, and simply preventing them from working may be very harmful to their emotional well-being, and may lead to their work being pushed further "underground" and thus into conditions more likely to fit the classification of "most intolerable forms of child labour". Of course accessing children's true views, and enabling them to develop them independently, is difficult. The Se-Ma Pattana Chewit project already discussed (See Appendix III, Case G) provides a model for achieving this, although working in a long-term, protected context.[1]

B. Cooperating in International Agreement with ASEAN

In line with the relevant ASEAN instruments and Roadmap for an ASEAN Community relating to trafficking in persons, there is a need to have strong international cooperation and a comprehensive regional approach to prevent, suppress, and punish trafficking in persons, especially women and children, in all forms of sexual, labor, and organ trafficking. This ASEAN Plan of Action, which complements the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), aims to provide specific action plans within ASEAN Member States'

[1] Philobiblon, Green politics, history, science, books. Always feminist, Child labor in Thailand, retrieved from http://philobiblon.co.uk/?page_id=4337, Accessed on 20-02-2017

domestic laws and policies, as well as relevant international obligations, to effectively address regional challenges common to all ASEAN Member States in the identified major concerns, to wit: (1) Prevention of trafficking in persons; (2) Protection of victims; (3) Law enforcement and prosecution of crimes of trafficking in persons; and (4) Regional and International cooperation and coordination.

In undertaking this ASEAN Plan of Action, ASEAN Member States are mindful of the equal rights and inherent human dignity of women, and men, as well as the rights of children, as reflected in the following international and regional instruments, among others:

1. Charter of the Association of Southeast Asian Nations (ASEAN Charter).

2. United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

3. Convention on the Rights of the Child.

4. Convention on the Elimination of All Forms of Discrimination Against Women.

5. United Nations Global Plan of Action to Combat Trafficking in Persons.

6. ASEAN Human Rights Declaration.

7. ASEAN Declaration Against Trafficking in Persons Particularly Women and Children adopted in 2004.

8. Criminal Justice Responses to Trafficking in Persons: Ending Impunity for Traffickers and Securing Justice for Victims in 2007 ("ASEAN Practitioner Guidelines")

9. ASEAN Leaders' Joint Statement in Enhancing Cooperation against Trafficking in Persons in South East Asia in 2011, and

10. ASEAN Plan of Action to Combat Transnational Crime.[2]

[2] ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children