

บทความนำเสนอในการประชุมวิชาการนานาชาติ

Collected Papers

โครงการประชุมวิชาการนานาชาติ เรื่อง

International Conference on

“ประเด็นข้ามพรมแดนในอาณาบริเวณอนุภูมิภาคุ่มน้ำโขง
(Transborder Issues in the Greater Mekong Sub-region)”



30 มิถุนายน 2548 – 2 กรกฎาคม 2548
โรงแรมเวหาด้าแกรนด์ จังหวัดอุบลราชธานี



Vol. I

Theme A: Sex Trade, Gender and Sexuality

Theme B: Transboundary Migration

Theme C: Health and HIV/AIDS



Thailand Research Fund



Princess Maha Chakri Sirindhorn
Anthropology Center



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โรงแรมเนวาด้าแกรนด์ จังหวัดอุบลราชธานี



MEKONG SUB-REGION

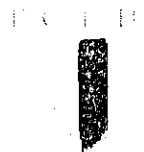
Theme A: Sex Trade, Gender and Sexuality
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 Sirindhorn Anthropology Center



Thailand Convention and
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สมบัติทองสมศรีสภา

Conference Background

by Dean, Faculty of Liberal Arts

Ubon Ratchathani University's President,
Representatives from Rockefeller Foundation,
Oxfam America Southeast Asia Regional Office,
Thai Research Funding,
Mekong Program on Water Environment and Resilience
Distinguished guests,
Ladies and gentlemen

First of all, I would like to thank you all for coming and being part of this knowledge and experience sharing process. I know some of you have traveled long distances to arrive here in Isan, an area that locates at the heart of the Mekong River Basin. Often, it is put in the tourist advertisements as “the gateway to the Mekong region” - a slogan we'd actually like to see changed, as it is leading people to use Isan as a corridor, a passageway to other places, rather than as a destination in itself.

But today we have proved otherwise.

In fact, it is large due to our strategic location, both at the center of the Mekong Basin, and close proximity to the border with Laos and Cambodia, that gave birth to the notion that this would be an ideal place to build a center for Mekong-related research and activity. In 2000, the Mekong Sub-region Social Research Center, or MSSRC was established in the Faculty of Liberal Arts, Ubon Ratchathani University. It aims to build, strengthen and share knowledge about the Mekong Region with regional academic institutions and other organizations.

In 2004 the Center embarked on a Program for Strengthening of Knowledge and Information Sharing in the GMS, supported by the Rockefeller Foundation. The program focuses on 2 main activities: developing a GMS resource center and the organization of this Conference. In addition, the Program seeks to encourage lecturers in the Faculty to develop curriculum and teaching materials on a wide range of issues in the GMS.

In the context of Ubon Ratchathani University, the activities of the MSSRC are making an important contribution to the overall development of the social sciences and humanities, whilst instilling a regional outlook to teaching and learning in diverse fields. However, regionalized approaches to development, which seems to be the trend today, need to be met equally and correspondingly with regional responses, which means that our scope of analysis must be ‘scaled up’ if we are to adequately understand and address current development challenges.

What motivated this conference is the idea that while knowledge on transborder issues has been obtained to some extent in recent years, there have been limited opportunities for knowledge sharing, comparative analysis, discussion and dialogue, that make it possible to evaluate lessons learnt, identify main challenges and employ strategic planning.

One consequence is that it is difficult to utilise this information to influence decisions at the policy level. Another consequence is that individuals in higher education institutions, as well as diverse institutions and through the Mekong have made relatively little use of each other's materials, knowledge and expertise.

Besides celebrating Ubon Ratchathani University's 15th anniversary. This conference thus aims to:

1. Facilitate the exchange of knowledge on, and experiences in, transborder issues in the GMS, among academics, scholars, NGOs, government representatives, development agencies and others.
2. Enhance people's understanding -causes, trends, consequences, etc. of the transborder phenomena in the GMS, and identify knowledge gaps
3. Employ a comparative perspective to evaluate lessons learnt, both positive and negative, that could both inform policy and encourage strategic planning in all institutions and organisations concerned.
4. Build and strengthen partnerships, - and encourage collaborative research among higher education institutions, NGOs and other organisations working on transborder issues in the GMS.

What I think distinguishes this conference from others is the diversity of issues being raised and discussed. I believe this diversity is a source of strength. By making "transboundary phenomena" the central and unifying topic, we have succeeded in bringing together over 300 people from within and outside the region, who are currently working on diverse but interrelated transborder issues in the GMS, enabling a critical broader framework so often lacking in other analyses.

Above all, this conference seeks to emphasize the notion of *commonality* both within and between countries in the GMS, - the common resource we share, the common needs that we have, the common challenges we face, and our common visions for the future. Certainly, there is a need for cooperation and for this we need to create spaces where people from all over the region can share and exchange ideas, information and experiences; where informed decisions can be made and consensus-building can take place regarding the future direction of development for the region as a whole.

Finally, I would like to express much gratitude to those institutions, organizations and individuals that contributed to make this conference a reality:

The Rockefeller Foundation, Oxfam America Southeast Asia Regional Office, Princess Maha Chakri Sirindhorn Anthropology Centre, The Thai Research Fund, Thailand Convention and Exhibition Bureau and Ubon Ratchathani University, made generous financial contributions.

Much appreciation also goes to the Mekong Program on Water Environment and Resilience for helping finance and organize the discussion panel on Transborder Water Governance.

We are indeed grateful to all the panelists, moderators and presenters for their contributions in making what appears to be an interesting Conference Program.

And finally, thank you to all our staff at the Faculty of Liberal Arts for all the hard work they put into the monumental task of organizing this conference.

We hope you enjoy yourself. Thank you very much.

Opening Speech

Professor Prakob Wirojanagud, Ph.D
President, Ubon Ratchathani University

Honorable Excellencies,
Distinguished Guests,
Ladies and Gentleman,

It is a privilege and great pleasure to welcome you to this International Conference on “Transborder Issues in the Greater Mekong Sub-region”. Today, we are joined by honorable members of Ministries, government official, distinguished scholars, international and local NGOs, community leaders, students, and other interested individuals.

Ubon Ratchathani University is a local university with national and international mission. At the local level, we service the needs of communities and students from Isan, a region rich in culture and history. At the national level, Ubon Ratchathani University is developing rapidly and gaining recognition. This year, we celebrated its 15th anniversary. Internationally, it has links to overseas institutions via research, collaborative projects and exchange programs. And, of course, *we have the potential to play a major role in the development of the Greater Mekhong Sub-Region (GMS)*. The contribution of GMS to Southeast Asia development can never be over-emphasized. As you can see from some fact and figures that I would like to share with you. The Greater Mekong Sub-region has an area of 2.3 mKm² covering Yunnan of China, Myanmar, Thailand, Laos, Cambodia and Vietnam with a population of over 240 million an average pf US\$ 750 per capita GDP or about US\$ 180,000 M in GDP. [1998] However, it is not the size of the economy but the distribution that is more relevant to social issues which is the main theme of this conference.

Establishing the Mekong Sub-region Social Research Center (MSSRC) and the GMS resource center at the Faculty of Liberal Arts has been a big step forward in promoting knowledge and research in and about the Mekong region. As such it is important for us to hold this conference as it is a great opportunity to push forward an interdisciplinary approach to understanding and confronting development issues in our region. In this globalizing world, research and knowledge needs to be constantly updated. It is in this seemingly borderless world that events in one far away place can affect another place. As the Mekong Sub-region has a great diversity of ethnic groups we have to face both local and global issues simultaneously, so, the new coming issue is “GLOCALIZATION”. And from this, we can build strong knowledge together.

Ladies and Gentlemen, I look forward to these next three days as a fertile time for intellectual exchanges, policy ideas and creating academic networks as well as making friendships, all of which will support learning across boundaries in the Greater Mekong Sub-region.

I am sure that upcoming deliberations will serve as a venue for scholars and researchers enrich their knowledge on transborder issues including their trends, causes and consequences. And of course, I hope that constructive results will find appropriate positions in future policy formulations and not be confined to academic circles.

Once again, I extend a warm welcome to you and wish this conference a great success with fruitful outcome. At this time, I am pleased to declare the conference open.

Thank you.

หน้าว่าง

Theme A:
Sex Trade, Gender and Sexuality

Selling sex on the boundaries: the crossroads of sexual desire and economic need

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Introduction

Commercial sex has existed in Southeast Asia, including the Mekong region, for a long time. The modern forms of sex for money have risen with the penetration of the market economy into the Mekong region. A cash economy provides money for consumer goods, drinking and entertainment, and the growing disparities of wealth have given rise to an increasing demand for commercial sex and a ready supply. The movement of women into cities for prostitution is well known, such as the movement of women and girls from rural areas within Thailand, and beyond the borders of Thailand, to Bangkok. This phenomenon is fairly well studied, what is less studied is the secondary destinations, such as smaller cities, tourist areas, fishing ports and border areas. While HIV/AIDS research and programming in the Mekong region does cover sex work in various sites there is limited overview and analysis of the growing phenomenon on or near borders.

Trade and tourism is driving phenomenal growth in the Mekong region. The ADB is a key player supporting regional governments, business and other agencies in opening-up markets and borders in the region. Much of this growth may have occurred much earlier if it was not for the lack of cooperation across borders and the reluctance of some countries to fully embrace growth initiatives. The Asian financial crisis also slowed development of infrastructure but now there are fewer obstacles with nations realizing the potential economic benefits.

Within this growth border areas are increasingly becoming important nodes of development with roads and other infrastructure being built to move people and goods across borders. Urban centres are still the primary areas for commercial sex but sites on or near borders and other nodes along major highways are increasing in size and the number of locations.

Sex work is still regarded as marginal to society, indeed it is illegal in all countries of the region, and thus it is often associated with the underworld and the black market. The market is not always black; however, as sex work is an integral part of the entertainment industry. This industry is expanding with the economic expansion and the growth of trade and tourism. Thailand exemplifies the ambiguous nature of sex work, where it is illegal but prolific - where the underground meets market forces. The sex trade can be a very lucrative opportunity for many, and generally operates under the guise of a more legitimate business – karaoke, restaurant, massage, etc.

The market economy initially develops in urban areas, drawing on rural agriculture and then the growth of industrialization in urban centres or on the periphery. The urban centre becomes a magnet for trade and commerce, and labour exchange leads to internal migration and rural areas feed off the centre. The rural areas inevitably benefit from economic growth as the market economy penetrates into hinterlands. This began to occur in Thailand in the late 1960s, and with an economic boom in the 1980s the market drew surrounding countries into this expanding market. Migrants turned to Thailand to find work and slowly borders were opening up to trade. Borders are increasingly becoming beacons rather than barriers, and depending on the location can develop into a microcosm

of the commercial and entertainment sectors of the main urban centres. However, there are distinct differences between the established urban centres and the more disordered border areas.

The opening up of borders follows the opening up of economic markets in the region. The growth has generally not been planned, nor well regulated, and local officials and business people can have more power and influence than they should have under normal conditions. Some borders have been characterized as lawless outposts where bribes and corruption are highly prevalent. One border site may comprise different ethnic groups and a range of different languages. Migrants may find work across the border but then face hardships from employers and officials and looked down on by the local community. Many officials, traders, drivers etc. are on the border without their families and regularly go to bars to drink and be entertained. Many border spots qualify as hot spots for HIV/AIDS.

While many hot spots for HIV/AIDS are well established there are smaller centres that can quickly grow into hot spots. Lessons from past programming show that the pre-requisites for qualifying an area as a hot spot do not always occur at the border itself. Towns within the vicinity of borders may be the locus of activity and where risk situations might occur. Today's sleepy town near the border may be tomorrow's node of economic growth.

More and more areas are being designated as economic zones, or special industrial areas or economic corridors. Economic zones on or near borders are direct evidence of the penetration of the market economy to once remote regions, now remote only in their distance from the political power bases of major cities. That such market penetration is perpetrated by former communist regimes is hardly controversial given the alignment of capitalist and socialist states in the race for economic prosperity. Transportation of goods and people is breaking down borders and opening up possibilities for tourists, for traders, and entrepreneurs and service providers of all kinds. There is a boon in the entertainment industry which while servicing the well-healed tourist, has sectors servicing drivers, fishermen, and other mobile or migrant groups.

An important part of the cross-border tourist growth of the past decade can be linked to casinos. Casinos are illegal in Thailand thus private entrepreneurs have built them across the border in Cambodia and Myanmar. One site on the Cambodian border has seven resort/casino complexes. The Chinese have their own casinos across the border in the Shan and Kachin States of Myanmar and in northwest Laos. Nationals of Myanmar or Laos cannot enter these casinos thus they are only available to cross-border Chinese tourists. Most casinos can provide massage and sex services or such services spring up in the general vicinity.

This study provides an overview of the border areas in the region and the context for sex work as it occurs in the countries of the region and on the borders, highlighting some of the differences in form and context. The focus is on cross-border movements and particularly where people cross to the immediate vicinity or nearby towns near border areas. While the greater population movement is through border areas and deeper into the country this study is concerned with the growth in border regions. The specific focus is on men crossing the border and patronizing sex venues, and women and girls crossing the border to work in sex work on the other side.

The different border areas vary widely in the volume of population movements and the extent of commerce and entertainment facilities. Within Thailand each of the border areas are significantly different, with some sites having a large number of migrant residents on the Thai side. Elsewhere in the region the border environment is often local people belonging to the dominant population group of the country interacting with mobile and migrant (internal and/or cross-border) populations. In

many border sites there are also ethnic minorities and on some sites they comprise the majority population.

The different locations in Thailand are discussed to provide background to the various forms of sex work. Thailand provides the basis for discussing border crossings with Myanmar, Malaysia, Cambodia and the Lao PDR. Myanmar will only be discussed in terms of its borders with Thailand and to a lesser extent with China. Vietnam is the core country for discussing borders with China, Cambodia, and to a lesser extent with Lao PDR.

Regional difference – history, politics and culture

Prostitution has a long history in the region, but generally confined to urban areas. Sex work is now widespread throughout the region on the periphery of industrial development, emerging in remote corners where developments such as mining and construction occur and in border regions. Thailand has experienced growth in the sex industry as a result of sustained economic growth over decades. Some sources suggest the industry emerged through Chinese labourers settling in Thailand last century (see Boonchalaksi and Guest 1994)

Cambodia and Vietnam, of course, had experienced periods of modernization which included prostitution, just as the Malay peninsular, especially Singapore, experienced earlier in the century. Thailand was, however, the only country to develop a large sex industry that continued to expand throughout the second half of the 20th century, despite prostitution being officially proclaimed as illegal in 1960. Economic growth saw the spread of prostitution to the provinces and even at the district level through the 1970s. The market economy was penetrating the country-side for the first time, which meant that men in employment had a disposable income. The cultural forms that allow men sexual license while women are meant to be chaste also occurs in Cambodia, reportedly prior to the Khmer Rouge regime (Tarr 1995). These conditions give rise to prostitution being an outlet for men serviced by a ‘fallen’ woman.

The 1980s brought immense economic expansion for Thailand while Cambodia saw the end of the Khmer Rouge and occupation by Vietnamese forces that gradually brought back some semblance of social structures, paving the way for economic growth. In the 1990s Cambodia developed along similar lines to Thailand in earlier decades with prostitution occurring throughout many parts of the country with the expansion of commerce and trade.¹

Vietnam has also experienced an expanding sex sector alongside economic growth. The large sex industry, found in many parts of the country, has not been dampened by crackdowns and detention of many women in ‘rehabilitation’ centres. Vietnamese women also travel to China, Cambodia and Lao PDR to work in sex work. Fishing ports are intersecting points for transportation, commerce and sex in the coastal countries of Thailand, Cambodia and Vietnam, as well as in Myanmar. Myanmar has millions of people on the move with major migration streams into Thailand, which includes women working in the sex industry, although Myanmar now has its own flourishing sex trade. The Lao PDR is moving in the same direction and the opening up of the country with massive infrastructure investment is leading to more women and children seeking work and vulnerable to working in the sex trade. China has women crossing the border and working in sex work, mainly in Thailand but also in Lao PDR and Myanmar, while having a well-established sex industry in major cities and towns, truck stops and border regions.

¹ The UNTAC presence in the early 1990s undoubtedly was a factor in the penetration of prostitution to provincial Cambodia.

Direct and indirect venues

The Thai sex industry may be used as the proto-type for the region to understand the different forms of sex work occurring in recent decades. The primary form of sex work in Thailand was brothels, which had their beginnings in Chinese hotels and tea shops. Brothels have been characterized by ease of access through being in relatively well-known locations with cheap prices. They have been further characterized as dark and dismal places where rather than romantic interludes short time sex is measured in a few minutes, and women only partially undress.

Brothels have characterized the sex trade in both Thailand and Cambodia. And it is generally accepted that the number of customers per day, the relatively young age of sex workers, and STIs, have led to the explosive rates of HIV/AIDS in these countries. In Vietnam, China and Lao PDR there have been fewer direct venues and lower rates of STIs. Law enforcement has fostered underground or disguised services in these countries. Law enforcement in Thailand, especially that of child prostitution, but also the advent of HIV/AIDS and the surveillance of brothels, led to brothels closing down or appearing under different guises, such as karaoke, bars, massage or restaurants. These guises meant that the majority of venues provided indirect, or off-site services, rather than the brothel, on-site services.

The indirect services often provide a different context where women and girls had greater freedom and fewer customers than the in brothels. Rather than entering a premise and choosing a sexual partner there is a greater sense of flirting and/or negotiating sexual relations. This may be a simplification of a complex and diverse industry but this division helps to capture part of the dynamics of the sex industry in diverse settings across the region. While Thailand has moved from direct to more indirect services, communist regimes of the former Indo-China countries, and China, have always fostered underground or disguised services through stricter enforcement principles and practice. Dance halls and other such entertainment venues were early venues for men seeking sex with women, somewhat subsumed by the proliferation of karaoke bars and other more modern venues.

The more open and expansive industry in Thailand allowed for the spread of STIs during the 1970s and 1980s, and the UNTAC presence in Cambodia had some influence on the brothel culture and the spread of STIs. Thailand has seen a dramatic reduction in STIs since the late 1980s, and the incidence has fallen in Cambodia since the late 1990s. STIs were the crucial link in the spread of HIV in the high intensity sex trade found in brothels. China, Lao PDR, and Vietnam have seen rises in STIs, but not yet to the levels found in Thailand in earlier decades.

The much heralded success of the Thai 100% condom policy, which was later used in Cambodia, is designed for more direct, brothel services. The brothel trade has always been more open to regulation and control than the indirect entertainment venues. The successes of this program in Thailand and Cambodia are not likely to be transferable to other countries in the region, and have limited effect on the more indirect venues now operating in Thailand and Cambodia.

Men visiting Thai sex workers across borders

Border areas, including nearby towns are often dominated by itinerant populations. The majority of men seeking sexual services are likely to be mobile, such as, truck drivers and other drivers, traders and businessmen, government workers and seafarers (in coastal areas). Mobile populations also

include uniformed personnel and migrant workers. Men who are mobile may be expected to be faithful to their partners at home but it appears that they are given some latitude to visit sex workers when away from home for extended periods of time. Some men in these situations may have mistresses or minor wives rather than visiting sex workers. Research in Thailand has suggested that wives would generally prefer their partners to visit sex workers rather than having a more regular partner (Boontinand 1995, Lyttleton, 1994).

Thailand is the hub for migration and for a widespread sex trade. Outside the main urban environs sex work sites include cattle markets, fairs, truck stops and fishing ports. Border areas are also major sites and some places have more migrant sex workers than Thai sex workers (see below). Thai sex workers from the north of Thailand are found in Bangkok and other urban and semi-urban centres, as well as on the border with Myanmar. Women from the northeast of the country are also found in many areas and commonly work in tourist bars in Bangkok and Pattaya. Thai women are dominant in the large sex industry in the south of Thailand, although some women from Myanmar and from Yunnan, China, can be found in border regions. The customers are mostly Malays, Indians, and Chinese from Malaysia and Singapore. Up to one million tourists cross this southern Thai border each year, entering provinces that are dominated by Thai Muslims. A number of border locations have over a 1,000 sex workers in hotels, karaoke and bars/restaurants (Askew 2004).

This is the only area with high numbers of clients crossing into Thailand for sex. It is less common for Thai men to cross borders for commercial sex but those living in border areas are known to cross into Lao PDR and Cambodia, as well as into Myanmar (from northern Thailand). A new border with Cambodia has opened at Srisaket and Thai men are visiting brothels ten kilometres across the border. Businessmen, truck drivers and other mobile groups are also known to visit sex workers in other countries. Lao men have crossed into Thailand to experience the sex industry and no doubt there are population groups from each of the surrounding countries who have experienced what Thailand has to offer, especially fishermen. Thais are attracted across the border to visit casinos and sex work in the casino or outside may be on offer, especially in Poipet, but also on the Trat-Koh Kong border, and also into Myanmar from southern and northern Thailand.

Generally, it is men of higher status who cross borders to try the exotic 'goods' across the border. On the Thai borders, except for Malaysia, the Thais are the higher socio-economic group. The men from Malaysia are usually from a higher socio-economic stratum but for them it is also the ready access to commercial sex in Thailand compared to their home provinces. For male traders and other businessmen who cross borders in the course of business many may routinely visit sex workers across the border. Truck drivers may routinely visit sex workers or find women willing to become regular partners during travel. There is an increasing trade in goods down river from China to Lao PDR and Thailand as boats carry goods and people. As many as 10,000 people per year travel downstream, with most of them being men (Lyttleton, Cohen et al. 2004). Chinese men also visit casino complexes in Myanmar and Laos. Bangsan in Myanmar, south of the Sipsongpanna border of Yunnan, is a township controlled by Chinese with entertainment designed for Chinese tourists. It has been well known for Thai transvestite performing groups (Bcesey 2002).

There is limited research that shows the movement of men across borders. In some sites men are crossing borders purely for social reasons. Some will cross the border solely for the purposes of visiting sex work venues, others may go to drink and dine, or to gamble, and visiting sex workers may be secondary. But then there are many others who have business or other reasons to cross the border, and for them sex also can be a side attraction. Much of the research has focused on truck drivers and fishermen and not the more professional groups, and rarely on tourists, especially Asian tourists.

Mae Sai in northern Thailand has attracted many Asian men seeking sex with virgins. This is the case throughout the region where beliefs prevail that sex with virgins will add vitality and make men more virile. With laws on child prostitution being enforced in Thailand the trade seems to have moved across the border in Tachilek, Myanmar, where the sex industry appears to have grown over the past decade to be larger than that in Mae Sai. The sex industry seems to be expanding across the border in Myanmar in a number of sites on the Thai border, where there is less regulation on ages of women in the trade. Men seeking sex across the border in Laos was sometimes because the women were perceived as being less risky for contracting HIV than in Thailand, and often they would seek out younger women. During the peak of the epidemic in Thailand, reportedly many men in Thailand were seeking out young women as a form of prevention (see Lyttleton 2000). With virgins and girls it is far more unlikely that condoms are used.

Women crossing borders into sex work

Sex workers generally migrate from their home towns to other areas to work in sex work. Generally, their home provinces have limited opportunities but also other provinces provide a higher degree of anonymity. Thus, most sex workers are internal migrants, however, over the past 15 years there have been increasing numbers of women and girls crossing international borders to work in sex. Many move directly into sex while others initially work in other unskilled work. The majority; come from rural areas and travel to urban or semi-urban environs. Agents often smuggle them to these destinations and then they may be moved from one place to another, through a network of brothels, including sites across the border (Chantavanich, Beesey et al 1999).

There is a limited number of areas in the region where women cross the border to work in sex work on the other side but in close proximity to the border. It is the nature of borders that while being an avenue for traveling deeper into a country there are obstacles that limit travel. Many migrants are given official or unofficial freedom of movement only within the confines of the border district, and thus, some migrant women feel more secure closer to the border. They can often use the same language across the border, or stay within their native groups. A case in point may be Vietnamese women working in sex work across the border in China. Few will venture further (into the country), China is unlikely to tolerate migrant sex workers in the country except on the borders, such as in the Ruili, in Yunnan in the northwest, or Herkou on the border with Vietnam.

In Thailand the borders on the Thai-Myanmar border are thoroughfares for trade but transport cannot cross, despite the existence of bridges. The main population groups crossing are migrants seeking work. Many women have entered into the sex industry at this point, especially in Mae Sai in Chiang Rai, Mae Sot in Tak province, and in Ranong. It is not so common along the breadth of the Thai-Lao border, although it has been happening for some time in Ubon province and in Nongkhai. Of the two main border crossings with Cambodia it occurs at one site only, namely, Trat province on the coast. Changes do occur with some regularity, it is a dynamic trade that follows different trends and patterns, for instance, in the past there may have been more migrant sex workers along the Lao and Cambodian borders, such as, Mukdaharn and Aranyaprathet. Now there are few migrant sex workers, at least in Aranyaprathet. In such sites, however, it has been recorded how women are sent across the borders to service men for a short time (Chantavanich, Beesey & Paul 2000). And with the opening of a new border crossing on the Srisaket border there are sex workers reportedly working on the border and some enter further into the country. The Cambodia-Thai border is the only area where Cambodian women and children are known to cross the border to work in sex work. And the Lao-Thai border is the major border area for Lao women to cross. Some Lao women are reported to have

crossed into sex work or marriage arrangements across the China border (Lyttleton, Cohen et al 2004).

Vietnam is the other country with major crossings where nationals cross the border to work in sex work in the immediate border vicinity. This is largely confined to two major sites on the China border. On the Yunnan border there are numerous venues with Vietnamese sex workers. There is also a cross-border site into Laos, route 9 into Savanahket, where Vietnamese women cross into Savanahket province in Laos but they generally move onto Savanahket township which is on the Thai border. Similarly, many women from the Mekong Delta work in Cambodia as sex workers but they generally move deeper into the country, as far away as the Thai border, even across the border into Thailand (Chantavanich, Beesey et al 1999).

Yunnan province in China, bordering Myanmar and Lao PDR, and Vietnam, is another area for migrant sex workers. On the eastern side of the province, bordering the northern part of the Shan State, women from Myanmar work in sex work not far from the border. Yunnan is also one of the sites mentioned above where Vietnam women cross the border to work in sex work. There are places where Chinese women can be found working across the border, such as across from Sipsongpanna, in the Wa area of Shan State, where the Chinese control casinos and other entertainment venues, and much of the entire local economy. From early 2005 until June, however, the border crossing has been closed to these tourists. Women from the lower reaches of Yunnan also pass through Myanmar to Thailand and work in sex work. Some reside in border areas, such as Mae Sai while others go much deeper into the country.

In summary, migrant sex workers are found in at least three sites on the Thai-Myanmar border, plus the Thai-Lao border - Ubon and Pakse, and the Thai-Cambodia border - Trat and Koh Kong. This is a small number of sites with cross-border migrant sex workers, but each town has a town across the border where sex work is prevalent. Thus, sex workers can rotate across the border. In Cambodia and Lao PDR it is more likely that the circuit they rotate in is inside those countries rather than extending further into Thailand. For instance, Khmer sex workers may rotate between Siam Reap, Poipet, Trat and Koh Kong. In Ranong and Tak provinces of Thailand it is unlikely that many of them work in sex work deeper into Thailand, although some do. In Mae Sai, well known as a major destination and transit area, women in sex work may move backward and forward across the border to Tachilek and possibly to Chiang Tung (further north in Shan State), but they can also travel to other parts of Chiang Rai, to Chiang Mai, and to other destinations in Thailand¹.

Other sex workers may be found in smaller border sites, as well as on the Bay of Thailand where there are other migrant communities. This is in addition to the many migrant sex workers in urban and semi-urban areas deeper in the country. Five major sites have been identified for Thailand which have substantial sex industries on at least one side, and often on both sides, of the border. The two sites on the Vietnam-China border fit into this framework also. Along with the Thai-Myanmar sites they are some of the more notable HIV/AIDS 'hot-spots' in the region. The China-Vietnam sites are also known for a high prevalence of drug use.

Borders – avenues of opportunity

The vast migration streams into Thailand, mainly from Myanmar but also from Cambodia and Laos, include women entering into sex work. Mae Sai is clearly a route for migration into sex work in

¹ Circuits are often created by brothel network/managers to rotate workers in order to offer new faces. Movement from one brothel to another may be more voluntary movements as well.

Thailand and two other major crossings are in Mae Sot, Tak province, and Ranong. The Thai-Myanmar border is very long and porous and other border crossings include Mae Hong Son, Chiang Mai and Kanchanaburi. The Thai-Lao border is also very long and porous Ubon, Savanakheth and Vientiane are the major crossings with other official check-points and many unofficial crossing points. From Cambodia, Aranyaprathet is the main entry point for the many thousands of migrants that enter into Thailand. Aranyaprathet once had a thriving sex industry with some Khmer workers but now they work across the border in Poipet. Most of the migrant workers reside in Poipet also, while crossing the border on a daily basis to find work. This is a hot spot area for HIV/AIDS but largely on the Cambodian side of the border.

Agents are commonly used to smuggle people across borders, and trafficking, by force or deceit, has long been practiced in the region, and again the Thai situation is the most well-known. Trafficking has occurred internally, mainly with women and girls from the north of Thailand and then from the Shan State and further north in Yunnan, as well as other parts of Myanmar. The numbers being trafficked into sex work have long been eclipsed by the numbers who are *not* trafficked. While earlier waves of women and girls entering sex work may have included many who were deceived and tricked those who followed were more likely to be entering the trade voluntarily. This does not deny the inherent exploitation in the trade which can include those who enter voluntarily, and certain forms of abuse will define such women as trafficked also. While the sex trade is conducive to women being very vulnerable, in Thailand I think it is fair to say that the great majority of women would not be defined as being trafficked in any form¹.

Trafficking, smuggling or voluntary movements follow patterns of demand. The demand has mainly been men in urban environs who had certain requirements. Central Thai men had a strong preference for fair-skinned women whom they knew came from the north of Thailand. As elsewhere in the region white-skin is a sign of beauty. Cambodian men may prefer women with fair skin also, and they along with other Asian visitors to the country have the choice of selecting Vietnamese women who also have a reputation for being sexually uninhibited. There is also the notion of the exotic. Central Thai men have long traveled to Chiang Mai in the north for the exotic fair-skinned women. Northern Chinese men come to Sipsongpanna in Yunnan due to the lure of the exotic Dai culture which for some men is synonymous with sexual allure.

Development and tourism is opening up remote regions and bringing highland people into contact with lowland populations. In Thailand where many highland groups have long had contact with lowland Thais ethnic minority women have been lured into the sex industry. Women and girls from ethnic minorities have also crossed into Thailand from Myanmar and some from Laos. Development also brings lowland populations in contact with highland populations through road and other construction. In Laos and Vietnam truck drivers and construction workers crossing borders are known to have sexual relations with local women and girls (Lyttleton 2004, Giang 2004, PSI 2004).

HIV/AIDS

Sex work is highly problematic due to the scale of the trade, trafficking and exploitation, underage workers, and the risk of disease. There has been extensive research and programming that renders concern for the plight of women and children in sex work, especially in Thailand and also in

¹ Some feminist arguments would object that they are 'forced' by circumstances, such as poverty, and should be saved from such 'exploitation', while other feminist arguments would posit that sex work could be regulated to reduce exploitation and be regarded as an occupational choice.

Cambodia. Conditions have improved in Thailand; however, concerns remain, especially for migrants and notably in border regions where HIV prevalence remains higher than elsewhere¹. The explosions of HIV spread may be a thing of the past but the threat of HIV remains. Both internal and cross-border migrants are vulnerable to contracting HIV/AIDS, and passing it on to their sexual partners. Condoms offer limited protection as sex workers throughout the region are still likely to forego the use of condoms with regular partners. And regular partners may be defined as regular customers, with relationships often beginning within the sex work context.

This is why the spread of HIV will generally be slower, spreading at a similar rate to the spread of HIV through IDU where immediate sexual partners may be infected and then other sexual partners, but only gradually reaching a broader community. This is not to understate the urgency of curtailing the spread of HIV, there are still areas where entire communities could be at risk. The slower spread may be more difficult to track and in this way harder to control; providing a greater challenges in sustaining a concerted response and implementing effective responses. In situations where sex workers are injecting drugs the risk is indeed of greater concern and this is the case in Vietnam. Fortunately, most sex work in the region has not been characterized by injecting drugs. Vietnam and China are important exceptions. Non-injectable drug use, including alcohol, is common in some areas and may be on the rise, creating further challenges in ensuring safe sex practices.

Conclusion

A simplified equation suggests that men desire women and the women desire the money. Men are perceived as needing sex, a biological urge that must be met. But the desire for sexual release is also acknowledged as being associated with loneliness, pent-up energy/frustration, peer pressure, or being drunk. Drinking and sex appear to be regarded as necessities rather than luxuries for many mobile men. This is the crossroads of sexual desire and economic need. Men generally have spending power, they are more likely to have disposable incomes, and less likely to spend their earnings, rather than saving it or making remittances home. Mobile men are generally higher income earners than sex workers, even if they both come from rural backgrounds. It is obviously the case for cross-border situations where the men crossing the border come from a higher socio-economic background than the general population across the border. It is also the case when sex workers cross the border and service officials, uniformed men, truck drivers etc.

Many sex workers are not earning a lot of money; however, it is generally a lucrative trade where some sex workers can earn a reasonable income. The lucrative nature of sex work lends itself to lax law enforcement, as police and other officials can enjoy the spoils of the trade. The Cambodian government has allowed Vietnamese women to work in sex work even when they have attempted to drive Vietnamese migrants out of the country. Police on borders in Thailand have been active in smuggling women into the country, which seems to bear witness to the fact borders are not entirely under control of the central government. The police, of course, receive payment from all prostitution services throughout Thailand. This includes rural brothels to high-class massage parlours and bars that serve tourists² (Boonchalaksi and Guest 1994).

There is evidence that police and security officials in other countries, such as China, are involved in prostitution, directly benefiting from the growing trade. This is a direct result of the political changes

¹ The national HIV/AIDS prevalence rate for sex workers is now under 10% but reports in a number of border areas are much higher.

² This was widespread among brothels in northern and southern Thailand, according to my research, and was revealed by massage parlour tycoon Chuwit Kamolvisit in numerous newspaper reports in Bangkok in 2003.

and a more open economy. It is unlikely that the extensive sex work on the borders of Yunnan would continue virtually unhindered without official support at the local level, or from the central authorities.

Development of the region is leading to more choices for women seeking greater earnings. The entertainment industry and prostitution offers potentially lucrative earnings, opportunities rural women could never have realized previously. On the farm their earnings may be \$1 to \$2 per day, a night's work may bring ten times this amount, or much more in some venues. Border regions open up the market for local women from the majority population or from ethnic minorities. The poor have new opportunities, the not so poor can enhance their earnings. Poverty may be driving the trade but its growth depends on the spending power of men and the disparities of wealth. Sectors of the sex trade also depend on the consumer ethic that drives students and other young women into the trade to enhance their own spending power.

The analysis of prostitution requires a more nuanced understanding with responses that are informed by socio-economic conditions along with cultural and political implications. The intersections of desire and need are underscored by complexities that require careful analysis. The advent of HIV/AIDS and millions of people being infected in Asia has not slowed the sex trade. Harm reduction approaches have been successfully applied, and safe sex practices have left the industry even stronger. With HIV/AIDS still spreading throughout the region the expansion of the sex trade is providing a serious challenge to implementing effective interventions. There are unknown numbers of under 18 year olds working in the industry, many deceived into the trade, and many women and girls being exploited.

The market economy is central to any analysis, as the supply side will always be motivated by economic need. The economic growth patterns that have thus far occurred have enhanced a consumerist model of development, first in urban environs while also packaging tourist development in heritage areas and on tropical beaches. Now a further step is being taken as borders open up and the market economy dictates the terms of progress.

In the countries of the region a middle class has emerged and is rapidly expanding. This is particularly true of China where there are rising numbers of tourists from the mainland into surrounding countries. The middle class in Thailand has supported a large sex industry and has spawned casinos around its borders. China is doing much the same. The tourism industry is no longer reliant on the international traveler from the west with the number of Asian tourists is rapidly increasing.

Within countries there have been local concerns that politicians and other government employees are the main patrons of the more elite sex venues. These men form part of the growing numbers of mobile men in the region with disposable incomes. The mix of mobile and migrant groups with tourists and locals converge at points identified as hot spots. The mix of population groups and the emergence of entertainment venues give rise to this definition. Prostitution is illegal in each country but law enforcement is erratic or non-existent, particularly in border areas. Thailand has experienced some success in regulating the industry in order to control HIV/AIDS, and then in reducing child prostitution. This could provide a model for other countries and the region as a whole. Legalization of prostitution would be an option to regulate the industry but this is unlikely to happen in the near future.

The situation needs to be carefully monitored, and business interests and the tourist industry need to acknowledge the problem and work together with government and other agencies to mitigate the

negative consequences of development. A mapping of the various movements in the region would be a monitoring tool for following changes and the dynamics of the situation. Mapping men crossing borders for sex would be a unique way to present the situation. But this could be a component of a larger mapping process that links border sites with heritage sites, other nodes along major highways, and other relevant intersections.

More research is needed on changing values regarding sexuality and behaviour as a result of increasing interconnectivity through regionalism and globalization. Asian tourism is a relatively new phenomenon that requires further exploration. Male tourists and other men of a higher socioeconomic status are missing in much of the research that has been undertaken.

References

- Askew, M. and E. Cohen (2004). Pilgrimage and Prostitution: Contrasting Modes of Border Tourism in Lower South Thailand, *Tourism Recreation Research* 29 (2): 89-104.
- Beesey, A. 2002b. Cross-border Sexuality in the Greater Mekong Sub-region, executive summary of seminar proceedings in Kunming, China, Rockefeller Foundation, Bangkok.
- Boonchalaksi, Wathinee & Philip Guest (1994) Prostitution in Thailand, Institute for Population and Social Research, Mahidol University.
- Boontinand, Vachararutai (1995) Women and AIDS in the Northern Thailand, *Women's Studies News*, Women's Study Centre, Chiang Mai, Thailand.
- Chantavanich, S. and A. Beesey & S. Paul. (2000) Mobility and HIV/AIDS in the Greater Mekong Sub-region, Asian Research Center for Migration, with World Vision Australia and ADB/UNDP.
- Chantavanich, S. Beesey, A. et al. (2000) Cross-border Migration and HIV Vulnerability in the Thai-Cambodia Border: Aranyaprathet and Khlong Yai, Asian Research Center for Migration, IAS, Chulalongkorn University, Bangkok.
- Giang, Le Minh. (2004) 'The Irony of Agency in Space: Displacement and Vulnerability in Two Highways in Vietnam', in Development and Spatial Mobility and HIV/AIDS, South East Asia HIV and Development Project, Bangkok
- Lyttleton, C. (1994) Knowledge and Meaning: The AIDS Education Campaign in rural Northeast Thailand, *Social Science and Medicine*, 38:1, pp135-146.
- Lyttleton, C. (2000) Endangered Relations: Negotiating Sex and AIDS in Thailand, Harwood Academic Publishers, The Netherlands.
- Lyttleton, C. Paul Cohen et al. (2004) Watermelons, Bars and Trucks: Dangerous Intersections in Northwest Lao PDR, Rockefeller Foundation, Bangkok, and Macquarie University, Sydney.
- PSI (2004) Mobile Population Groups in Lao PDR: sexual behavior and condom use, Population Services International in Lao PDR.
- Tarr, Chou Meng. (1995) Imagining Desire The Sexual Cultures of Paid Recreational Sexual Activity Between Young Vietnamese Women and their Young Cambodian Male Clients: Cambodian AIDS Social Research project for World Health Organization, Phnom Penh.

Single Motherhood in the Context of the Lao PDR : Fast Development, Social and Cultural Changes A Preliminary Assessment

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Acknowledgement:

We are indebted to my old colleague and friend, David Trees; who supported and advised us during the writing of this paper. Without forgetting the active support of Aiden Glendinning. And we are grateful to all the women who gave us their time and provided real first hand information in answering to our many queries.

Introduction

Evidence from the region indicates that a growing number of women depend on sex work as a means to generate income to support children, especially after the father leaves the mother and child. Contact with sex workers in the Lao People's Democratic Republic (Laos) appears to indicate that Laos is similarly affected by this trend. Though the starting point of the assessment was an encounter with a single mother involved in prostitution, this paper studies the situation of eight single mothers and the clear need for research and the inclusion of people with risk behaviour that do not consider themselves sex workers.

Working in Vientiane, the Lao capital from June 2004 until February 2005, a team of one foreign man and one Lao woman met and interviewed eight women who were separated from the fathers of their children. These women were found in a variety of settings, including an entertainment establishment (night club), during typical daytime activities and during an outing around Vientiane. When the team identified a woman as having a child and living without the child's father for more than a year, they made contact and began to meet regularly with the woman. The women were informed about the objective of the work and told that their contribution would be used to evaluate the common traits and difficulties of single mothers.

This paper, one of the few on this subject in Laos, is important as it begins to highlight the reliance on sex work and mobility to improve living standards and care for single-parent children, a trend which increases vulnerability to abuse, violence, STIs and HIV. In addition, it shows that single mothers living in this way tend to be invisible to 'the social welfare radar'. These women often enter and remain in sex work through relationships, without the typical venue of a brothel, karaoke bar, or entertainment establishment. They share their time between clients and steady partners. Low education levels seem to be a factor in their lack of knowledge of risks, their poorly-informed decisions on migration, and the care of their children (Brown, 2001)). Their private management of the sex trade means that such women are not well targeted by public-health and HIV programmes. This fact, combined with their low education levels, means they are less likely to have the knowledge and skills to protect themselves. Many do not consider themselves to be sex workers, and therefore do not consider themselves to fall within the high-risk groups described by HIV-prevention programmes.

Unlike many women in search of money through sexual practices, the relationships of the single mothers surveyed quickly adapt and change: a one-time client becomes a steady boyfriend or partner.

Condom use in the relationship then rapidly declines. With such women, the added responsibility of caring for their children by increasing their income always reduces their power when negotiating condom use.

This paper will describe some of the observations and conclusions of the lives and needs of Lao single mothers, based on a very small sample. A concentrated case study is included as a qualitative overview of the factors leading to income generation through sex work and mobility. The paper uses the interviews to highlight some of the challenges faced by single mothers, and the obstacles to researching them and reaching them with programme activities, then finally provides some initial conclusions and recommendations.

Background

National population censuses published by governments over the past 30 years, together with country population figures collected or compiled by international organisations across ten Southeast Asian countries, indicate that family structures in Southeast Asia are changing towards delayed marriage and childbearing, smaller-sized households, increasing divorce rates, and growing numbers of single parents (Quah, 2003). These changes indicate that divorce or parenthood are paralleling the considerable economic development that countries in Southeast Asia are undergoing. Research conducted in Indonesia Malaysia and Thailand shows that the rate of divorce was quite common among “traditional” women – those who lived in rural areas, married at young ages and had lower levels of education, and that the number of divorce has reduced over time (Hirschman & Teerawichitchainan, 2001).

Laos has not been included in regional research on family structure, marriage customs, and parenthood and there remains a lack of reliable data. However, specific research on sex work has shown that the situation of Lao women has progressively worsened and that the history of successive invasions and war further disrupted the entire social fabric (Mayouri,). The changing and growing economy has further altered the status of women and added to their risks and vulnerabilities.

Laos is considered one of the poorest countries in the world and the poorest country in Southeast Asia, but the government has shown a firm commitment to poverty reduction. There are many challenges to achieving sustainable growth, not least of all the fact that the majority of the population (83%) live in rural and remote areas without access to basic infrastructure and services. There are major urban-rural differences and only half of the country's 5.8 million people can read. Over 50% are under 20 years of age and one-third of the entire population do not live to reach 40. There is increasing rural to urban movement as migration becomes an increasingly important income option (ILO/Department of Labour, 2003). Younger populations are drawn to the cities by entertainment and luxury items, in addition to income generation. Women make up almost half the adult labour force, but are poorer, less educated and have fewer opportunities than men: women have less access to land, credit and paid employment, and are more likely to be illiterate than men.

Laos borders several countries which have a high prevalence of HIV. As the country continues to open up to the outside world, and more internal and international migration occurs, it is expected the epidemic will expand significantly. Mobile populations have been recognised as an important element to epidemic. According to UNAIDS, among cumulative case reports more than 50% of the HIV positive cases found in Laos were among migrant labourers who had returned from neighbouring countries. While HIV prevalence remains low, there is evidence of dramatic increase among certain populations, and sex workers are a group that has been greatly affected by HIV.

At the second meeting of the United Nations Regional Task Force on Mobility and HIV Vulnerability Reduction, held in Vientiane in 2002, deliberations were held on the vulnerability to HIV of the following mobile sections of the population:

- Construction workers (local and international)
- Sex workers who regularly move from one province to another
- Female factory workers who move from rural to urban areas
- Seasonal migrant workers who go to work in other countries
- Long-distance truck drivers who stay away from their families for prolonged periods of time
- Armed forces and police.

Among these groups, sex workers are most at risk, with STI prevalence at 32% for chlamydia and 14% for gonorrhoea. In addition, the last BSS of 2004 shows that the rate of HIV infection among sex workers has more than doubled since 2001 (figures yet to be published). According to UNAIDS, the people most likely to engage in HIV risky behaviour are mobile groups such as internal and external migrant workers, service workers in entertainment sites, truck drivers, military, police, and others who travel in their work, such as government officials and business people. That internal migration and mobility contributes to vulnerability and cross-border migration is well documented, with Thailand a primary destination for the majority of migrants.

Qualitative Findings

Demography: The average age of the eight women interviewed is 26 years-old (ranging from 21-31 years); six were born in Vientiane and two in the provinces. Six live with family members, one with her third husband, and one with friends. Three are hostesses in entertainment facilities, one sells beer in a stall along the street, one visits night clubs to recruit sex clients, two sell goods in markets or from home, and one is looking for job. One of the hostesses also works in an internet facility where she meets potential sex partners, especially among the foreign clients.

Economics: The majority of the women considered themselves to be from an above average family of their village. Despite that, all still reported being bound to the filial duty which pressured them to find sources of income, through any means, to support their family, especially their children. All of the women live and work in the informal economic sector; selling vegetables or goods, or living by other informal means. Remittances from foreign boyfriends were a source of income for at least two of the women, but all of the women primarily relied on their own means to support their child and their family back in the countryside. None of them receive money from their child's father. Occasional sex work and migration is used to support their living, but generally the inflow of money is temporary.

Many of the women stated that their children were the main reason for having sex with men for money. Some had permanent boyfriends, who provided income, accommodation, clothes or food. Others sought sexual partners for short periods of time. The women's informal work in the informal sex business allows them to be available at any opportunity: mobile phones have become the new tool for staying in contact with boyfriends, clients, and intermediaries, while email is also now used to communicate with boyfriends, especially foreign ones.

Family: Most of the women interviewed had lost one or both of their parents before reaching the age of 22, or had parents who divorced when they were very young. One, however, still had both mother and father together as parents. On average the women were approximately 17 years old when they married their child's father and about 22 at separation. Thirteen children were born from the eight women of this study: four women have one child; three have two children, and one has three

children. The children are living in a variety of locations. Three of the women take care of their children themselves, another three have sent their children to live with a family member, one woman has left her child with the father's family, and another woman has one of her two children while the father has one. Four of the women reported being beaten by the child's father, and two of them were raped by their child's father at the beginning of the relationship. There tell stories of drunkenness, cheating, lack of support from the family, the laziness of the child's father, and physical and verbal abuse.

Separation from the child's father occurred due to a variety of reasons. One disappeared and was reported dead, but was later seen with another woman. Drug use by the father was a factor as were threats from the woman's family, or the father's family or wife. After separation with the father of their child, new relationships developed including new husbands, and foreign boyfriends. They tend to have long-term partners who stay for a month or more.

Migration: Three women reported migrating and working outside Laos, as waitresses in Thailand and as a sex worker in Malaysia and Thailand. One went to Thailand to sell clothes, but was unsuccessful and returned to Laos after a month. Another woman intended to work in Thailand as a sex worker, but met a foreign boyfriend before leaving and remained in Laos. Some of the women reported that meeting well-off foreigners is their goal, as foreigners seem more flexible regarding their previous child. Lao men tend to be far more reluctant to marry a Lao woman with a family.

Case Study – Example from the life of Noy (name changed)

Noy was born in 1978: she is 27. Her parents were wealthy farmers with nine children, living in Vientiane Province. When she was eight years old, her parents divorced, shared the family property and eight of the children lived with the mother. Her mother soon re-married, but the stepfather was difficult with the children and at 14 years old she decided to move to a nearby village with her grandfather.

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She started to work in a beer stall, giving her the opportunity to meet and befriend the customers. One customer of her age wanted to marry her, and the families agreed. The grandfather received the dowry and she left to live with her husband, who several months later decided to move and work in the south of Laos, leaving her at home. She did not hear from him while he was gone but nine months later he returned with a woman who was five-months pregnant. She decided to leave to Vientiane, where she worked in a garment factory and lived in a dormitory. She entered into a relationship with a man from her village whom she met on her way to Vientiane, not knowing he was married.

Noy sent money back to her mother, especially to care for the children of her sister, who had divorced and left her children with the mother. She started to run out of money and following the advice of her sister found work in a night club where she would also have sex with clients to increase her income. Two of her sisters decided to go and work in Thailand. Following a woman's advice they went to Thailand for four months to work in a small beer stall. There they accommodated clients, but the owner kept the money and refused to pay them when they left. They returned to Laos with nothing for their four-months of work.

They resumed their work in a Vientiane nightclub, and Noy fell in love with one of the 21-year clients. They decided to marry and live together. She was still working at night and, selling vegetables in the morning at the market. He was studying, as well as frequently drinking and meeting with women. When he was caught stealing from two employers and continued spending her money



on socialising and sex workers, they tried work in Thailand. They returned a few months later with the same difficulties and Noy three months pregnant. His lifestyle remained the same and their money went on alcohol and women. He also began abusing Noy physically. His family wanted him to divorce her as they could not accept her work in prostitution and felt he should marry his university girlfriend who was more suitable for his social class. When seven-months pregnant, she received US\$300 from her sister-in-law to divorce her husband. She felt depressed and disheartened and responded with methamphetamines, drinking and motor-bike racing. A few weeks later she delivered her son.

Without money and support, she bought methamphetamine pills (called *yaba* in Lao) to sell to the nearby workers and students, and also decided to go back to working in a nightclub and sleeping with clients for a living. She was living with a young student as a regular partner, by whom she became pregnant and had two abortions during their six-month relationship. She then met a bus driver who came through Vientiane regularly and became her boyfriend, while he had a family and three children at his home. She became pregnant three times while with him, choosing abortion each time. To pursue her work, Noy decided to send her son to her ex-husband's family, with whom she had maintained a relationship after the divorce.

In Vientiane, she was living in a district known for its number of single women and migrants, and was subject to mockery and verbal harassment from her neighbours. She had two sisters also involved in sex work and three brothers who were using *yaba*. Acquaintances were talking about their work in Malaysia and suggested that Noy try her luck there. She was afraid of the challenge, but her income at the time was not enough to pay her expenses and support her son. Sleeping with clients from the nightclub paid reasonably, but she only had an average of four clients per month (1,000 Baht per client, or US\$100 per month).

One day three of them departed from Vientiane: a mentor who worked in the Malaysian sex business; the woman she knew and another woman like her. They crossed the Thai border illegally, without proper documentation, and were smuggled through the country to Malaysia, which they entered also illegally. They went to a hotel and started to provide sexual service to clients. Noy would accommodate from two to a maximum of eleven clients per day and was sometimes brought to the client's place. She was paid 450 Baht (\$11) per client, while the clients payed an average fee of 2,500 Baht (\$62). Noy sometimes got an extra tip of 2,000 Baht (\$50). She was provided with and trained to use condoms and lubricant. She wanted to work as much as possible to get the most income and only rested during menstruation, averaging about 70 clients per month. She was working with 30 other girls, half of whom reported being deceived into the job and beaten if they refused to perform. She had to pay her share of the room -6,000 Baht (\$150) per month- which she shared with another woman. Her mentor received 31,500 Baht (\$787).

One night she was arrested with eight other women while with clients in a nightclub. They were detained for two days and some of the women deported. Noy was allowed to stay provided she gave sexual favours to a police officer and paid the 15,000 Baht (\$375) fine. After this episode she feared going outside the hotel. The hotel owner requested her not to mention the episode, so as to not frighten the other girls. Once she was sent alone to service four men. They asked her to take methamphetamines and she was tipped 2,000 Baht (\$50) because she took drugs with them. Twice she went to a nearby clinic for minor illness and the hotel paid half of the costs. From her description, it seems Noy never suffered STI symptoms in Malaysia. After three months she decided to go back to Laos and was smuggled out of Malaysia, returning to Vientiane with only 30,000 Baht (\$750).

According to her information she generated a total of income of 525,000 Baht (\$13,125) during three months of sex work in Malaysia, of which the hotel received 430,500 Baht (\$10,762 or 82%). She was paid 94,500 Baht (\$2,362) for her work, plus 46,800 Baht (\$1,170) in tips. In total, she spent 111,300 Baht (\$2,782) on rent, police bribes, transport, intermediaries, clothes, and telephone cards. When she came back to Laos she had around 30,000 Baht (\$750 or 6%.) Without the tips from clients she would have got almost nothing from her work in Malaysia.

With the remaining money Noy bought a motorbike for 22,000 Baht (\$550), paid her rent of 1,000 Baht (\$25), bought gifts and clothes for her son and gave 1,000 Baht (\$25) to her sister. After three weeks she had only 200 Baht (\$5) left in her purse. She wanted to resume her trade in Vientiane, but due to tight security during the ASEAN summit she had to delay her working activity.

After her return she felt discouraged from sex work. In November 2004 she found a new boyfriend, a man of 35 from her village. They were having a sexual relationship and not using condoms because she thought this man was a good partner. After sometime Noy understood that the man was after her money. In addition she developed a womb infection which she treated with medicines bought at the pharmacy. A few weeks later she met another young man who seems more considerate to her. Noy felt more attracted to him and after a week the man moved to her place. Eventually they decided to marry each other. And one month after the wedding, in January 2005, she was pregnant again for sixth time. Noy decided to terminate her pregnancy, paying 200,000 Kip (\$20) for her abortion.

Lately Noy regularly meets other women who have come back from Malaysia with good money. She is considering getting a passport and going back to Malaysia to work again as a sex worker, saying that she does not have earn sufficient income in Laos and is unsatisfied with her new husband.

Analysis of Case Study

Noy believes that the separation of her parents was the beginning of her difficulties. As a teenage girl and later as a younger woman, she has never been equipped to handle hardship in life and feels the lack of a stable family and strong parental role models exacerbated this. Nobody in her family or among the people she met, men or women, were able to give her positive support. Many people took advantage of her gullibility: men as husbands, partners, employers, or clients, and females as recruiters for migration. Her grandparents may have encouraged her to marry her first husband for dowry. Her mother and sisters added to her difficulties by requesting amounts of money she was not able to find. The partners she met, her three husbands, the people she loved, or were pretending to love her, were using her naiveté. She felt the difficulty of her situation, but also the need to support her child and family. She was ready to endure suffering or abuse, in order to meet the challenges posed by society. She decided to marry men, looking for support, and decided to go to Malaysia, knowing the goal of her journey was to raise money through sex work. She recognises that she is responsible for the decisions in her life, though her duty as a daughter, as a sister, as a wife, and as a mother contributed heavily to her decisions. There were no programmes or agencies with social-support structures for such people.

Following her parents' divorce, she immediately had difficulty addressing and solving problems and received little support when facing difficulties. She was young and ill-equipped to handle hardship. Her low education was a disadvantage in her understanding of her situation and of little help in finding work or income. Sex work is clearly an option for women, even those who are older and have children, especially when their children and family relying on them for financial revenue. For Noy, having two sisters already engaged in sex work helped make her choice seem normal.

STI's and abortion are commonplace, highlighting the potential risk of HIV. Noy's poor knowledge of contraception and HIV prevention was always aggravated by the selfish and risky behaviour of male partners. With one man who had quickly become a steady partner, she clearly did not want to have a child with him. Despite this, she did not look for information about contraception and always used risky methods, such as abortion, to avoid having a child.

She voluntarily took risks to fulfil her duty as a mother. This included finding sex clients and crossing illegally to Thailand and Malaysia. She willingly engaged in risky journeys but was also pressured by peers -other Lao women- to take what they saw as an opportunity. She was an easy prey for less than scrupulous people; her small proceeds from Malaysia are an example. She was exploited and cheated during her trip in Malaysia by police, the brothel owner and clients.

Trust in men was closely linked to a deeper feeling, that of wanting and finding support -a husband- who would take care of her. With her poor ability to negotiate her safety however, she was taking risks. Accordingly, her health is a concern. At first she refused to have a test for HIV as she feared the result and the consequences of it. Eventually Noy tested as HIV negative.

Discussion Points

Noy is one of many women who come from families with difficulties, such as orphaned children, and divorced or separated parents. While conclusions cannot be drawn from a small group of women, this study provides a foundation for future, detailed research. This is especially true as the difficulties in the women's lives did not lead from deep-rooted poverty, which is often seen as a main cause of increased risk and vulnerability. For these women, single events led to difficult decisions made with a lack information or experience, and often with no guidance from responsible parents or loved ones. This is an important consideration for governmental and non-governmental programmes addressing the causal factors that lead to increased risk and vulnerability to HIV, STIs, violence, illness and death.

The options for such women remain limited while their education is low and the pull into urban settings or neighbouring countries is great. There are more opportunities for income in the unstable activities of the informal sector, which they are drawn to out of duty to their family and the need to care for their children. Their situation is still rare in Laos, and several of the women found looking for a steady partner among the foreign community to be an option as a single mother.

Interestingly, migration was seen as an important alternative to the local informal and sex-based economies. Despite Laos only having opened its borders in recent years, and still being a country with strong controls, the option to migrate was used on numerous occasions, and seemingly with little knowledge of the conditions or work environment at the destination. People chose jobs and sex work in Thailand and Malaysia based on hearsay; husbands migrated south with little notice and returned with none; boyfriends were drivers across the country, and residential quarters were crowded with people from other provinces. Clearly migration is a repeatedly chosen option. Improved knowledge of the conditions and risks in the destination areas could improve people's livelihood decisions.

Lao society has developed rapidly over the last decade, with incomes increasing and disparities widening between social classes such as women and men, ethnic and mainstream groups, urban and rural dwellers, younger and older generations. The stories of Noy and the other single mothers highlight these disparities and the need for targeted programmes and activities that can improve knowledge and behaviour, and reduce their risks and vulnerabilities. Considerable research is

necessary to understand the scope and scale of the situation and how needs can be addressed. Migration, sex work, partnerships and marriage are only a few examples of decisions made to meet the requirements of family, child care, and of having a sense of improving quality of life.

Case study methodology and lessons learned:

As a researcher, the work with Noy was very motivating. Following Noy's journey gave us a special and close look at her life. We met Noy more than twenty times, and shared many hours of conversation. We have built up trust with her, and were able to follow the evolution of her thinking. She had time to formulate her thoughts about her life: she constructed her story with us as witness. She trusted us; we have never emitted any judgement about what she was doing or thinking. This kind of assessment is time consuming and does not allow us to extrapolate and generalised our findings to the general population or to other single mothers. By talking with many Lao women however, we get the sense that the examples are not isolated and that an increasing minority of women are leading this kind of existence in the Lao PDR. There is a need for more studies which combine qualitative and quantifying methods.

A study on single mothers needs a deep understanding of the social and cultural aspect of women's lives in Laos. From our experience, we see that the women we have met are ready to cooperate and share their history as long as we respect their time and personality. We worked on short successive encounters and every time more information was collected confirming or expanding on what was said the time before.

Suggested Research Topics to Improve Policy, Programmes and Livelihood Projects

- Education of girls and boys at schools
- Legal environment protecting women (i.e. land laws)
- Legal environment on divorce and alimony
- Counselling on termination of pregnancy and post-abortion care
- Group support for women in social distress
- Information on safe migration at the community level and programmes to improve pre-departure knowledge
- More research on women, social class, relationships, and gender inequity
- Vocational training and job centres for women
- Access to credit
- Access to information on single motherhood, and not only on condom use
- Support to children of mothers in social distress

References:

- Stella R. Quah. 2001 *Major Trends Affecting Families in East and Southeast Asia*. Department of Sociology, National University of Singapore.
- Charles Hirschman & Bussarawan Teerawichitchainan. 2001 *Ethnicity and Marital Disruption in Southeast Asia: A Comparative Study of Indonesia, Malaysia, and Thailand*. Center for Studies in Demography and Ecology, Department of Sociology, University of Washington. Seattle.
- Dr. Mayouri. 2003 *An Aspect of Modern Acculturation: Prostitution And Cash*.
- Louis Brown. 2000. *Sex Slaves: The Trafficking of Women in Asia*
- ILO/Department of Labour. 2003. *Labour Migration Survey in 3 Provinces of the Lao PDR*. Ministry of Labour and Social Welfare.

Tourism, sex industry, women trafficking related to HIV/AIDS mobility: Lesson from the fieldtrip, Thailand

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Keywords: Tourism, sex industry, women trafficking, HIV/AIDS, Thailand.

Abstract:

There is no doubt that HIV/AIDS poses one of the greatest threats to development in Thailand. HIV/AIDS affects all kind of activities in Thai society, from the micro level up to the macro level. This paper is concerned with the business of commercialized sex in Thailand, including women trafficking, its role in the mobility of HIV/AIDS based on the information and data from the fieldtrip to a series of places in Thailand from Bangkok to ChiangMai, ChiangRai and some organizations along the border Thailand at Golden Triangle in March, 2003. Although the time for our trip was limited, we gained a lot of facts and details that were rarely published in the official papers or reports such as dynamic of current sex industry, issue of trafficking women and dilemma for HIV/AIDS intervention program in Thailand. This paper focused on the way in which the sex industry including trafficking hill tribe and Burmese women has led to a HIV/AIDS epidemic of immense proportion, an epidemic that could have been prevented or at least prepare for.

Content:

1. Tourism, the sex industry and development:

The Thai economy has developed spectacularly in the last three decades. In the three decades from 1960s to 1990s, Thailand's GDP grew from 73 billion baht to 379 billion baht. Tourism is big business in Thailand, it has become one of the most important industries leading the development of the Thai economy and generating a level of growth that many Asian countries envy. According to the Thai Development News letter (TDN), in 1990 there were 5.2 million people visiting Thailand, providing an income of over 90 billion baht. The 1992 projections were for some 6 million tourists to visit the kingdom, generating in excess of 125 billion baht. These figures continued to rise and reached 12 million visitors to Thailand in the year 2000, generating a massive total of 850 billion baht and experts expect that these figures will continue to rise (TDN, 2000).

In Thailand, a chain of cultural, historical and economic factors has served to make the sex industry a mushrooming sector of capitalist growth. For centuries, brothels have existed in Thailand but over the past few decades, the sex industry has become a part of the Thai economy and society. Today it is the primary cause of the spread of HIV. In this part, I will provide an overview of the main points of the development of sex industry in Thailand.

Sex tourism is widely regarded as an outcome of the R and R (rest and recreation) of American soldiers during the Vietnam War. In the 1960s, US military bases began to proliferate in Thailand, and many women were induced into the sex industry by their families and profiteer, encouraged by the demand of a better standard of living in Thailand's impoverished villagers and the high number of US servicemen stationed in the country. Consequently, this has led to the acceptance of prostitution as a source of income for young women and their families. There are a number of undocumented, oral accounts of the United States army in effect 'buying' whole villages in the Northeast of Thailand to provide them with access to food, shelter and women. Go-go bars, strip joints and other places of prostitution were built and young women recruited to service these men.

At the end of the war in 1975 when the US pulled out of Vietnam, the Thai sex industry faced a worrying cut in profits. The sex industry, in unofficial partnership with the tourism industry and the government, decided to diversify and attract a new type of client. Tourists would replace military personnel. The sex industry establishments were expanded across the country and tourism was promoted in order to gain the foreign exchange. Thailand was advertised to male foreign tourists as the place where they could indulge in sexual services, while at the same time it remain common for Thai men to visit brothels (Louis Brown, 2000). According to the Bangkok Bank Monthly Review, the investment opportunities proposed by the Thai government made available for hotels and operators of entertainment place to be actively involve in the promotion and expansion of Thailand as a sex haven for foreigners (cited by Thanh Dam Truong, 1990).

The year 1987 was an important turning point for Thai tourism. Promoted as "Visit Thailand year" tourist arrivals increased dramatically within the six months, so successful was the promotion that the "year" was extended to include 1988. It was estimated the sex industry in Thailand generated 42 million baht for that year alone (cited by Jennifer Gray, 1995) and a recent study suggests that prostitution is the largest underground industry, generating between 10 to 14% of the country's gross national product (Lim, 1998).

And from 1987 up to now, the number of tourist has increased steadily. Tourism in Thailand now generates \$3 billion annually (Jan Goodwin, 1998). There is no doubt that a significant component of tourist promotion and consequent tourist arrivals to Thailand relate to the sex industry more than 65 percent of all arrivals are men and 80 percent of these come unaccompanied. They come from all over the world and from all walks of life, and it was obvious that the main attraction is sex.

2. The dynamics of the sex industry today and the issue of trafficking women

Commercial sex has become a huge business in Thailand and has rapidly evolved into a well-organized industry supported by powerful entities. Although illegal, the sex industry has become a major source of income for the Thai economy and an integral part of Thai society. Commercial sex work provides young women and the families who depend on them with more income than any unskilled job in Thailand (Walden B et al, 1998). An estimated in Thailand 600,000 to 700,000 women work in the commercial sex industry, the vast majority in Bangkok (Lim, 1998). Other estimates are higher with approximately 2 million commercial sex workers within the country (cited Walden B, 1998) and tourism has had a big influence on making the sex industry a common economic option for poor women. Even though foreign men are small proportion of the total sex clients, they generally pay more for commercial sex services. The commercial sex industry has grown in response to both the recruitment of a large number of young Thai women into the sex industry to meet the international tourists as well as the demand of Thai men.

Sex places in Thailand vary from coffee shops, restaurants and hairdressers to massage parlors, brothels and short-term hotels in every small town and brothels in villages. A lot of surveys found alarming sex behavior among Thai men with 75 percent of all men having had sex with sex worker, that 44 percent of these men had had their first sexual experience with sex worker and 26 percent had multiple partners in the preceding six months (PDA- Population and Community Development Association). Thai men believe that if they do not solicit sex workers, they will be accused of being 'gay'. Similarly, the presence of international sex tourism and the growth of commercial sex worker has resulted in a dramatic increase in the number of young women in Thailand being employed as sex workers.

Thus, the sex tourists as well as 'sex culture norms' among Thai men have increased the trafficking of women involve in the sex industry by making sex work is more profitable. Especially in recent years, the sex industry in Thailand has had to face the women trafficking issue. There have been many documented rise in trafficking of sex workers. According to Global Alliance Against Women Trafficking, trafficking is defined as "all acts involved in recruitment, transportation within or cross border, purchase, sale, transfer, receipt of a person (a) involving the use of deception, coercion or debt bondage (b) for the purpose of placing or holding such person whether for pay or not, in involuntary servitude, in force or bond labor, or in slavery-like condition, in a community other than the one in which such person lived at the time of the original deception, coercion or debt bondage". (Foundation against trafficking in women, International human rights law group and global alliance against traffic in women, 1999).

In the case of Thailand, trafficked and exploited women occur both within the national boundaries and across international borders. Most commercial sex workers in Thailand come from the poor, rural families in the North and Northeast of Thailand, where the girls are regarded as more beautiful than those who live in the Central and Southern Thailand. More women from Burma and China are also recruited into the sex industry in Thailand. There are direct routes from the poor villages in the North or from Burma to the brothels in red light zones in 'the South'.

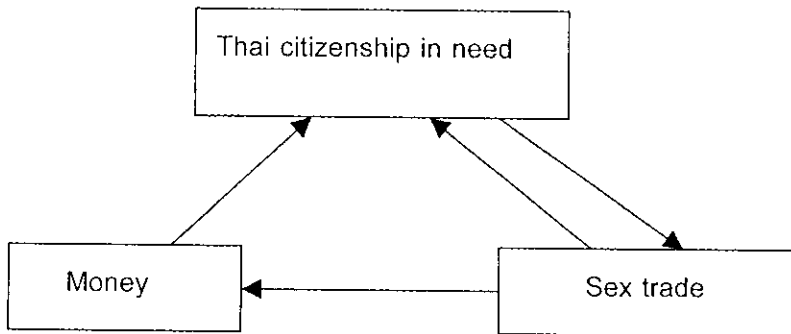
Girls and young women enter the sex industry largely in order to escape poverty for themselves and also for their families, as well as to gain upward socioeconomic mobility. Some migrate to cities or urban centers by themselves, but more often they are recruited. Much of the recruitment into the sex industry is village-based (Walden B et al, 1998). Recruiters move into an area and begin locating families in need and in substantial debt. Through a series of networks kin folk are recruited to act as local agents, operating from villages. The offered of jobs as maid, employee in the factories...were made and many young women left their poor villages believing they would be given employment. Middlemen or facilitators often give a flat money to a relatives of women, who is often unaware of the nature of her employment. The money then becomes credit against the future earnings that she must work off with interest. However, this practice is justified by many parents as they feel that the job would not be harmful to their daughters. In fact, the girls are recruited for the brothels in urban centers and brothel owners use debt bondage to control them and keep them working long term in brothels.

The situation is worse for hill tribe women (ethnically distinct groups living in the remote area) and illegal Burmese or Chinese young women migrant. These women live in abject poverty, and often hold illegal status within Thailand. The dynamic of these women is quite complicated. According to the information from HADF (Hill Area and Community Development Foundation) - a NGO working with hill tribe people in Chiang Rai, ethnic minorities and tribal people from an excellent recruitment pool for the sex industry because women status in many of these communities is not quite

circumscribed as in many dominant national cultures. Their cultures are being undermined by the dominant culture of the Thai state and their culture and economic become fragile more and more.

The sex industry target girls from these communities because they are vulnerable among vulnerable people. Hill tribe women become a new source of recruits and they seem to be found a ready supply in the hill-tribe Northern Thailand. Low educated and lack of citizenship, they are people who live in the margin of Thai society- ethnically, culturally, politically and economically.

Figure 1: Circle of involvement in selling sex among hill tribe women (summarized from interviewed with HADF staffs in Chiang Rai province, 2003):



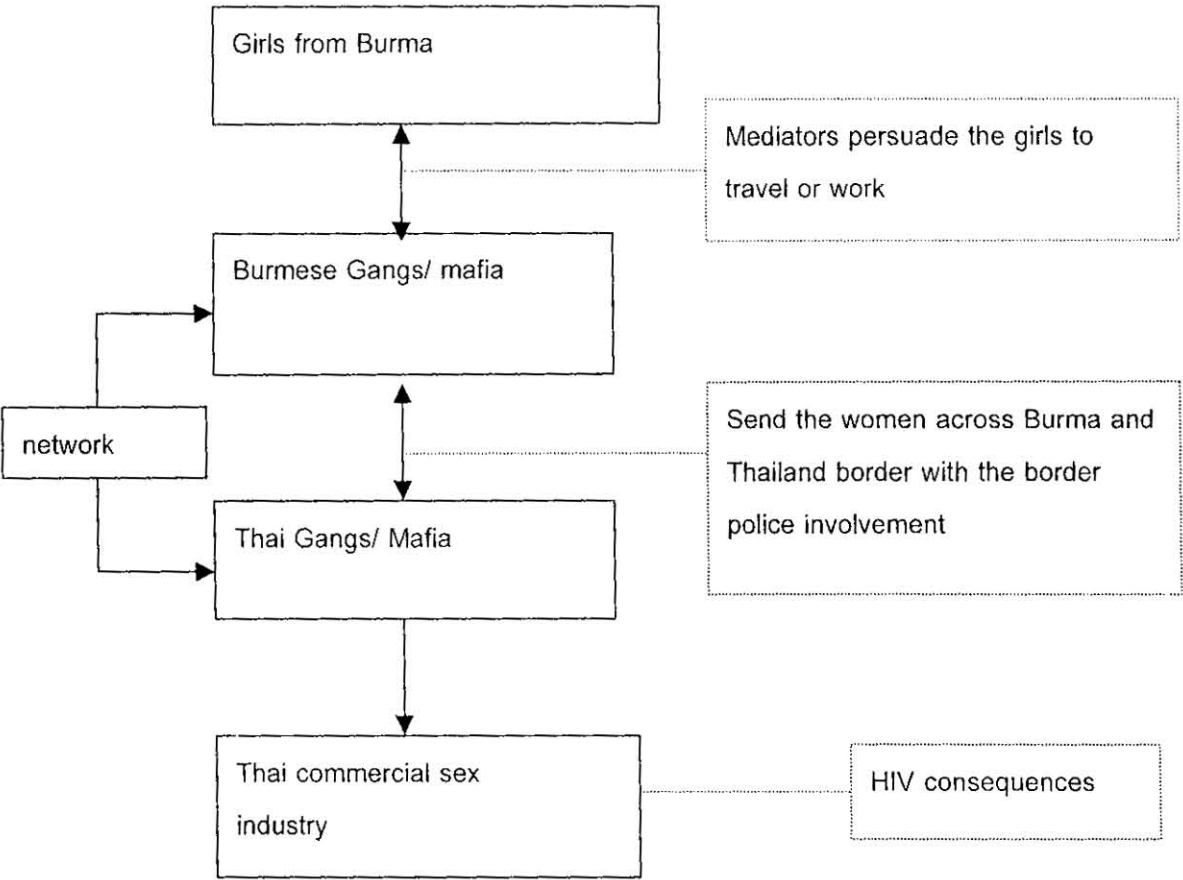
Almost all hill tribe people have not got Thai citizenship or identity card even they live in Thai territory. They have to try many ways in order to receive the identity card and the common way is selling sex or using 'under table' money way. Daughters in the hill tribe family can use their bodies as commodity to exchange the identity card or they involve into the sex industry in order to earn money and buy the citizenship. Once they lost their virginity, they are willing to involve in sex industry due to "nothing to lose" perception. By involving into the sex industry, they can become a breadwinner of their family with hoping escape from poverty.

A new face of sex industry and women trafficking today is a set of recruits women from Burma (usually from Shan state) and to a lesser extent from Southern China (Yunnan province). They were cheap and plentiful, and they appeared to be willing. From the fieldtrip to Mae Sai, one small town on the border between Thailand and Burma, Thai people showed me a small river named Sai river which is border line separate Thailand and Burma. People move back and forth across the river easily without fanfare. The attractions of working in Thailand are obvious for young Burmese women. From the temple on the mountain over looking the border with Laos and Burma, we can see the significant differences: neatly cultivated field, modern town and roads in Thai's side versus poverty and wild land in the other. To the poor, Thailand must seem like the Promised land and Mae Sai town is an important entry point into Thailand for Burmese girls and women fleeing from poverty and a military regime. More and more younger girls migrate to Thailand in recent year, said Ahpar-education staff of Empower Mae Sai (a NGO which assist sex worker in Northern Thailand) and lots of these women end up in the sex trade (Louise Brown, 2000).

However, Mae Sai is a breaking-in station. Some girls go directly to brothels to "the South" but many spend several months in the town before being moved to the sex establishment in big cities such as Chiang Mai or Bangkok. While staying short time in Empower, we met a group of Burmese girls learning Thai language in the second floor of Empower office. They looked very young, approximately 15 to 17 years old. Unfortunately, because of limited time and language barrier, we did not have a chance to interview them. But through the narrative from Empower staffs, we found they are even more vulnerable group than hill-tribe women due to their illegal status, "deaf and dumb" for their limited Thai language and they are controlled under the well-organized trafficking

network including involvement of both Thai and Burmese criminal gang. The network of criminal gangs operates in some basic manner, using intermediaries to contact these girls and convince them to leave home with promise of economic welfare. These girls once cross the border will be handed over to brothel owner in Thailand. Border police, brothel owners and agents from both countries work together along the border region recruiting these young women in increasing numbers as the market demands younger, 'cleaner' and more exotic bodies. It is difficult to know how many of them are HIV positive and how many are returning. The trafficking process is expanding to southern China (Yunnan province) and this is the new face of HIV/AIDS mobility.

Figure 2: The process of trafficking Burmese girls and HIV mobility:



3. Laying foundation for the HIV/AIDS epidemic:

The current official rate of HIV/AIDS infection in Thailand in the year 2002 estimated that 1033,424 people were infected with HIV since the beginning of the epidemic (MOPH, 2002). The dominant mode of HIV/AIDS transmission is heterosexual and the chief initial transmission points are the place of commercial sex throughout the country that service both Thai and foreign men. The figures also showed the alarming in not only the numbers of young women infected by HIV/AIDS but also their rate of infection is outstripping that of the men, following with the high number HIV/AIDS orphans. The HIV epidemic now shift from male to female infection. There is no doubt that the vast majority of these women are sex workers and have become infected by their male clients (MOPH, 2002). Hill tribe young women and Burmese immigrant who involve in the commercial sex have rate up to 15% of the population testing HIV positive. Given the 70 to 80 per cent rate of HIV seroprevalence among sex workers from Shan State, hill tribes from Burma are in the similar position.

The expansion of the international and domestic sex industries could not have occurred at the worse time for Thailand. The appalling conditions of work for the majority sex workers and lack of effective and appropriate RTI testing and treatment has resulted in average HIV infection prevalence of sex workers among the population by the year 2002 was 12.27% and 33% of all commercial sex worker were HIV positive (MOPH report, 2002), but according to the figure from some NGOs, this prevalence is much higher and there is a significant difference of HIV positive prevalence among the 'class' of sex workers. Distinction are made within the sex industry by the type of 'class' brothel, bar or parlor. The 'higher' class places of commercial sex reportedly have a better 'class' of client and offer 'cleaner' work condition. In these bar, massage parlors or karaoke, the sex workers generally have more freedom and sex in these establishment is more expensive. In contrast, at the cheapest end of the market are brothels catering to the Thai and to the itinerant migrant laborers (often from the hill tribe and illegal workers from Burma). These are usually classified as 'low class', said Apah – education staff in Empower represent in Mae Sai. Because of illegal status, they have no freedom to move beyond the walls of their employment unless it is with the permission of the owner and usually then only with one of the men employed to control them. They do not have any opportunity to control their bodies and all access to health service is controlled by the brothel owners. Nor they have the rights to exert control over choice of clients, nor frequency of sexual contact in a day.

Public health message about safer sex and condom use rarely reach hill tribe and Burmese sex workers due to language barriers and the HIV and RTI rate among them average around 70 to 80 per cent (Louis Brown, 2000). And according to the data from NGO World Vision which has run a sample survey in Mae Sai along the Thai- Burmese border since late 1990s, around 20% of sex worker in the town are HIV positive (cited by Louise Brown, 2000). When I find the figures like this, I remembered the Burmese girls group studying Thai language in the office of Empower Mae Sai that we met: They arrived as virgin and stay in the town for the few months before they move on to the brothels further the South. As HIV can not be detected immediately, what happen to these girls and the impact upon their lives, and the consequence of HIV is obvious. These girls have to pay a terrible price to escape from the poverty of their Burmese home.

The appeal of the exotic sexual commodification is expanded in other ways by the connection to HIV/AIDS and high modernity. According to Marxist perspectives, capitalism consistently finds new ways of marketing sexuality as existing form are turned down or demoted by the force of AIDS epidemic (cited by Singer, 1993). This means that as sexual forces and the era of capitalism in the time of infectious disease, sex industry finds the new shapes, new dynamics and new bodies. It looks for ruptures in controlling structures within which to figure these new engagement. And it is figured through the potential that border zones and remote area provide to allow the new combination of capital flow and bodily exchange. Burma border zone and Thai territory like Mae Fa Loang due to its positioning so close to milieu of Mae Sai, Chiang Rai, Chiang Mai now operates in parts of as a sex industry providing young women involve in.

In the time of the HIV/AIDS epidemic, an element which is newly figured sexual relationship is being formulated as 'safe'. It is often suggest that the emphasis upon very young sex worker is product of fear about HIV/AIDS. According to this argument, clients are demanding sex with younger sex workers in the brief that these girls will have less exposure to the virus and so will be likely to be infected. This is certainly true in the particular case of hill tribe and immigrant Burmese girls who joint the sex industry in Thailand where the average age of these girls on entrance to prostitution has been declining. The myth is that the clients select young and virgin girls not only to satisfy with their paedophilic fantasies but because they believe the younger will be free of HIV/AIDS or they assume sex with these girls is necessarily "safe". The erotic appeal of the hill-

tribe and Burmese girls is figured by their difference, they are new and they are exotic. These girls are from the Thai territory or from the other side of the border. This difference confers market value when placed against existing devalued form of commercial sex in the sex industry in Thailand. These relationships rely on the sense of non-difference to allow for trust and safety to be crucial elements of their community value. Burmese/Thai society and symbolic community is evoked to provide the hallmark of comfort and safety. Burmese and hill tribe girls are the 'other' in term of erotic appeal and HIV threat. Thus, the clients rarely use condoms or become violent when pushed to do so (Louis Brown, 2000).

14 In reality, the perception of 'safe' is far from the fact. According to the Public health research center in Northeast Thailand, 80 per cent of Burmese sex workers tested in the border areas are HIV positive (cited Walden Bello, 1998). The reasons why the young hill tribe and immigrant Burmese sex workers are possibly most disadvantaged and highly vulnerable to infection in this situation are their Thai language skills are poor and their perceptions of personal risk of HIV infection are far from reality. 'If a client look clean and washed, he is considered free from infection' or 'if a client is regular one, there is no need to use condom' are common belief among these women. And more important, because of their illegal status, they lack access to health care, education and also lack of the power to negotiate for a better environment.

These young women are at more risk of HIV infections, and have in fact increased the HIV prevalence upon their return to the communities of origin. The communities themselves are also not yet equipped with either knowledge or strategies to combat the bio-medical and social problems related to HIV/AIDS. The trafficked victims living with HIV or with AIDS are therefore left abandoned without knowledge and information to take care of themselves and to prevent others who have come to sexual contact with them. In most cases, repatriated trafficked victims with HIV are blamed and not provided decent support, especially emotional support. They have no way to go, except come back to the sex industry in Thailand. This is the reason make these women after infected HIV become a mobile population on HIV vulnerability which make HIV/AIDS epidemic become more complicated in term of responding the prevention.

Dilemma of HIV/AIDS intervention program:

HIV/AIDS has led Thai Government and NGO do action toward dramatic spread of HIV/AIDS epidemic. The awareness of the magnitude of the HIV/AIDS problem raise the need to stop international sex tourism, which rather than costing Thailand money would actually save Thailand money. Effort from Thai government try to shift of Thai sex tourism away from "suicide tour" to a Thailand temples, natural beauty, great food and friendly people. In fact, this effort is still in the beginning process because it thrust tourism sex industry in Thailand come up with "suicide" service. There is one saying among sex workers " If we infected with HIV, we still can live 10 years but if we quit our job, we will die tomorrow".

Government, public health institution and medics have rushed to slow the spread of disease. Sex workers are usually blamed for spreading of AIDS, so that is why almost all intervention programs target toward this group. The more enlightened have sought to control HIV/AIDS by encourage safer sex practice. To this end HIV/AIDS programs are dissemination information on how HIV is spread. Condom use is promoted among the sex workers and the programs, cultivate good relation with the brothels owners on the grounds that they can give massages to girls and women who are confined within the brothels. However, the important point is whether the women have power to act upon these message. The poorest, the youngest and the most vulnerable such as hill tribe and immigrant Burmese sex workers do not. Language barrier, communication obstacles and illegal

status are main reasons prevent them to access these information. And as analyzed earlier, belief of free-HIV women increases a huge numbers of newer and younger women trafficking involve in the sex industry, make them become mobile population on HIV vulnerability. That is exactly why these women are in such demand.

Trafficked women are unlikely to be let loose to consult health professions. HIV/AIDS intervention programs rarely reach these women because of their illegal status and language barrier. That is the reason why they are the most vulnerable groups among the vulnerable HIV groups, that make the HIV epidemic more complicated and difficult to control. And for health providers working with those who can access to the health clinic, they are place in difficult ethical position when they treat prostitutes and women held in sexual slavery. The medical doctors sometimes stand in a dilemma. If they report the case to the police, they run the risk of being exposed as informants by corrupt police officers. On the other hand, their silence also amounts to a form of complicity because treating the victim of sexual slavery that means prepares the victim for more abuse and HIV risk. It is no-win situation.

No immigration laws support migrant women in trouble. According to the Thai immigration laws, illegal entries are not permitted. Illegal migrant are therefore not permitted to even be in Thailand. By law, individuals and organizations can not legally help them even though they are capable of doing so. Once arrested or in the case of trafficking intervention by some NGOs, after releasing trafficked women, trafficked people must be transferred to Immigration Detention Centre (IDC) and be deported. Once they were deported, HIV can be spread to the communities they live. And because of poverty, the attraction of profit from sex industry and the discrimination from their communities (pull and push factors), they again involve in the circle of being sex worker. Intervention toward women trafficking just stand at the surface: arrest illegal immigrant sex worker, deport or send them back or empower and give short-term training of Thai language and basic knowledge and skills for immigrant sex worker to protect themselves before they move further (EMPOWER represent in Mae Sai).

HIV/AIDS prevention campaigns have tend to concentrate upon modifying behavior rather than changing it. Safe sex is encouraged and that is all to be good. But campaign have not encourage men to question their prostitution use. The purchase of sex is taken as absolute and unchangeable. It is obvious that sex worker would not exist without the demand from the customers. Commercial sex is an industry and there has to be a sufficiently large number of people who are willing to become consumers. The Thai men who made the decision and investment in international sex tourism in Thailand are part of the cultural system that consider commercialized sex to be necessary part of life and male patronage not only normal but natural. At a time of teenager, boys in Thailand are going to prostitutes and throughout a man's life, it appear sex worker is an essential part of masculinity. Intervention programs must consider and target the client or customer side in order to change their belief and their behaviors because if we just focus on how to prevent women trafficking, we neglect the root of demand of sex, and the problems still remain.

Conclusion:

Getting tough on sex tourism industry and HIV epidemic related women trafficking is a start. But it is perhaps the economic and trading pressure that could be brought to bear and would be most effective. Since the issue of prostitution, women trafficking and the debate around it is so alive and vibrant, there can hardly be a conclusion of it or a simple solution. In the combating to HIV/AIDS related to mobile population namely migrant sex workers, there is the needs of structural level to the community level changes, the need to devote attention to the many form of rural-urban as well as cross border sexuality beyond trafficking and migration. There are considerable inter provincial and

inter-community relationship that involving in women trafficking sexuality cross border and hill tribe living in territory. More attention needs to be given to population, especially ethnic minorities living on the border. The entire issue of how to provide sexual health services and education to trafficked women is rarely explored , but extremely relevant. More generally, the change of sexuality values and behavior as a result of increasing interconnectivity due to structure and globalization can be fascinating topic for future intervention endeavor. However , it is a pressing need for much deeper exploration of the actual issues subsumed by this phenomenon. At the same time, there is a need to be watchful of its rapidly, ever changing trends.

Acknowledgments:

The author would like to express special thanks for the support given by the Faculty of Social Sciences and Humanities at Mahidol University, Thailand, and the Ford Foundation, Vietnam, during my time in Thailand. I am indebted to all participants and officers at the NGO Empower in Bangkok, Chiangmai, Chiangrai and elsewhere who helped to contribute to the information in this paper.

References:

- Cross Border Sexuality in the Greater Mekong Sub-region, 2002. Paper given at the workshop on cross border sexuality, Institute for Health Science, Kunming Medical College, Feb 2002.
- Foundation against trafficking in women, International human rights law group and , 1999. Human rights standards for treatment of trafficked women, Bangkok, Thailand: Global alliance against traffic in women.
- Jan Goodwin, 1998. The ultimate growth industry: trafficking in women and girls. *Progressive Women 's Quarterly*. Fall, 28-31.
- Jennifer Gray, 1995. Sex for sale: HIV/AIDS, tourism and sex industry. In *Health and development in South east Asia*, 1995, p 179-190.
- Lim L L et all, 1998. The sex sector: The economic and social bases of prostitution in Southeast Asia. *Geneva: International Labor Organization*.
- Louis Brown, 2000. *Sex slave: Women trafficking in Asia*. Virago Press.
- Ministry of Public Health, 2002. Report on HIV/AIDS and STI in Thailand. AIDS division, Department of Disease control, Ministry of Public health.
- Singer L, 1993. *Erotic welfare: sexual theory and politics in the age of epidemic*. New York: Routledge.
- TDN Quarterly (Thai development newsletter) published jointly with the Thai development support committee (Bangkok) and Thai Development Information service (London)
- Truong Thanh Dam, 1990. *Sex, money and morality*. London, Zed book.
- Walden B, Shea C, Li K.P, 1998. *A Siamese Tragedy*. Bangkok, White Lotus, 1998.

Re-Imagining Nation: Women's Rights and the Transnational Movement of Shan Women in Thailand and Burma¹

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Introduction

In July 2002, a series of battle between the Burmese military assisted by the pro-Rangoon United Wa State Army and the Shan State Army (SSA) heightened the political milieu of the border area between Thailand and Burma. Border skirmishes were intensified as the Thai army was accused of shelling Burmese territory to help ethnic Shan troops which subsequently resulted in a border closure, several arm clashes and retaliations. Amidst the political tension and military-led warfare, a report "Licence to Rape" was launched by the Shan Women Action Network and the Shan Human Rights Foundation. The report, along with the campaign to stop the systematic rape of hundreds of Shan women and girls by Burmese soldiers essentially shifted the political rhythm of the war zone. By calling for an attention to the vulnerability of ordinary women who became victims of the protracted war along the borders, the report had turned a specific and internal ethnic conflict within the Burmese state into an international debate of human right abuse. Widespread national and international concern was directed to a particular border area between Thailand and Burma as the shocking evidence and detailed documentation revealed the way in which sexual violence has been used as "a weapon of war" against Shan women in Burma. It is for the first time that "women's question" has become political and put into the central debate of ethnic violence, independence movement, and sexual abuse in Burma.

Whereas the campaign by Shan women activists to stop violation of rights by the Burmese regime took place in concurrent with the movement for independence by the Shan State Army, it has opened up the question regarding gender politics within the discourse of Shan nationalism and women's subordinate position. By placing women's question as its own autonomous form of politics, the movement of the Shan women has pointed to the contradictory characteristic of nationalist discourse in its relation with gender differentiation. Central to the internal contradiction is the tension between the repressive and emancipatory forms of power circumscribing the trajectory of the nationalist project in which women have been made simultaneously subversive and liberated subject.

This paper explores the relationship between nation-state and transnational women's practice. It addresses the way in which transnational networks of women's activism allow a possibility for the negotiation of women's identities at local, national and global levels. By employing the feminist critique of nationalism, the paper explores the relationship between women and nation within the Shan women's movement in Thailand, particularly the international campaign to stop the systematic rape of Shan women by Burmese soldiers. The paper argues that although increasing intergovernmental cooperation has generated a transnational economy which has redefined the territorial power of nation-states, the authoritative power of nationalism remains at play and has deepened the suppression and silencing of transnational subjectivity of women.

The Shan women's movement thus represents an attempt to transform the constricted interstice between women and nation into a meaningful site of contestation and subversive form of struggle beyond the confinement of territorialized nation-state.

By placing women's question as its own forms of politics, the transnational women's network has brought women's rights and thus international community into the national and local contexts of ethnic conflict and sexual abuse. I argue that the power of this contestation lies in the ability to transform a specific case of ethnic conflict into a transnational discourse or violence against women.

¹ Draft Paper, Please Do Not Quote

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As Amrita Basu (2004) points out, one of the striking aspect of the transnationalization of women's movements since the 1985s which has facilitated the connection of women's groups between the local and global level is the way in which the problem of violence against women became framed as a global issue and appealed to universal notion of human rights. Such connection also provides an international forum of support that transcends the limit of nation-states. It is therefore within this transnational milieu that provides a means for the Shan women in their unmaking/remaking of the notion and practice of the nation in relation to gender differentiation.

The Shan and the History of Displacement

The transnationalization of the Shan subjects has been a product of a half century's oppression of the military regime in Burma. The post-colonial history of Burma has been characterized by violence and ethnic insurgencies. The assassination of Aung San in 1947 was followed by a coup d'état led by General Ne Win in 1962 which abolished the Pang Long Agreement, a historic agreement that recognized the right to secession of the Shan and other ethnic groups within the period of ten years after the signing of the agreement. Under the State Law and Order Restoration Council or SLORC, the military regime that rules the country, a number of Shan and other political leaders were imprisoned while some were executed. Student and civilian movements were suppressed. On August 8, 1988, thousands of unarmed demonstrators who protested against the repressive military regime were shot dead, resulting in the flights of Burmese students to join ethnic insurgencies along the border areas between Burma and Thailand. Over the past decade, despite the fact that several ethnic groups have agreed to cease fire with SLORC, the struggle for independence has still continued.

As the second largest group apart from the Burman, the Shan or the Tai perceive themselves as sharing a distinct history with Burma and having their own state separate from the Burma proper. The Shan State is located in the northeastern part of Burma, bordered by Kachin State on the north, the People's Republic of China on the north and east, Thailand and Kayah and Kayin States on the south and Mandalay and Sagaing Divisions on the west. The Shan territory makes up approximately one-fourth of total country's area while the Shan number 10 percent of Burma's population or about 8 million. The claim to an independent state is rooted in the historical feudal system of the Shan Saopha (Lord of Heaven) which was also recognized by the British colonial who granted a distinctive status as the Federated Shan States. This status continued even during the Second World War when the Japanese controlled over this region.

The Shan's struggle for independence were probably one of the most longstanding ethno-nationalist movement in the history of Burma. The first Shan armed force was called Noom Suck Harn (brave young warriors) initiated by Sao Noi (Saw Yan Ta) in 1958. Since 1960s onward, the revolt spread throughout the country and scattered into various separate groups such as the Shan State Army (SSA), Shan United Revolutionary Army (SURA), Shan National Army (SNA), Shan United Army (SUA), Shan State Restoration Council (SSRC), and the Mong Tai Army (MTA), etc. The history of the rebellion towards the Shan independence was, however, characterized by internal conflicts and dissension. In 1996, the MTA led by the opium warlord, Khun Sa, surrendered to the Burmese junta. However, many former MTA soldiers dismissed the submission and resumed the armed resistance under the name of the Shan State Army (SSA), the only active armed force of the Shan rebellion led by Sao Yawd Suck. At the same time, an alliance of forces was created by three armed resistance groups under the umbrella organization "Shan National Organization" (SSNO). The Shan Democratic Union (SDU) was founded which now functions as the Foreign Ministry of the Shanland, an umbrella organization of Shan exiles.

For ordinary Shan people, however, oppressions by the Burmese military regime are intensely experienced through the policy of Burmanization, a significant means towards the building of an ethnocratic nation state. As many scholars (Grundy-Warr: 2001, Callahan 1996, Lambrecht 2000) observed, the military strategy for coercive Burman dominance and imposed national unity is

manifested in the forms of subordination of ethnic languages, cultures, and religions, and the penetration of the military into the border regions through a mix of military offensives, ceasefires, and development projects. The most devastating strategy is known as the Four Cuts (Pya Ley Pya), the counter-insurgency policy to suppress the support from rebel groups through cutting of four main links (food, funds, intelligence, and recruits) between insurgents, their families, and local villagers (Smith 1993). In practice, many bordering villages have become targets of forced relocation, village and crop destruction, ethnic terror tactics including rape, beatings, intimidation and extra-judicial executions, and the depopulation of the central Shan States to isolate insurgency forces (SHRF 1998). The Four Cuts has been central to military exercise to extend its centralized power to the peripheral territories which brought about massive internal displacement of Shan people. Since March 1996, it is estimated that the Burmese military regime has forcibly relocated over 1,400 villages throughout 7,000 square miles in Central Shan State while over 300,000 people have been ordered to move into strategic relocation sites (UNPO News 2000). These people have been used for forced labor. A number of Shan people have lived in hiding while over a half million have fled to Thailand where the refugee status of Shan people is not officially recognized by the Thai State (ibid.).

Between Women and Nation

Three seams form the national flag.
The moon in the universe brings peacefulness,
And lights up in the darkness.
Our nation is courageous.
We are united.
We are truthful and honest.
(The Shan National Anthem)

A hen crows, the sky goes dusky.
A woman rules, the cloud dims the sky, dims the country.
(A Shan proverb)

If a nation is like a narrative that tells a story of an origin, a solidarity in soul and spirit, such story is never complete. The deficiency of the narrative derives from the fact that the presumed collective origin is not only a historical construct, but also a fragmented imagination. Emphasizing a dialectic framework rather than a universal/uniformed view about nation-making, scholars of poststructuralist historiography call for an attention the difference within the modular forms of nationalism (Chatterjee 1993), the agency of ambivalent narration of the nation (Bhabha 1990), and the contestation of the narrative of self over the notion of national identity (Liu 1994). Argue against Anderson's hegemonic and essentialist model of "imagined community", these scholar emphasize diverse local differences where imagination of the nation are interpellated by specific sites and social relations. In this sense, nation and nationalism are not a product of homogeneous totality but also a process of the making of differentiated margins, "the margins of the nation-space" (Liu 1994). It is within/at these margins that marginal subjects and their voices interact and engage with the nationalist discourse.

For feminists such as Alarcón, Kaplan, and Moallem (1999), this particular space is situated in "between woman and nation", a space of "performative and performativity where women and nation intersect in specific ways, giving rise to the interval of *difference*". As they contend, the ability of a nation to transcend modernities and to become a timeless and homogenized entity is through racialization, sexualization, and genderization (ibid.). This ability is also crosscut by the

temporality of representation between cultural formation and social processes (Bhaba 1994) and the manipulation of the logic of margin/center (Masiello 1992). Such manipulation is clearly manifested in the double concept of borders where in the face of transnational movements women are either segregated “inside” the nation or turned into “boundary subjects” (Kristeva 1993, 35 cited in Alarcón et al 1999).

For Shan women, experiences with the nation have often been ambivalent. As a social category, women are not always of the nation. Subordination of woman’s status to men and thus to a nation can be traced to Buddhist values that constrain women in everyday practice where males are considered as having greater propensity to realize/practice Buddhist salvation than women. Being bounded by the secular world, Shan women and their existence are located within the domestic sphere of mothering and nurturing outside the public sphere of the nation. However, cultural logic of the nation should also be viewed in a multiple dimension of relations which can be shifted through time and space, changing positions, and manipulation of the gender attribute. Within the ethno-nationalist movement of the Shan army, gender role of women were also necessary for the army. This history of Shan women and nation was also characterized by their involvement with the army as female soldiers or Nang Harn. Women participation in the nationalist project was a liberating experience in which the right to bear arms equal to men provided Shan women for the first time in the Shan history an ability to move from a “traditional” or secular world to a sacred public sphere of the nation. However, throughout the years of military engagement, Shan women also came to realize that their role in the nationalist project was but a reproduction of the domestic sphere where home was extended into the army. Nation-ness, as felt by Shan women, was but a perpetuation of a traditional division between domestic and public spheres where women were incorporated into the Shan army with designated feminine/contributive roles as nurse, food provider and messenger.

In the context of the Shan nationalism, the splitting between “home” and “world” helped maintain the coherence of the traditional social order both at home and within the army. For Shan women, one of the shared experiences in their involvement with the male nationalist project was double marginality in which their inferior status is derived from the intersection between being Shan (subordinate ethnicity) and being Shan women (subordinate sex). The partial participation with the nationalist project where women did not design also means that their identification with the male nation can also be temporary and revokable. Indeed, between 1985 and 1996 when Khun Sa ruled the army, the status of female soldier was abolished while women were told to return home and resume the role that suits their position¹. At the same time, the male construction of the nation has continued to be characterized by constant competitions and conflicts over control of power among male leaders within and outside the army.

Gendering the Nation

One of the limitations of the notion of nationalism lies in its rootedness in and boundedness of territorial integrity within the homogeneous space of power. Such constriction not only conceals the sexual politic and geo-politics of nationalist discourses, but also prevent any possibility of imaginary of the nation-state that transcend the imperative of sovereignty and that lies beyond the purview of militarism. In problematizing the unity of the nation, some Shan women have created an alternative space for imagining a nation, the nation that centers on livelihood of people. One of this attempt includes the establishment of the Shan Women’s Action Network (SWAN) in 1999 by a group of Shan woman exiles in Thailand. While their office is based in Chiang Mai, their work is operating along the border between Thailand and Burma as well as in Chiang Mai province where

¹ Shan women were however recruited as soldiers again in 2002 under the leadership of Sao Yod Suek, the leader of the Shan State Army (SSA).

thousands of Shan women immigrants are living. SWAN's mission is to work for gender equality and justice for Shan women in the struggle for social and political change in Burma through community-based actions, research and advocacy. SWAN's activities aim to promote education by supporting and providing skills training programs for women as well as basic education programs for children. The activities include Shan culture and literature teaching, consciousness-raising activities on human rights, children's rights, increasing awareness of social problems, especially trafficking, violence and abuse, sexual exploitation, reproductive health and sexually transmitted diseases, by organizing meetings, discussions, workshops, poster and video campaigns, and publishing booklets and brochures. Some of their programs include crisis support on the border—organizing basic counseling training for Shan women in the community to help rape survivors suffering from the mental and physical effects of sexual violence, community health services—providing basic health care and health education to needy refugee from Shan State in a border village, educational program—providing basic education for refugee children, and internship program. Most of the activities have been carried out in a difficult condition as refugee status of the Shan is not recognized by the Thai state. Poverty, lack of legal status, and fear of being arrested contribute to constant movements of these people.

SWAN's main focus on women and children at the border represents a departure from the dominant view towards nation-building among Shan nationalists. It is in fact an attempt of the margin to embark on internal critiques of its own homogenization. As one member of SWAN states, "it would not be a good and healthy nation if members of such nation are often in constant pain, hunger, and displacement. If a nation is like a house, it should consist of firm structures and healthy residents". For this Shan woman, this reinterpretation of the meaning of the nation developed out of her own experiences with the male project of nation-building when she joined the army in the late twentieth century. It is interesting to note that even though SWAN's work has significantly contributed to publicizing Shan refugee issues at both national and international levels, the value of their work has often been viewed by Shan males as trivial, domestic, and non-political. Some even cast doubt on the Western's derived feminist idea of SWAN. In response to such perception, a SWAN member critically responds, "it is correct to say that SWAN is not a political organization if politics are defined only by the (male-dominated) armed struggle and negotiating the constitution. But this by no means implies that our work is non-political". For SWAN activists, the choice of working with powerless women and children at the margin represents an untiring effort to break through and transcend conventional politics where the boundary of the center is rigidly defined and essentially institutionalized.

If a border represents a marginal arena where life is characterized by the constant struggle to turn the margin into a meaningful place, working at the border has enabled SWAN women to see multiple means to achieve such goal. For them, like other Shan women, living at multiple margins allows them to understand multiple sources/layers of power/centers where women have long been subject to. Rethinking the relationship between women and nation shows how women interact with multi-dimensions of identifications in a complex way. While subordinate identifications are often associated with marginal spaces, margins are always differential. As margins resist and de-center the power, they also transformed themselves. In turning women's questions against the male ideology of the nation, Shan women attempted to not only put forward a dialogue between a margin and a center, but also to create a space for interaction and negotiation among multiple margins. In this sense, margins are thus strategic places where gender and ethnic differences are negotiated. Lived experiences of women on the margins demonstrate the splitting of vernacular subjects and dissented discourses of minority identifications as they engage with multiple centers. It is in this complex and heterogeneous space that opens up the possibility for women to assume historical agency in their creation of an alternative and meaningful identifications.

Alienated Bodies and Violent Nation

Sexual violence...seems less a standardized pattern of conflict enacted against a defining other across some accepted boundary, than a way of clarifying, developing and affirming such boundaries; less playing the accepted war game beyond the rules, than a working out of boundaries on the woman's body, symbolically but also pragmatically (as destruction of the opponent's social institutions).

Littlewood (1997:11 cited in Donnan and Wilson 1999:142)

While it is acknowledged that the process of nation-building, the so-called "imagined community" is often costly, what is least mentioned is the fact that the groups who paid the most price involve women. The paradoxical aspect of the nation is that while women are located outside the realm of the nation, they are the first and foremost group who are hurt by it. Generally, violence against women is usually defined as a domestic problem and is thus non-political. The exclusion of sexual violence from the realm of "politic" has resulted in the silencing of women's voices and the de-politicization of women's issues. For Shan woman exile organization such as SWAN, the attempt to bring international public attention to women's issue has often been difficult as they encountered double marginalities of ethnic and sexual identities. This is due in part to the fact that international attention on Burma has often revolved around Rangoon-centered politics. As SWAN notes, "while world media has focused on the May 30 massacre and the arrest of Aung San Suu Kyi in Central Burma, atrocities committed in Shan State at the same time have gone unnoticed" (SWAN Newsletter September 2003#4).

Writing on the politics of transnationalism and human displacement in Burma, Jennifer Hyndman (1998) calls for an attention to a more critical analysis of transnational processes. According to Hyndman, a number of literatures on transnationalism tend to emphasize economic and cultural aspects of transnational identity, diaspora, and the de-territorialization of nation-states while downplays the political economy of transnational process. A limited work on political displacement and refugees in cultural studies reflects such shortcoming in which Hyndman sees as a key to a deeper understanding of a complex process of how transnational economic integration and transnational identities are produced through displacement.

Working at the margin allows SWAN to understand materiality and corporeality of transnationalism where the experiences and meaning of exiles are embedded in the material conditions of violence and displacement in which women are marginalized and subjugated under the patriarchal state. Violence against women in the form of rape represents a good example of how nation-states and nationalism continue to exercise its authoritative power even in the era of increasing transnational economic integration and transboundary cooperation between Thailand and Burma. In unraveling the experiences of women's oppression as a part of the politics of the nation, SWAN and the Shan Human Rights Foundation (SHRF) launched its report "Licence to Rape," on June 19, 2002. The report was a result of the compilation of information carried out by SWAN and SHRF in the period between January 2001-March 2002 relating to the mass rapes of an estimated 625 women and girls from 173 cases in the last five years (1996-2001) by Burmese military personnel. According to the report, 83% of the rapes were committed by officers, in most cases in front of their troops. The rape involved extreme brutality and often torture. 25% of the rapes resulted in death. 61% were gang-rapes, and in some cases, women were detained and raped repeatedly for periods of up to four months. The majority of rape incidents were committed in the areas of Central Shan State where over 300,000 villagers have been forcibly relocated from their home since 1996.

Many rapes took place when girls or women were caught, usually searching for food, outside the relocation sites. Rapes also occurred when women were being forced to porter or do other unpaid work for the military, and when stopped at military checkpoints (SWAN 2002).

Licence to Rape represents an attempt to politicize women's issues and to break through the dichotomy between women and nation by pointing to the subjugation of women's bodies as an integral part of nation-building in Burma. As the report states, the use of rape by the Burmese military regime was a systematic tool/ weapon in which women's bodies were target of war for many reasons including to terrorize ethnic minorities in Shan State and to induce civilians to flee their homes and villages suspected of supporting the political insurgency. Rape is also used as symbolic act to humiliate the opposite male group who failed to protect their women. This strategy is not new but has long been an integral part of military operation to suppress ethnic rebellion since independence in 1948 (Apple 1998). As reported by Betsy Apple, the author of *School for Rape: The Burmese Military and Sexual Violence*, a number of rape incidents in Burma has been a result of systematic training of Burmese soldiers to use rape as a tool for conducting ethnic cleansing. Rape of ethnic women other than Shan is also widespread even in the cease-fire area. Women's bodies in this particular context have been imposed with relations of power and relations and made a powerful communicative device for articulating and representing difference (Donnan and Wilson 1999). It is within this semiotic site that ethnic other is imagined, constructed, and defeated.

However, women's bodies are not just objects of a violent nation but a subject of lived experience in which violence is felt and suffered. The suffering can be immensely deep as it is difficult for women to imagine how an individual self could possibly become a topography of state's violence. In an interview with the *Nation*, an English newspaper in Thailand, a rape victim who survived the atrocity and sought asylum in Thailand gave a speculation of why she thought the Burmese military inflicted such brutality on her family and other Shan women, "I have heard that there was a fight between the Shan army and the Burmese military many years ago. At that time the Shan military killed six Burmese soldiers and the Burmese wanted to take revenge." (*The Nation* 8/23/2002). But why the revenge had to do with an ordinary woman such as herself and her insignificant personal body who was so distant from and irrelevant to the armed politics, she had no idea (*ibid.*) The campaign on Licence to Rape has opened up the controversial linkage between the nation and body politics by pointing to the brutal absurdity of such connection. In turning the body into the endpoint of resistance and control, SWAN and their movements have transformed women's bodies into "the last resort for the redirection and reversal of power" (Feldman 1991). Transforming women's bodies into a site of contestation has also reshaped the geography of ethnic conflict and the state-centric politics. It is within this context that the power of the centralizing state has been challenged by multiple sites the transnational forces.

Edging Out the Limit of the Exiles

The campaign on "Licence to Rape" marked the first time in the history of ethnic politics in Burma when women's question was powerfully politicized and gained widespread international support. For SLORC, it was probably the first time in the history that small groups of exile Shan women shook the power of the military regime with the series of pressure from international communities. After the release of the report, on September 17, 2002, thirty-two US senators sent a letter to UN Secretary General Kofi Annan urging the UN to investigate the contents of Licence to Rape. In November 2002, the US State Department released a report describing its own fact-finding mission to the Thai-Burma border to investigate the issues of sexual violence raised by "Licence to Rape". The findings supported SWAN's allegation that systematic rapes by Burmese military remains extensive. Subsequently, the US State Department issued a statement on December 17,

2002 stating that “The United States Government is appalled by reports that the Burmese military is using rape as a weapon against civilian populations in the ethnic regions of the country” (Bangkok Post July 7, 2002). According to SWAN, the report has also mobilized civil society organizations in various countries to start campaigns to urge governments and international agencies to respond to the demands made by SWAN in “Licence to Rape.” Several fact-finding missions of UNCHR, Refugees International and Christian Solidarity Worldwide to the Thai-Burma border have also validated the use of systematic sexual violence by the regime. In November 2002, the UN special envoy led by Paulo Sergio Pinheiro, the United Nations special rapporteur for human rights visited Burma to investigate the incident and met with representatives of Burmese ethnic groups. This was followed by an investigating team of International Committee of the Red Cross who undertook a ten-day survey of the area in January 2003.

Since its launch in July 2002, Licence to Rape has put the Burmese junta on international spotlight. The campaign has brought yet another significant impetus to the human rights controversy in Burma. As the report was translated into various languages including Thai, German, Burmese, French, and English and distributed worldwide, international advocacy to stop Licence to Rape has opened up a new chapter of politics of women’s rights in Burma, linking SWAN with a broader international women’s movement¹ while moving the democracy activism to a non-Rangoon oriented sphere². The movement of SWAN represents an interesting attempt to challenge the rigid tie between nation and people. On the one hand, within the constricted political climate in Burma, the translation of locally sexual abuse into universal human right discourse allows potentiality of transnational forces to intercede into Burma’s internal affair. This has been made possible by a vast proliferation and growth of transnational women’s movements over the past few decades. As Amrita Basu (2004) points out, a significant shift in women’s movement since the 1985s is twofold. First, it became organizationally possible for women’s groups working in different locations to form networks with one another. At the same time, women’s movements have been one among the most successful social movements in the world in making connections between the local and the global levels. One of the most striking instances of this transnational linkage is the way in which violence against women, originated as community-based movements, became framed as a global issue and cast in terms of appeals to universal human rights. A strong argument put forward by women’s organizations is that by thinking about violence against women as a transnational issue, human rights itself has to be redefined to incorporate issues like rape and battering so that it is not so preoccupied with the state (ibid.). As a result, when the state fails to address these issues, there is another international body that women’s groups can turn to. Indeed, the fruit of this transnational effort by women’s organizations can be seen in the achievement of Licence to Rape and its challenge to the Burmese state regime by international alliances.

¹ Throughout the period between 2002-2003, SWAN’s advocacy extended worldwide with SWAN’s members participating in various international fora including testimony at US Congressional hearing on sexual violence against Shan women, the 47th session of UN Commission on Status of Women held in New York, the 59th session of UN Commission human Rights held in Geneva, YWCA International Women’s Summit in Brisbane, and various lobby trips in Norway, Japan, Ireland, Australia, etc. These activities were supported by international women’s organizations such as the Asia Pacific Forum on Women Law and Development (APWLD), the Association for Women’s Rights in Development (AWID) and International Women’s Development Agency (IWDA) and various networks of Burma activism.

² SWAN’s endeavor to bring woman’s issue into the world community was not, however, without difficulty. The double marginalities of being a minority in Burma and a woman inevitably made the existence of Shan woman’s issue almost invisible. As one SWAN member recounts, “at a UN conference, I was presenting the cases of sexual violence against Shan women that we have documented. It was very difficult as no one knew who the Shan was. At international level, the focus/attention was always on Rangoon and Aung San Suu Kyi. I was almost discouraged” (interview with a SWAN member, September 28, 2002).

On the other hand, within the context of Thailand where the images of Shan people have often been portrayed either as “insurgent” or “immigrant”, both of which are positioned as “the other” outside the Thai nation-state, the movement of Licence to Rape has contributed to a re-positioning of the Shan subject. Arguing against the normative notions of “immigrant” and “refugee”¹, Jennifer Hyndman (1998) points to the deficiency of both concepts in their limitation to transcend the national narrative which continue to control the existence and subjectivity of the people so classified by such notions. As she maintains, “ what often gets lost in discussions of immigration research, refugee law, and international migration more generally are the transnational processes, politics, and multiple positionings that transcend, and/or subvert, the primacy of the nation-state as the de facto unit of migrant identity”(ibid.).

Such shortcoming, I would add not only limits the ability to understand how resources are nationally and transnationally mobilized for constant negotiations by the migrants, but also renders it difficult to see the nuances of room for maneuver. Licence to Rape conveys a message not of immigrant ethnic others. Rather, it is the testimony of ill-fated ordinary women who are abused and tortured in the course they are not a part of. Women’s narratives depart from the usual ethno-nationalist genres in their plain, intimate, yet genuinely tragic story which can be understood by people across class, ethnic, and state lines. Unlike other movements on immigrant and refugee issues, the campaign on Licence to Rape has gained a widespread support by Thai NGOs and media. Human rights NGOs such as Forum Asia and the Thai Action Committee for Democracy in Burma, and women’s organizations such as the Alliance for the Advancement for Women, the Women and Constitution Network, and the Friends of Women Foundation joined in the advocacy to stop sexual abuse in Burma with a series of advocacy including a book launch of the Thai version of Licence to Rape², seminars to raise awareness in Thailand about human rights violations in Burma, and organizing online petition to stop licence to rape in Shan State. The story not only attracted considerable Thai media attention but was also touched by a well-known Thai singer who composed a song in memory of abused Shan women³.

Transnationalizing women’s question through the campaign of Licence to Rape represents an attempt of exile NGOs such as SWAN and SHRF to edge out beyond the limit of a nation-state and its notion of immigrant other. Drawing on diverse resources and strategies, the campaign has not only brought the world human right impulse into local context of Shan State, but also contributed to the broadening of local perceptions about refugees and immigrants. Connecting migration with rape has enabled SWAN and women’s movements to challenge the normative dimension of human

¹ Both immigrant and refugee are defined by their non-belonging to a nation-state. While the former is perceived as a newcomer trying to be incorporated into a state, the latter is delineated as one who is outside the borders of a nation-state. For the Shan, refugee status has not been granted by the Thai state due to various misconceptions about Shan immigrants (see more details in *Shan Refugees: Dispelling the Myths*, SWAN, September 2003). The lack of refugee status has rendered it impossible for the Shan to acquire access to humanitarian assistance and protection. As a result, the Shan people are forced to either live in hiding as illegal persons on the Thai-Burma border, or seek work as migrant workers, in low-paid, low-skilled jobs. The absence of refuge and services particularly impacts on the more vulnerable Shan asylum seekers such as pregnant women, children, elderly and disabled persons who are unable to fend for themselves in the jungle or on work sites. Living in perilous situations, the Shan are in constant fear of being arrested and deported to Burma, where they face ongoing persecution in the forms of torture, rape and death on their return to Burma. This fear has increased after the implementation of an agreement between Thailand and Burma on the repatriation of migrant workers since August 2003 (SWAN, ibid.).

² The book was translated into Thai by two Thai journalists, Pennapa Honthong and Subhatra bhumiprabhas from the English language newspaper in Thailand, the Nation.

³ The song, “it happened in Shan State”, composed and sung by Songsidt Khampai depicts the life of Shan woman who became victims of protracted wars in Shan State. The album was launched in June 2003.

displacement, and the notion of refugee-- a status¹ strategically essential for the Shan exiles which is never granted by the Thai state. At the same time, politicizing women's issue has also allowed the Shan woman exiles room for maneuver at the margin of the nation space in order to create more multiple positionings of their subjectivities in the community that is located in but not necessarily constrained by the configuration of a nation-state. Such possibility of political mobilization beyond by the boundary of the nation-state has also been facilitated by exiled media and communities of cyberspace which have been on the rise during the past few decades. These complex linkages and networks have given rise to a new form of social organization of the Shan transnational movement.

Exiled Media and Nation beyond the Interstice

[T]he idea of a 'transitional' or 'transitive' space [is] important in thinking about national communities in more open ways. We might consider what a transitional . . . logic might mean in the context of imagining virtual communities. The point is to broaden and to politicize the debate on community and collectivity in cyberspace.

(Kevin Robins, 1995: 152, cited in Allen Meek 2000:86-87)

In "Exile and an electronic frontier," Allen Meek notes the correlation between the emergence of the so-called "electronic frontier" of the new communication technologies and the proliferation of the discourses about borders, margins and exiles in the arts and in critical writing. (2000). Exiled media as a mode of information and communication has played increasing role for people who are culturally and geographically displaced. This is in part a response to both historical forces and present reality in which exilic identities have attempted to mediate between a fractured and fragmented experience of self-- working with the remains of traditional and local identities, and the modern concept of citizenship. As Meek argues, the feelings of nostalgia for a lost world experienced by those in exile, combined with a skepticism about a world that is promised, can foster an urgent engagement with electronic media at both an intellectual and emotional level. Marginalization, rejection, and splitting identifications between absent and present have placed exile culture at the intersection and interstice of other cultures (ibid.).

In the case of Shan, five decades of suppression of ethnic groups in Burma has given rise to the growing of Shan exiled media connections world wide. The connections represent what Robins (1995) calls 'transitional' or 'transitive' space where the imagined community has been remade and expanded outside the exile's homeland. While Shan language and history is not allowed to be taught within Burma, the Shan nation has arisen and is materialized in the cyber community². This transitional space has not only served as landscapes of images or in Appadurai's terms mediascape and ideoscape (1996) that produce and distribute the imagined live and ideology, but also functioned to mobilize ethnic consciousness and stimulate collective action within the Shan nationalist movement. Chris Tenove, in his research on media in exile, points out that news produced by Burma's exile organizations during the last five years have significantly increased in amount and become more reliable (www.shanland.org). The development of more diverse forms of information dissemination and communication networks is a result of relatively more flexible access to

¹ I agree with Hyndman (1998) that it is necessary that any use of the notion of refugee and immigrant has to be cautiously contextual and situational. For the Shan exile, the struggle for an official recognition of a refugee status is not aimed for identity making which is of course always transcending the state line. The major objective is rather strategic that is to assure the protection from vulnerability and to gain access to needed humanitarian assistance.

² Examples of the Shan websites that work to disseminate the knowledge about Shan culture and history and to update news and situation in Burma include www.shanland.org, www.shanworld.com, and www.shanwomen.org.

communication inside Burma, increased traffic across the border and competition among media groups to get accurate information¹ (ibid.). The transnationalization of exile media² and its increasing connection with international news agencies has been made possible by the new communication technology which moves beyond the constraint of physical boundaries of a nation-state³. The growing role of these networks of exile media in information dissemination has also contributed to the growth of Burma's human right activism, particularly in the US and Europe.

One striking aspect of the movement of Licence to Rape is the way in which this particular report has successfully mobilized the vast and diverse networks of the Shan and Burma exile organizations worldwide in their effort for international pressure on the Rangoon military regime. It is for the first time in the Shan history that a strong collective sense of the Shan community among the Shan exiles is unified across locations in the so-called "electronic frontier". Instantaneous communication and webs of cyber network have not only worked to sustain and shape their war-torn community through the creation of a "virtual nation", but also given rise to multiple sites of empowerment and resistance. International pressure from and widespread publicity especially in the US and European countries, which work in concert with exile Shan NGOs to end the systematic atrocities by the Burmese army, are the result of the power of such transnational communication⁴. It is within this new frontier that a new national public sphere has re-emerged with promise and possibility for the future of social relationships freed of the constraints of political regulation and the suppression of the old regime of nation-state⁵.

Conclusion

In their critique of the naturalization and essentialization of nation and women, Alarcón, Kaplan, and Moallem (1999) suggest an alternative way to situate the relationship between women and nation. Locating women and nation in discursive processes of racing, gendering, and sexualizing the nation helps to challenge the very conditions of belonging and becoming. In this sense, encounter

¹ Among the exile radio broadcasters, the MAP (Migrant Assistance Program), an exile NGO based in Chiang Mai, which is aired in Karen and Shan, has most listenership of 35%, while Democratic Voice of Burma turns next with 16.6%. The BBC, VOA and RFA, however, continue to be the major source of news relating to Burma issues. Among the exile newspapers, New Era was the most commonly read publication, followed by Mo Joe and New Vision. The S.H.A.N.'s Independence Burmese language section came sixth most read or 18.8% - after Purl and Refugee respectively (www.shanland.org).

² An interesting move among the Burma's exile media groups is the establishment of a syndicate, Burma News International (BNI), aims to further promote Burma related news and reports in Asia. The organization has a long term objective is to become a multi-media and subscription-based news network both for the regional and international media and to serve as a bridge among news agencies, each of whom are working on specialized issues (www.shanland.org). Currently, BNI's members comprise seven independent Burma's exile media from Thailand, India, and Bangladesh which work in collaboration with more than twenty networking partners.

³ But this is by no means beyond the authoritarian power of the nation-state. These exile media continue to experience the existence of state power in the constant threat to close down the office in the country where their office is located.

⁴ Between 2002-2003, continuous campaigns and lobbies were initiated by a number of activist groups including Free Burma Coalition, AID/WATH, Equality Now, Jubilee Campaign UK, etc., to raise the debates and call for action by government in the north at international level. US was one of the most influential force that react according to the finding from the report, Licence to Rape. It is also the refuge of several active Burma exile organizations including the exiled National Coalition Government of the Union of Burma.

⁵ The Burmese government is of course aware of the power of the transnational political movement led by the exiles but is not yet able to implement any effective control. In response to the report, Licence to Rape, the Burma's ruling junta has repeatedly denied the rape allegations, claiming that it was fabricated and that SWAN was financially supported by the two exile dissidents, Han Yawngwe, director of the Burma Fund, and Sein Win, the prime minister of a self-described government-in-exile. The former is based in Brussels while the latter in Washington DC. The claim, however, gained no credibility or attention by international communities.

with the nation takes place in the space which is neither/nor, neither inner nor outer but a common zone (p.14), a transitional zone Rosaldo calls, "sites of creative production" (1989:208).

For the Shan woman exiles, living at the margin of a nation space has implied exclusion and rejection from any nation-state. The discourse of exile signifies everything the center denies or represses. Yet, the margin as the other can be turned into a condition of possible de-centering and re-centering. Transnationalizing women's movement has enabled the Shan woman exiles to subvert the authoritative space of the nation imposed by both Burmese and Thai states. At the same time, negotiating the margin has resulted in creating a new meaningful center which allows multiple subjectivities of Shan women to develop in their interaction with the nation.

The politicization of women's question as manifested in the movement of Licence to Rape represents a cross-level politics that combine the local, national, and global together in an effort to transcend the limit of location. This transformative politic has contributed to reconfiguring the boundary of power while generating diverse sites for contestation. For the Shan exiles, transnationalizing the margin has allowed for politicized intervention in transforming the temporal space into a meaningful and powerful site/source of identification and coalition. It is within this context that the voices and practices of women's exiles have become a powerful exercise of immanent critique of the legitimation of the nation.

References

- Anderson, Benedict. 1983. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.
- Anzaldúa, Gloria. 1987. *Borderlands/La Frontera: The New Mestiza*. San Francisco: Spinster/Aunt Lute.
- Appadurai, Arjun. 1996. *Modernity at Large: Cultural Dimensions of Globalization*, Minneapolis. London: University of Minnesota Press.
- Apple, Betsy. 1998. School for Rape: The Burmese Military and Sexual Violence.
- Aranya Siripol. 2003. "Internet networks and transnationalism: case studies of the Tai and Hmong nationalist movements". A paper presented at the Annual Anthropology Conference, organized by the Sirinathorn Anthropology Center, Bangkok, 24-27 March, (in Thai).
- Bhabha, Homi K. (ed.). 1990. *Nation and Narration*. London: Routledge.
- Callahan, Mary. 1996. *The Origins of Military rule in Burma*, PhD Dissertation, Ithaca, NY: Cornell University.
- Chatterjee, Partha. 1993. *The Nation and Its Fragments: Colonial and Postcolonial Histories*. Princeton, New Jersey: Princeton University Press.
- Donnan, Hastings and Thomas Wilson. 1999. *Borders: Frontiers of Identity, Nation and State*. Oxford and New York: Berg.
- Feldman, A. 1991. *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland*. Chicago: University of Chicago Press.
- Grewale, Inderpal and Caren Kaplan (eds.) 1994. *Scattered Hegemonies: Postmodernity and Transnational Feminist Practices*. Minnesota: University of Minnesota press, Minneapolis and London.
- Grundy-Warr. 2001. "Regime Security, Contested Sovereignty and the Problem of Long-term Displacement along the Thai-Myanmar/Burma Border".
- Gupta, Akhil and James Ferguson (eds.). 1997. *Culture, Power, Place: Explorations in Critical Anthropology*. Durham and London: Duke University Press.
- Hyndman, Jennifer. 1998. "Business and bodies across borders: transnational political economy and human rights in Thailand and Burma", a paper presented at the international studies association, March 18-21.

- Kaplan, Caren, Norma Alarcón, and Mino Moallem. 1999. *Between Woman and Nation: Nationalisms, Transnational Feminisms, and the State*. Durham and London: Duke University Press.
- Littlewood, R. 1997. "Military rape." *Anthropology Today*. Vol. 13m no.2, pp.7-16.
- Liu, Lydia. 1994. "The Female Body and Nationalist Discourse: The Field of Life and Death Revisited," In Grewale, Inderpal and Caren Kaplan (eds.) *Scattered Hegemonies: Postmodernity and Transnational Feminist Practices*. Minnesota: University of Meek, Allen.
2000. "Exile and the electronic frontier," *New Media and Society*. Vol.2(1)85-104.
- Robins, Kevin. 1995. "Cyberspace and the world we live in", in Mike Featherstone and Roger Burrows (eds). *Cyberspace/Cyberbodies/Cyberpunk: Cultures of Technological Embodiment*, pp. 135-55. London: Sage.
- Rosaldo, Renato. 1989. *Culture and Truth: the Remaking of Social Analysis*, Boston: Beacon Press.
- Smith, Martin. 1999. *Burma: Insurgency and the Politics of Ethnicity*, Dhaka: The University Press, Bangkok: White Lotus; London, New York: Zed Books Ltd.
- The Shan Human Rights Foundation (SHRF) and the Shan Women's Action Network (2002). *Licence to Rape: The Burmese Military Regime's Use of Sexual Violence in the Ongoing War in Shan State, Burma*. Chiang Mai: SHRF and SWAN
- Wilson, Thomas W. and Donnan, Hastings (eds.). 1998. *Border Identities: Nation and State at International Frontiers*, Cambridge: Cambridge University Press.

Other Sources

The Nation. 08/15/2002, 08/23/2003, 09/25/2002, 12/28/2002, 01/07/2003

<http://www.shanland.org>, <http://www.shanwomen.org>, <http://www.shanworld.com>

Women in Contemporary Lao Literature after National and Democratic Revolution in 1975

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Key words: Identity, Contemporary Lao Literature and National and Democratic Revolution

Abstract:

Since literature is concerned with the discourse and communication in a society, the study “Women in Contemporary Lao Literature after National and Democratic Revolution in 1975” inevitably involves both history and culture. This is because in any period of time, the meanings in discourse about a person or groups of people in a society shows roles and responsibilities and indicates social status and positions, which are the main components for creating social classification and social organizations.

At the present time, the attempts for defining things on gender, race, and nation appear in many patterns. It happens particularly in the Lao society, which has continuing sociocultural changes from the traditional-based society to the colonial period and later to the socialism. Recently, the country has developed neo-socialism, which demands some modifications to catch up with the global changes in terms of economics, society and culture.

In contemporary Lao literature or socialist realism literature, the meanings in discourse concerning gender, race and nation overlap each other and relate to the development of social space and woman’s identity. After the national and democratic revolution, the development of woman identity in literature was influenced by the government’s intention and need to form the nation. The influence put its stress on the importance of rights and liberty and sexual equality. Another trace of influence can be seen through the role and responsibility of women in self-development and national development in socialism. Another development includes the development of ideal identity, which is a result of social political ideology. However, the literature produced after the New-thinking period has reflected more realities of women conditions in the society because there have been more writers and a variety of themes to be written. As a result, the women in contemporary Lao literature after the national and democratic revolution in 1975 is a combination of the ideal identity and the identity in reality.

As literature is communications in terms of social context, the studies of Women in Contemporary Lao Literature after National and Democratic Revolution in 1975 is very important as it mingles history and culture. No matter in what era, to pay attention to people or groups of people in the society means to create commitment and responsibilities for the social role. These are core factors in creating social ranking and orders.

This essay is part of the studies of Women’s Identities in Contemporary Lao Literature after National and Democratic Revolution in 1975, which is part of PHD by the writer who is the PHD candidate. This essay would like to present only some parts of the literature. It is focused on how the identity of the women in Laos’ literature links or being contrast with values and expectation of the Laotian society towards the women.

Development and Relationship of the Contemporary Literature and the Laotian Society

Language is a main component in literature. Apart from being a tool in reflecting thought, beliefs, values, and ways of livings in each period, language displays transformation, changes, reproduction or creating core values from generation to generation. Thus, the story of culture told via literature is not just the story with beautiful literature tonality, it also creates new angles for many stories via cheerful narration. To sum up, reading literatures brings readers not only values, thoughts, and expectation of people in many periods, literature can be also viewed as a crucial historical evidence that narrated in a lively style when compared to other historical evidences.

In Laos, literature means both historical literature and contemporary literature. In this essay, I will use the term of “contemporary Laos’ literature”, which has the same meaning as the contemporary Laotian fiction including short stories and novels. The essay focuses upon the studies of short stories and novels published after National and Democratic Revolution in 1975.

When mentioned about development of the contemporary literature, I would like to include both short stories and novels all together. Despite the publication didn’t take place at the same time, the period was not much different and they shared development along with each other.

The Laotian contemporary literature began at 1893, the year when Laos was divided into 2 areas. The right of the Kong River was governed by Siam while the left side was the French colony. This is the golden era of poetry. In 1930, a short story was produced and, during the period of 1969-1970, novels were published respectively (The Department of Language and Literature 1997:136).

The contemporary Laotian literature has developed and expanded on a continual basis. In the early period, the publication was biography, people’s uprising, and fighting against enemies. The stories were published in various newspapers for many years till 1966 when they were published in form of book (The Department of Language and Literature 1997:113).

Viyada Promjit (1998:167-174) has studied the development and growth of the contemporary Laotian literature and divided it into 4 periods which are in response with the development of novels. So I would like to mention them as follows:

The 1st period (the origin – 1964) – In this period, the Laotian literature was influenced by the French literature. The fact, that the country was governed by France and people learnt the French via the education system, is the crucial factor for the birth of the Laotian contemporary literature. The stories were about writers’ autobiography, esprit de corps, and social reflection.

Most of the writers were students or those who graduated and they used to study the foreign literatures based on the French model. The well-known writers in this period were Chao Suphanuwong, Dara Kanlaya, and Duangduen Boonyawong.

The 2nd period (1965-1975) – In this period, Laos became independent from being the French colony. The United States influenced upon the Laotian politics resulting in changes in the Laotian ways of living. The Laotian began to have new values. Novels took place in this period. Literature was divided into 2 categories; the literature in the Laotian territory and the literature in the nationalist or the secessionist territory. The two groups presented different thoughts.

The literature in the Laotian territory reflected changes in the Laotian society during the civil wars and the Indochina War. When the US entered the Indochina War, foreign cultures dominated

the local society, especially in the capital. Hence, more civil Laotians lived the western lifestyle, which deteriorated the Laotian society. Most writers focused on the corruption problem, changes in the role of the Laotian women, gaps between the rich and the poor, and problems of city life endured by the rural folk. The writers in this period were Panai, Dara Kanlaya, Duangduen Boonyawong, Uthin Boonyawong, etc.

The literature in the nationalist or the secessionist territory was the revolutionist literature. Writers mostly talked about secessionism, conflicts between governments in the two territories, and ending with hope for the nation's sovereignty. The outline of the literature was normally the same that adored courage of the secessionists in the territory. The popular writers were Suwanthorn Buphanuwong, Kumleing Pomsena, Somboon Taveesai, and Kaewmanee Siwongsai, etc.

The 3rd period (1976-1985) – In this period, the Laotian Revolutionist Party won the independent war and regained its national sovereignty on December 2, 1975. The country was declared the Independent Republic of Laos. During this time, the government abolished all idle entertainment such as day dreaming novels, and anything related to the Western values. Also, there was revolution in terms of ideas in accordance with the party's policies. Literature in this period was then quite few. The writers in this period were both old and new; for instance, Uthin Boonyawong, Viseth Sawaengsuksa, and Boontanong Chomchaipon, etc.

The 4th period (1986-at present) – This period was called the age of new imagination when the government has changed economical and political policies as well as emphasizing socio-economic development. The government introduced the open economy to the country by using the market as the main driver. Besides, the government has issued a law to certify rights of the private sectors and promoted investment together with accepting more foreign aids.

The situation in this period affected the literature as it gradually changed from the theme of revolution to the materialistic society the lifestyle of the new society, and problems arising from this modern way of living. The writers in this period included those from the 2nd era such as Uthin Boonyawong and those from the 3rd period such as, Boontanong Chomchaipon, Viseth Sawaengsuksa, Chaisuwan Paengpong, Jantee Duansawan, Somsuk Suksavas and Kiuw Kingsadao, etc.

Although Viyada Promjit (1998) has divided the development and growth of the contemporary Laotian literature into 4 periods, the themes of the contemporary literature, especially after the revolution in 1975, were quite different, despite being the realistic socialism, it can be categorised as 3 trends; the realistic socialism with emphasis upon revolution, the realistic socialism with emphasis upon romantic love, and the realistic socialism with emphasis upon social criticism. The writers criticized different aspects of the society. The identities of the women in the literatures were also different.

As for the next section of this essay, I try to highlight the role of literature as communications tool in expressing ideas and various policies from the governors to the people and from the writers, the educated, to the commoners in the society. Hence, each story portrayed development and changes of ideas upon the identities of women in each period very well.

Laos and its necessities in creating identity

There are many ways to define gender, race, and nation. In the traditional society, the definition was done via historical works and literatures, both folklore and royal literatures. At

present, there are attempts in portraying gender, race, and nation in many patterns, especially in the Laotian society, which has endured many socio-cultural changes. The aforementioned changes covered from the colony period to the socialist country, till at present, despite being the socialist society, the country still needs to adjust itself to survive changes in terms of economy, politics, society and culture. Hence, literature, despite of its roots from changes in the past with the revolutions and changes in the society, has different angels to portray in terms of theme and forms.

After the national and democratic revolution on December 2, 1975, Laos experienced many changes, which affected various social structures. This phenomenon led to needs to cooperate in creating ideal and common practices between the government and the people in the society. This is because the economy, politics, and society were in the restoration period due to damages and development was suspended during the revolution war. *"In addition, the world environment and the region had endured dramatic changes. We still face many difficulties"*(Phomvihane 1986:27). To build the national values and cooperation for all development was urgent. *"We must work, build economy, expand our culture, and develop the well- beings of our people. We must work hard on agriculture, forestry and industry, local economy, to sort out food shortage effectively, expand economy, produce goods, and domestic and export products more than before"* (Phomvihane 1986:28).

The policies implemented by the government to build the national ideal in order to create good supports for the country's development is to pay attention to education, arts & culture via *"strong cultural revolution, educational revolution, to mingle education with life- economy- society, to enhance the education level, to expand arts, literature, sports, gymnastics, 3 sanitary doctrines, new life enhancement process, to abolish cultures that ruin health and well-beings of people"* (Phomvihane 1986:28). These policies are under the social ideal, which is mainly attached with the national restoration plans.

According to the information from the contemporary Laotian literature, attempts to create the new definition of the national state, race, and gender were totally different from the traditional literature. Particularly during the first stage after the national revolution, the creation of women identity was done under ideas and needs of the central government in the national building context. The identity was maintained and developed from the revolutionist literature. As the media and writings were controlled by the government. Writers' writing style was supervised and trained by the government. This practice resulted in the same style of writing, which mostly emphasized the theme of revolution with few core themes such as the light of revolution, romance amid revolution, the wars, devotion for the revolution, and differences between the hopeless situation in the pre-revolution period and hope in the post-revolution period.

In the contemporary Laotian literature, we will find complexity in the identity of women, race, and the state. Also, there was a link to the creation of the society, which was presented via the role of the female protagonist in the revolutionist literature. She played the major role in the revolution and the creation of the new society which normally came from the tribes of Lao Soong and Lao Teng; for instance, Nanggayin, The Daughter of the Party, and Maibalia.

The female protagonist with the aforementioned characters may reflect the reality of the female revolutionists and the role of many tribes who were the major part of the state. In addition, the country still faced many unrest situations and lots of problems need to be solved. It is very important for every parts to create ideal in solving the problems in the country. The major tool to create the national unity was to create the common national identity including the national identity and the people identity, which covered many tribes in Lao. This process was part of the ideal-cultural

revolution, which must be done along with the revolution of production, sciences, and technique, in order to solve many problems such as the creation of the national unity, phobia upon the state authority, national defense from the outside threatening, social unrest, food shortage, and public health, etc.

The Party and the Government paid attention to 3 main policies. The first policy was the ideal-cultural revolution as Kaisorn Phomvihane, the country's President, said that, "*The aforementioned two revolutions will be successful depending upon the ideal-cultural revolution as it is the major mechanism in changing the social idea to build the new generation, who will become the people of the socialism in the future*" (Phomvihane 1997:82-91). According to the link of the idea with the identity in literature. We can say that the creation of the female Laotian as the social ideal in the literature and other print materials were produced with the objectives to create the social rights and limits of the female rights in the socialist system. This was the main condition linked to the political system during the National Democratic Revolution during the period of 1945-1975 and it has been practiced till the period that the country became the socialist state.

The Identity of the Female in the Contemporary Lao Literature after the National and Democratic Revolution

Regarding prior studies, the women in the Contemporary Lao Literature after the National Democratic Revolution in 1975 can be divided into 5 groups; the female revolutionist: the identity transferred from the revolution, the female developer: the identity of the national restoration, the female cultural conservator: the role in promoting the national identity, the mother: the identity transferred from the traditional period and the last one the prostitute: the new identity of the female in the Laotian literature. The aforementioned identities will be discussed as below.

1) Female revolutionist: the identity transferred from the revolution

The highlight of the female revolutionist protagonist was the writing style transferred from the revolutionist literature in the Independent Lao territory. In the 2nd period of the development of the contemporary literature, normally the nationalist or the Laotian revolution literature, the most dominant theme was the commitment to the national independence aspiration and aims to bring the country to the betterment. Despite many stories talked about romance between the youth, this theme was the second when compared to devotion to the country. When the wars end, the lovers may meet again and their love could be happy or not. However, hope for independence and the better society was always portrayed at the end of the stories.

The female revolutionist has the characteristics of courage, participation in the revolution, and devotion for the national secessionism. These characteristics are portrayed to praise courage and devotion for the revolution. For instance, in the story "Kon Ngam" by Boontanong Chomchaipon, the beautiful women are not those with beautiful faces, attire, and being outstanding celebrity, but is "Pangkum", the protagonist, who leads the female revolutionists during the war of independence. She presents courage, strength, and love for her country. She perfectly knows her role and acts properly. Although some female protagonists are not the warriors such as "Nang Onkok" by Viseth Sawangsuksa, who highlighted the female gymnasts who participates in the national independent war. Despite of the fact that Nang Onkok is the gymnasts of the Lao nationalist party, her role is to entertain the revolutionists from stress as well as promoting the nationalist ideal to the public. There were many literatures mentioning female revolutionists; for instance,

“Kang Keen Nai Pa Luk”, the awarded short story by Jantee Duensawan, who mentioned “Nang Mai Jai”, the leader of the Laotian female group, who is assigned to go to Huay Wai with the male revolutionist “Tow YeiJea”, the Mong tribe. These two protagonists present their sincere commitments to their duties perfectly.

There is no scandal happening between the man and the woman during the trip, although, Tow YeiJea later becomes Mai Jai’s lover and he is killed during the fighting. His death is viewed as devotion for the country and the party.

“Song Ueng Nong” by Suwanthon Buphanuwong, mentions about the female twins who have different ideals as they were grown up in the different territories. Wongpetch is the beautiful lady who lives in Vientiane while Wongphan, the younger sister, is brought up in the independent Laotian territory and she has done a very courageous job for the revolution. Despite that they live a different life and ideal, Wongpetch, finally enters the revolutionist society and sees differences of lifestyles and ideals in the two territories, she then changes her ideal to be the revolutionist as her younger sister. “Maibalea” mentions about the Mong woman, “Maibalea” whose village is destroyed by the impacts of the war. She is confined as a servant in the house of General Wangpao at Long Jeang. At that place, she knows the revolutionist spy who teaches her about the revolutionism. Later, she joins the revolution and at the end she meets her mother and helps her father, who is General Wangpao’s follower, to change his idea and becomes the revolutionist. In this story, Duangchai Luangpasee, the author, mentioned the objectives of the story at the end that he devotes his wisdom to the National Woman Day.

2) the female developer : the identity of the national restoration

The identity of the female developer pays attention to the female protagonist who has the absolute ideal in developing the society and the nation. Hence, careers of the protagonists are those with pride and values to the society such as doctors, teachers, government officers, the Laotian revolutionist, and the charity organisations such as the female Laotian association, etc.

The identity of the female developer was the development of the female protagonist from the previous type, the revolutionist. After the revolution, the development of the country was a must for everyone. The women was the group that the government paid attention as they promoted the Laotian women association to be equal to the ministry. Besides, the government encouraged the women to realise their role and development along with the nation, which was the objective of the Laotian women association, as mentioned that, *The developed countries as counted by the income per head normally have the outstanding role of the women in the societies. This fact can be seen by the high ratio of the women in the government's administrative role. On the contrary, in the countries that few women are allowed to participate in the social role, these countries will face many problems in development*” (Lao Women’s Union 1999:6-7).

Hence the objective of creating such a protagonist was not just a reflection of the society but it was created as encouragement and promotion of the women’s role for further development of the country.

The female protagonists in many literatures after the revolution have the role in social development in response with the party’s and the government’s policies; for instance, the economical policies as mentioned in “Look Sow Khong Puck” by Suwanthon Buphanuwong. In this novel, “Nang Kru Pim Pa”, a female protagonist and a teacher, is assigned to complete her duties at Ban Pha Daeng. She has courageously done her jobs in promoting the party’s policies upon the National

Laotian Women Association, the child care centre, and the establishment of the cooperatives, which will mobilise the people's personal assets into the government's control. Her role is then widely respected by the public. Apart from Kru Pim Pa, the writer still paid attention to other female characters, who are of Laothen tribe, and they take part in building the new society and new life. In the short story, "Nang Kon Nan", by Duang Champa, which mentions the ideal of the female medical student who vows to work and devote herself for the communities, *"When I decide to become a doctor, I will not betray the country and the party who give me this good chance. I will apply to be located in the remote areas. I will go everywhere the sick people want me to be"*.

The Laotian women after the revolution in 1975, as an ideal of the party and the government seen in the literature, were different from the traditional Laotian women that *"In the traditional society, the Laotian women are in the poor condition, subordinated to the men. They have no rights in the politics. They exist for men's pleasure. Many women are forced by the poor condition of livings and social environment to become prostitutes which are condemned by traditional values. The women in the high social status are treated as ornaments or mistress. The labor women are treated unfairly when compared to the male labors. They got poor living condition"* (Wongdala et al 1987:324).

Adding to the duties in building the new society, self development was one of the government's vital policies. This self development covered work, education and idea, especially abolishing traditional negative idea; for example, the idea of women rights in terms of abusing in the families, as stated in the Laotian Women Development plan during 1998-2003, *"After the National Revolution and Democratic Laos Republic Declaration in 1975, the Laotian Women are released from the traditional and colonial constraints. The Laotian women's rights will be equal as the men"*.

"However, the existing impacts from the old tradition together with the low growth of the economic system make the Laotian women face various obstacles. Therefore, in order to create an equal status between men and women for the good opportunities of the Laotian women, the party and the government pay main attention to the Laotian women to overcome the obstacles of the advance of their role. They promote all opportunities for the glorious role of women" (Lao Women's Union 1999:6).

Literature also played a role in supporting the aforementioned policy by portraying the equal status between men and women. The presenting of the low status of the wife abused by her husband in "Aek Puo" by Boontanong Chomchaipon reveals the poor status of the wife beaten by her husband as the man is the one who earns the livings in the family. This situation changes after the revolution. The new system abolishes the men's dominance system. The wife has changed her attitudes and habits by working to earn the livings for the family. And she has done better than her husband. As a result, the atmosphere in the family becomes better and there is no more fighting among the partners.

Another short story, "Rein U Reun" by Utin Boonyawong, presents the enthusiastic character of an old woman who would like to develop herself by trying to study in her old age. Finally, she becomes successful with her attempts and she can write letters to contact with her relatives who live overseas. *"At this time, nothing is pleasurable than the facts that my mother can read"*.

The aforementioned protagonists were the new identity according to the government's ideal. The identity was built to support policies in developing the country in the modern time. However, another character that emphasised the national identity and the female identity is the female cultural conservator.

3) The female cultural conservator : to support the national identity

Although the government paid attention to the role of the women as the revolutionist, their ability in work, self-development, contribution to the society, the traditional identity was still preserved. Particularly, the ideal women with good manner and their role in promoting the national culture & arts, which was viewed as the women's best job.

To pay attention to the silk weave by women in "Kon Ja Thung Wan Nee" by Duangjampa *To wear robe with objectives, the silk robe woven by the protagonist draws compliments from those who see...the lady then is confident upon herself if there is a man to court her as a wife. She is not subordinate to the others as she has a very good weaving skills or the fact that husband is so proud with his wife's traditional dancing skills that he doesn't want his wife to do other jobs apart from being the traditional dancing teacher. In the same story, "I would like Keaw (the male protagonist's wife who is the traditional dancing teacher) to show her talents till her age or ability stop her from this honorable career. Her attitudes will not affect her honorable career. I, Youngonson, am so proud of the Laotian artists and the growth of their show"* (Duangjampa 1995).

The example of the female cultural conservator as mentioned previously was to promote the national identity. As an explanation, this identity not only showed the long history, culture & arts, it was also part of the national civilization and the nation's pride.

4) The mother: the identity transferred from the traditional period

Despite emphasizing the identity which was an ideal related to the society that needed restoration and development, one identity, however, was very important as its value has been transferred from the traditional period, the identity of good mother. This is an important role of women mentioned in every period of literature. Both male and female authors mention the great responsibilities and relationship that mothers have towards their children. The identity of mothers is always portrayed in all literature periods. This is different from the identity of female revolutionists and female developers which are few presented in the new imagination age. The publication of their stories was not the new production but it was the republishing.

The stories of the mothers included real life and fictions. For instance, "Mue Mae Kow Kook" by Dookked talks about the story of the writer's mother, Nang Malee, who is kind but courageous and she has done an excellent role of the mother. Or "Phu Pan Mae" by Duangjampa, who mentioned the characteristics of the mother, *"The mother loves to compose songs to comfort her child. Despite of being sad or desperate, if she knows that her child wants her warm touch, sweet smile or words, she will suddenly responds to those needs. Despite of fatal dangers, she is willing to fight to protect her child without any hesitation. This perfect woman deserves to be the mother."*

In "Duangjai Mea" by Suksawan Pontheva mentions about the mother who struggles her tough life to raise her children to become successful in their lives. Or the story that portrays love that children have towards their mothers, which also reflects the importance of the mother towards her children in "Paeng Mea" by Utin Booyawong, who describes the feeling of the children who have to leave their mother for a long time. On the other hand, this portrays the mother's devotion to perfectly take care of her children. And the most important thing that the children have to do is to take good care of her.

5) The prostitute: the new identity of the female in the Laotian literature

This career has been presented in literatures in many eras with different critics. In the contemporary literature in the 2nd period, prostitution was viewed as a result of the deleterious society, and materialism. There was presentation of the prostitute as voluntarily job including being deceit to be the prostitutes. Development of the characters and the stories were varied. Anyway, when the story of prostitutes was portrayed after the revolution, the authors highlighted the point that revolution converted the wrongdoers including prostitutes to the correct way of livings. These people were brought to the “seminar” and career training. This not only told the real situation, it also pointed out benefits of the revolution that was to build the new society and the new people regarding socialism. For example, “Tawan Khun Tee Don Nang” by Utin Boonyawong, talks about the prostitute who participates in the government’s career training programme and she then turns to be a new person. “Ploy Nok” by Boontanong Chomchaipon mentions about the good prostitute who devotes to the social commitments.

During the period of the free trade development together with social development in the new imagination period, authors presented more prostitute identity in their works by giving three main reasons of being prostitutes; 1) Women who were deceit due to her aspiration for luxurious lifestyle such as “Chata Cheevit” by Chantee Duansawan mentioning about Bua Thong, the protagonist who chooses her husband because of his wealth. Finally, she is deceit to be a prostitute. The foul in “Rau Rak Kan Bo Dai” by Utin Boonyawong, mentions about women being drugged, raped and forced to be the prostitute.

The second reason was to be prostitutes due to economic factors and family burdens. The protagonist normally are the women working in Vientiane and have miserable lives such as in “Kin Pak Tob” by Niti Chaisaeng who portrays a suffering life of a prostitute in the capital.

Another reason was to become prostitutes because of their materialistic needs for a luxurious lifestyle. Normally, they are the teenagers such as in “Kong Mai” by Boontanong Chomchaipon mentioning the new prostitute who is the daughter of the man who comes for her service.

The literature that mentioned benefits of the revolution upon the prostitutes’ life enhancement was less presented in the new imagination age. The literature in this period emphasised more about conflicts between the traditional and the modern lifestyle of the Laotian women in the modern period. The authors claimed that it was because of the luxurious lifestyle of the women. They migrated to work in the cities because they wanted a better living condition.

The general identity of women in the contemporary Lao literature

The general identity in this essay is just prior proposal not the whole conclusion as the research in this area is not completed at this moment. However, from the existing information, many useful angles are shown. The socialist realism literature in the first period showed the conflicts between love and duties. This type of literature was produced many times including the new publishing, and SEA Rite awards were presented to the authors. So, this literature and its ideal is still portrayed in the current literature, though less than before, their heritage consistently persists.

The development of the female protagonist in the following period; the female developer, an identity in accordance with the country’s post-war development. The literature and the protagonist’s character is viewed as socialist realism literature, which includes nation¹, party¹, and people², these

¹ The national literature means that the literature must serve the national purposes and benefits, creating the idea of independence, unity, cultural preservation, protection of the national heritage. In addition, the national cultural literature

developments come from the Laotian revolutionist literature, "*To serve the revolutionist purpose, the rebellion, the party's policies of the Laotian Nationalist and the people*" (Wongdala et al 1987:343).

Thus, the identity of women in the revolutionist literature was different from the traditional literature. "*The authors still view the imagery of the Laotian women, which previously viewed by the aristocrats as the fragile, now as sweet but courageous. The authors portrayed the imagery of the Laotian women as sweet, kind, but determined, devoted to husbands, children, and love their hometown*" (Wongdala et al 1987:429).

As mentioned previously, the identity of women as revolutionist and developer was the identity pursuant to the development of the country in socialism. The aforementioned identity also supported the building of the new society and the new generation in accordance with socialism. The female cultural conservator was the identity that supported the national building as culture represented the national civilization. This was related to the cultural revolution policies. The role of mother as an ideal of the society didn't take place because of changes, but this ideality is beyond time. This is because the mother is the role that has been adored in every period as this is a vital role of women in taking good care of the family members in order to build the quality society.

The identity that is different from the others is the prostitute, which presents the bad image of the women. However, despite being the shameful career or being forced by the economic factors, the literature portrays that the prostitutes can convert to be a good women by joining at Don Tao and Don Nang after the post revolution in 1975 in order to do new jobs and contribute to the community. The identity of the prostitute is not an ideal but it presents the real situation in the society. Other identities are emphasised as ideal but the prostitution shows differences between good and bad women. However, some authors present that it is difficult to quit this shameful career as the economic hardship forces these women to be prostitutes.

Despite the facts that literature emphasises the aforementioned identities, there are some critics saying that the identities may increase more burdens to the women. The women have to work more both inside and outside the families. For instance, the comments of Bontanong Chomchaipon in "*From the Kong to the Chao Praya*", "*It is true that the revolution has promoted the equal status between men and women. The women can work outside like the men do, which is different from the old period when the women was treated as the second class members of the society. In the old days, women could work only as housewife. They have to depend upon their husbands in terms of living. The revolution gives the women the new role to earn their own livings. They can do well in both role as working women and housewives.*" This may be because "*the developing countries just recovered from the colonial war. The economy was not strong, low wages and government officers earned poor salaries. If they didn't exploit from the women's labour, they will starve to death*". This opinion is in response with that of Mayoury Ngaosyvathn (1995:12-121) that, "*Since the establishment of the new system. The majority of the Laotian women have better roles in life, politics, economy, social status...The struggles of many families, despite facing difficulties and demanding more contribution*

must selectively educate and choose the best cultural literature in the world, particularly, the cultural literature by Aie Nong Socialism. (Wongdala et al 1987:344)

¹ The party literature means that the literature must serve the party's ideal, policies, and commitments as well as the party's attitudes towards the cultural literature (Wongdala et al 1987:344)

² people literature means that the literature takes its root from the people's real life. Normally, it relates to the fighting, the labour works for more production, the fighting for the rights and hope of the people, Also, it elevates the education of the people (Wongdala et al 1987:344)

from the women in taking the burdens, perhaps the worst ever happened. On the other hand, the more responsibilities that happened make the women believe in their role to take those burdens."

We can see that the roles of women as described in literature are various, from the traditional role as mother or the cultural conservator till the new role as the revolutionist, the developer, and the working women, which is the progress role. However, only progress in work that is respected. But for other aspects, such as attire or sexual habits, they were still suppressed as these things were regarded as against the conservative look or they can be the victims of the luxurious life, as the identity that many authors present in the present time. Hence, the identity of the women in the Laotian literature after the socialist revolution in 1975 presented the conflicts between efforts of improving the women's status against the traditional forces of being the conservative ladies, between being the revolutionist, the developer, the conservator and the traditional role of mother and the good woman.

The aforementioned information explains very well that literature is not only the reflection of the real world, it is also the social artifact that is built for many purposes.

The literature is then the discursive practice and the social memory. The literature helps present the real society and its movement. Thus, the Women in Contemporary Lao Literature after National and Democratic Revolution in 1975 is representation of the women that merges ideality from both the government and the people as well as the identity that reflects the real life in the society.

References:

- Lao Women's Union 1999. "The Laotian Women Development Plan during 1998-2003." Vientiane.
- Ngaosyvathn, Mayoury 1995. *Laos Women Yesterday and Today*. Vientiane. The State Publishing Enterprise of the Lao PDR.
- Phomvihane, Kaisorn 1977. *To Resolutely and Successfully Restore and Build the Basis of Socialism*. Vientiane: Printing House of the Lao PDR.
- Phomvihane, Kaisorn 1986. *10 Years in the way to socialism*. Vientiane: Printing House of the Lao PDR.
- Promjit, Viyada 1998. "The Development of the Laos Short Stories: the Relationship with the Society." Thailand: MA. Thesis, Comparative Literature, Chulalongkorn University.
- The Department of Languages and Literature, Faculty of Arts, National Laos University 1977. *Language and Literature, Cultural and History of Laos*. Vientiane, the National University of Laos.
- Wongdala, Bosaengkum, Bua Keaw Isinlungsec, Sasawang Seemana, Wichien Tawanchieu, Mai Maneewan and Meethong Suwanvichai 1987 *WannakadeeLaos*. Vientiane. Kasouksuksa Social and Sciences Research Institute.

The Exotic Others: Cross-border Mobility, Sexual Violence and Racism in the Thai-Lao Border Zone*

Natedao Taotawin**

Temporary and seasonal, cross-border migration by Thai and Lao people is a common phenomenon. However, Thailand-Laos cross-border migration has become an issue which has received the greatest attention since the wake of the Asian financial crisis in mid-1997 (Asian Research Center for Migration 1995; 1997). In 2002, Thai authorities estimated a total of almost 100,000 documented and undocumented Laotian migrant workers in Thailand (Asian Migrant Center 2002). Moreover, a survey by the International Labor Organization (ILO) in 2000 found that more than 50 per cent of Laotian migrants from Champassak province in Lao PDR were teenagers aged between 15 to 18 years and many were involved in the sex trade (Caouette 1998). Many studies have reported that female migrant workers face a wide range of problems such as low wages, human trafficking, labor exploitation, forced prostitution, unwanted pregnancy, unsafe abortion, lack of accessibility to public health service, physical and sexual violence, discrimination and stigmatization (Archavanitkul 1998; Caouette 1998; and Kaosar-ard 2003).

To address issues on human trafficking, child abuse and exploitation of women, is a concern both at the local, national and international level. Female migrants are often presented by academics and activists alike as “inferior”, “objects”, “victims”, “prostitutes”, “vectors” and so forth. It implies that female migrants are primarily seen as the “other”, as “objects of abuse and exploitation”, as “static” and “passive”, rather than dynamic and active agents able to make rational decisions and choose their own survival strategies. Contrary to those aforementioned, my research on “Perceptions and Experiences of Sexual Violence by Female Sex Workers from Lao PDR in Northeastern Thailand”, which was done in 2004, finds that perceptions and responses to sexual violence by female migrants from Lao PDR are varied, depending on their socio-economic backgrounds and on how they perceive and value themselves in different contexts.

My findings show that representations of illegal female migrants as “inferior objects”, “victims” or “vectors,” are social constructions. Nevertheless, these representations of illegal female migrants have affected their fundamental rights and shaped the power relations between them and other social groups.

In this paper, I argue that representations of female migrants as “otherness” and “victims”, not only ignore perceptions and the fluidity of identities of female migrants, but also prevents them from participating in solving their own problems, providing legitimacy for strict state control and other forms of domination. The representation of female migrants as “otherness” and “victims” thus make illegal female migrants more marginalized and vulnerable. Because they are seen as inferior and powerless, they are easily controlled and manipulated.

* Paper prepared for the international conference on “Transborder Issues in the Greater Mekong Sub-region”, held on June 30-July 2, 2005, at the Nevada Grand Hotel, and organized by the Mekong Sub-region Social Research Center, Faculty of Liberal Arts, Ubon Ratchathani province, Thailand.

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Contexts of Selling Sex in the Border Zone

There are eight provinces in Lao PDR which border Thailand. All are known as the routes which a large number of people from Vietnam, Lao, and Cambodia use to migrate into Thailand to find jobs, mostly illegally. UNICEF's analysis of the situation in 1996, reveals that trafficking of Lao people into other countries through Thailand as a transit country has been increasing (Caouette 1998). According to a survey by the Lao Youth Union in 1995, migration into Thailand is prevalent among girls who come from the districts that are located opposite to Thailand (Asian Migrant Center and Mekong Migration Network 2002).

Research by the Ministry of Labor and Social Welfare Lao PDR (MLSW) found that people living in rural villages in Laos pin down economic necessity, poverty and unemployment as main reasons for migrating. In addition, "social distance" between the two countries, which the MLSW defines as similarities based on language, culture, direct kinships or personal relationships, is a crucial factor behind migrants' decision to go to Thailand. Moreover, positive, popular appeal of Thai culture has a tremendous impact on Laotians, especially on teenagers who are influenced by Thai popular culture through Thai media and karaoke. Public attitudes, peer influences, family pressures and popular perceptions of life in Thailand are also identified as important factors. In addition, it is reported that many parents encourage their children to migrate to Thailand after seeing other migrants or their relatives return with money, new consumer appliances and financial resources to build a house (Asian Migrant Center and Mekong Migration Network 2002).

My research in Sirinthon and Khong Chiem districts in Ubon Ratchatani province, involved interviews with migrant sex workers ranging between 15 and 31 years of age and who primarily migrated from Champasak province, Lao PDR, to the adjacent province of to Ubon Ratchathani in Thailand. Most female migrants entered Ubon Ratchathani province through the Chong Mek pass, located in Sirinthon district, which has served as a cross-border trading zone since 1989. The rest migrated into the province by boat since the province shares a 187 km border with Lao PDR along the Mekong River. Most female migrant sex workers reported that economic necessity, poverty and unemployment are fundamental causes for migration into Thailand. Some sex workers agree to work as the waitresses at karaoke bars just so they can visit Thailand. Thai TV programs broadcasted in Lao PDR always portray a relatively modern way of life which appeals to many Laotians. This ideal representation is regarded by some writers as a key factor that stimulates young Laotians to abandon their traditional ways of life and pursue more "Westernized" ideals and lifestyles (Ngaosyvathn 1995). My research findings show that many sex workers from Lao PDR view going to Thailand as not only a means to escape from poverty and problems in their lives, but also as a way of acquiring other opportunities in their lives such as getting a good job, meeting a Thai partner, obtaining Thai nationality or even having an adventurous experience (An interview with many sex workers from Lao).

In addition, the inferior status of women in traditional Laotian society, gender inequality and discrimination against women engendering in development in recent years are reported as crucial factors that make Lao girls and women agree to seek a job and a better life in Thailand. In Lao PDR, women's lives remain tied to heavy workloads. In Lao agricultural society, men do little in agricultural work. Women generally work at least three times more than their husbands. Apart from the hard work in the fields and forced public labor, cook all the meals, gather wood and of forest products, fetch water, feed the animals, do the gardening, braid herbs and bamboo together for roof material, embroider leaves for mats or baskets, and look after the children, all these activities are exclusively the responsibility of women. Girls from poor families have particular difficulties attending both formal and informal education (Ngaosyvathn 1995).

In informal education, Lao women, like their peers in other Southeast Asian Theravada Buddhist countries, are forbidden to be a part of the monastic male-oriented life. On the one hand, women do not have the opportunity to be ordained. On the other hand, Buddhism is dependent on women devotees for its survival. Women need religion for salvation in their next lives. A son may make merit for their parents by becoming a monk for a few months while a daughter is encouraged to make merit by caring for her parents. If she does this well and earns money for her family, she can conceivably be reborn as a man in her next life (Kirsch 1975). The construction of ideologies of female inferiority and dependency in Buddhist discourses is reproduced in Lao popular literature, such as fairy tales and novels, which tend to create and reinforce gender inequalities. Women are taught to be self-sacrificing and self-denying in both 'private' and 'public' spheres (Ngaosyvathn 1995).

Moreover, many Lao folktales have constructed the image of 'good' and 'bad' women as a mean of controlling women's behavior. 'Good women' are deemed as polite and to be subservient to men in exchange for their protection, honor, and security. They are thus dutiful daughters and good wives. In contrast, 'bad women' are not 'owned' by individual families or individual men, including women who loose their virginities before marriage and prostitutes. They are considered 'spoiled', 'indecent', or as 'whores' (Brown 2000). Even the distinction between 'good' and 'bad' women is quite rigid, utilized as an important marker in many societies in Asia where the virginity of women is highly valued. In my study, I found that the construction of gender discourses based on such ideologies have a remarkable influence on Laotian female migrants' decisions to cross the Thai border and, later, to agree to perform sexual services. Young single girls who perceive themselves to be 'dutiful daughters' thus believe it is their responsibility to earn money for their families, even if it means selling sex. Laotian widows or those who have lost their virginities before marriages or those whom are abandoned by their partners, perceive themselves as 'fallen women', who are undesirable to men in their communities. Their perceptions of themselves as 'bad women' results in their opting to provide sexual services as a means to earn a living.

Girls who attend schools and get a formal education are introduced to the notion of women's rights, which have been promoted under the new regime. However, they tend to abandon school studies mid-way, due to the lack of financial support, and in order to help in the home or to look for a job outside the home. Parents often prefer to educate their sons and pull their daughters out of school. Education for girls has often played a secondary role. Different perceptions of gender roles contribute to this discrimination against girls (Ngaosyvathn 1995). As a result, in most families, girls are given lower priority than boys in gaining an education. Women thus tend to receive lower wages than men in almost all sectors. Many female migrants whom I interviewed said they either had a primary school education, or no formal education at all. As a result, they felt they lacked necessary skills required in modern society. That is the reason why they have limited options and likely to accept prostitution as a means of surviving in Thailand.

Sexualizing Borders and Sexual Violence

Border zones have been widely reported as providing opportunities for illicit sex. The creation of fictions, films, and the Media, have aided in turning the image of seeking sexual license across state lines into a stereotype. 'The border' metaphor in popular culture invokes a range of potentially transformative sexual experiences and life cycle transitions. Thus the state border has been used as a dramatic device to underwrite the passage from childhood to puberty, from boyhood to manhood, and from conventional to liberating sexual practices. Border has become a metaphor for crossing the border into sexual emancipation. Although the relationship between borders and sex

trade is reported by many scholars, some have argued that prostitution is not found at all borders, nor it is found only at borders. Many factors can contribute to the presence or absence of prostitution in borders, among them its legality or illegality in the states concerned, the ability or willingness to enforce legislation, and the moral voice of the wider society. Labor market conditions obviously play a major role in encouraging prostitution along borders where economic imbalance and differential standards of living between two countries are particularly marked. Prostitution seems to flourish where scarcity of jobs, poorly paid employment, and limited openings for unskilled workers is juxtaposed with easily accessible and comparatively prosperous potential clients (Donnan and Wilson 1999).

Many researchers report that the sex trade seems to flourish along the sections of the Thai border which have a comparatively stable economy, as well as those sections characterized by collapse, transformation or recovery from the ravages of war (Archavanitkul 1998; Caouette, Archavanitkul, and Pyne 1998; Donnan and Wilson 1999, Lyttleton and Amornitip 2000; and Darwin, Wattie, and Yuarsi (ed.) 2003). In Ubon Ratchathani province, Thailand, agriculture constitutes a main source for population, together with commerce and tourism (National Statistic Office 1996). Although there is little information about the income generated by the sex trade in Thai-Lao border areas, it is reported that the illicit trade in sex has been, and remains, central to the border economy (Donnan and Wilson 1999). An official report in 2003 reveals that there were 50 entertainment places in border areas of Ubon Ratchathani; 24 located in Sirinthon district; and 5 located in the Chong Mek area were involved in sex trade (Office of Ubon Ratchatani Public Health 2003). Unaccounted for incomes are pocketed as bribes by members of the police and municipal authorities who harass the only prostitutes operating within the law, and uncounted budgets are allocated to the state to regulate illegal migration, 'clean up' the situation and eliminate corruption. It is in this sense that prostitution could be seen as being part of a subversive economy.

In addition, cross-border prostitution is frequently an element in the body politics of border regions. As a commodity purveyed in the local border economy, as a factor held responsible for the spread of disease, or as a focus for violent acts, sex, and those bodily parts associated with sex, may be used as means of both enacting as well as representing relationships in wider society. In many border settings, sex seems to provide an analogy for many of the features typical of relationships across state borders. Sex is referred to as the 'tactical use of passion' by many writers. Rape is used as a brutal tool in ethnic conflicts as so commonly reported elsewhere. Where the border is regarded as a 'scene of sexual and economic transactions between a state and its population', it is suggested that the sexualized female body can be seen as 'a symbolic site upon which the protective impulses of state, communal and familial patriarchal orders converge'. Sexual acts can be a powerful idiom of inclusion and exclusion. Moreover, it may be deployed in border zones as both a violent act and as a symbol of resistance. Rape and penetration are both a metaphor and a physical threat. Sexual violation is simultaneously a way of talking about borders and one way of violently enacting their reality in an arena where political boundaries are readily perceived as the boundaries of the body itself. In the contested politics of border zones, the sexualized body may become the weapon of the disempowered as well as of the state in its effort to consolidate control (Donnan and Wilson 1999).

My study found that accumulative rates of HIV/AIDS infection in Ubon Ratchathani province increased continuously from 1982 to 2003. Three districts in the border areas were identified as the highest infected areas. Sex workers from Lao PDR have been identified as major targets of state control and of stigmatization as a source that spreads the disease (Office of Ubon Ratchatani Public Health 2003). This increase prompted the state to control sex service-related businesses in the Chong Mek area. At the end of the year 2003, all sex service-related businesses in

the Chong Mek area were closed down by Thai state authorities. However, this seemed to aggravate, rather than ameliorate the situation.

A local NGO activist working in the area reported that the implementation of such a policy without any measures to support female migrants results in more complexities. Some of them moved to work in sex service-related businesses in Khong Chiam, another district of the province, while the rest migrated to the interior of the country. It is believed that this policy has not only had a negative impact on HIV/ AIDS prevention, but also paved the way for traffickers to recruit more female migrants into prostitution in big cities of Thailand, or other countries. In addition, it is believed that physical and sexual violence, already prominent among Lao female migrants, may increase because, with strict 'controls' by the state, female migrants have to rely more on pimps and traffickers to access sex work in Thailand.

In 2004, when I was in my fieldwork sites, sex service-related businesses in the Chong Mek area and Khong Chiam district proliferated due to a decline in state control and high demands of Thai male clients who always visit Thai-Lao borders to seek sexual services. Female migrants from Lao PDR are vulnerable and easily manipulated and exploited due to their young ages, their illegal status and their lowly viewed 'prostitute status'. In my study, even those who agree to sex work were unable to avoid sexual violence and other forms of exploitation due to their dependence upon others. Sex workers from Lao PDR in border areas of Thai-Laos face four forms of violence: forced prostitution, forced sex, sexual harassment, and being deceived or forced into having unsafe sex.

Cross-border trafficking is a common method that traffickers use to recruit young Laotian children and women into sex related-businesses in Thailand. However, a conventional form of trafficking, wherein trafficked girls and women are beaten, or abused and locked in a room, is rare in my study sites. Contrary to popular belief, forced prostitution with subtle deception is much more common. Recruiters in both Thailand and in Lao PDR, promise or convince female migrants 'a good job', which is to begin with, a regularly job such as a waitress in a restaurant or a vender in a food shop or a housemaid where no sexual service is involved. Most Laotian girls and women are likely to accept such an offer because they gain relatively higher pay in Thailand compared to other occupations available in their country (Interview with Laotian waitresses). Recruiters prefer to make young Laotian girls and women trust them rather than use coercion. Moreover, most recruiters nowadays are Laotian former sex workers, who are friends, relatives or neighbors of young Laotian girls and women. They are thus easily persuaded to cross borders. Thai sex related- business owners likely to use this method to recruit new staff. This method is not only cheaper, it also helps them avoid problems with Thai authorities. Moreover, Lao girls and women who are recruited in this way are likely to have characteristics that meet Thai clients' needs. This results in competition among entertainment places to recruit new staff from neighboring countries (Interviews with Karaoke bar owners in 2004). Demand from men in rich countries is thus a key factor encouraging women from poorer countries to cross borders. Prostitution in this sense has a function in meeting the sexual desires of men in richer countries and thus a means to retain men's power over women's, and the wealthy over the poor (Brown 2000).

Apart from girls and women who are trafficked and deceived into prostitution, some female migrants might agree to enter the profession after facing some form of life crisis. They are usually older than Lao sex workers, with ages ranging between thirteen and twenty years. Some are divorced, while others were abandoned by their husbands or had children who they need to take care of. With this burden on their shoulders, they seek work in Thailand. Besides, they perceive selling sex in Thailand is better than in their own country because no one in their communities finds out how they earn a living. Their age and lack of alternatives make sex workers appealing. Some migrants

believe that if they perform such a profession with perseverance, they can be successful in this avenue (Interview with Lao migrant sex workers 2004).

In their workplaces, female migrants have to accept various forms of abuse and exploitation. Laotian waitresses have to work longer than twelve hours a day because most entertainment places open at noon and close after midnight. However, if they have to provide sexual services to clients, they may have to work even longer, probably until the next day. Regardless of their hard work and long hours, these workers receive very low wages or no wage at all. They usually make their earning from small tips and selling sexual services. Owners of entertainment places supply nothing more than lodging. Most Lao sex workers live together in a small room at their workplaces. Their residences are rudimentary, have no windows and are usually overcrowded. These kinds of residences not only prevents businesses from being observed by 'outsiders', but they are also easily dismantled if the police come to raid the place. Some entertainment places supply free food though low quality for their workers, but many of them do not (Interviews with various sex workers and field observation).

Apart from forced prostitution, sexual harassment is a common form of sexual violence faced by Lao migrant sex workers because it serves as a selling point which karaoke bar owners use to attract Thai male clients. Forms of sexual harassment include such things as unwanted sexual advances, intrusive touching and requests for sexual favors. The phenomenon is closely linked to gender inequalities which attribute Lao waitresses an inferior status in terms of sex, class, age and race. Karaoke bars, broadly known as sex-related entertainment places, allow waitresses to be sexually harassed. This form of behavior is normalized. Many Thai clients who frequent karaoke bars regard sexual advances as an initial step to get sexual services from Lao waitresses. Most Lao waitresses are under eighteen years old. They come from a culture where sexual relations outside marriage are strictly prohibited and are considered shameful. As a consequence, Lao sex workers feel embarrassed when they experience sexual harassment. Thai clients perceive such behavior to be acceptable in sex-related establishments and interpret embarrassment as a sign of acquiescence. Moreover, some clients even believe that Lao waitresses like this practice and are likely to accept it more easily than Thai waitresses. They believe if waitresses did not like being sexually harassed, they would quit their jobs (Interviews with Thai clients and Lao waitresses 2004).

Thai clients' interpretations of sexual harassment are different from Lao waitresses'. Sexual harassment is perceived by Lao waitresses as a form of sexual exploitation. They feel a mixture of fear, anxiety, excitement, irritation and discomfort. However, their perceptions and responses to sexual harassment vary, depending on their background and on the context where incidents of sexual harassment occur. Most Lao female migrant sex workers regard sexual harassment as a form of sexual exploitation. Sex workers who are deceived or forced to do sex work consider sexual harassment as a form of sexual exploitation. They view Thai clients who do this as impolite and untrustworthy and try to keep their distance from these clients or might refuse to sell sex to them. Those who agree or choose to do sex work consider themselves as professionals who should learn how to dress up and perform in order to attract Thai clients and make money as much as they can. They perceive the practice as an irritating one, but at the same time as a "duty" which they should perform (Interviews with Lao waitresses 2004).

Forced sex is another form of sexual violence among Lao female migrants. An NGO activist who was working in Thai-Lao borders revealed that there were many Lao female migrants who were forced to have sex with Thai state officials, pimps and people in trafficking networks (An interview with a local NGO activist). A local reporter insists that some Lao female migrants were forced to have sex by Thai state officials during the process of being repatriated. The reporter cited a

scandalous item publicized in a local newspaper that a Lao female migrant was raped and killed during her deportation to Laos. Her family thus came to Chong Mek sub-district to request an investigation (Interview with a local reporter). In my study, many Lao sex workers said they used to be asked by Thai policemen and state officials to give sexual services in exchange for not being arrested and deported. They consider forced sex as a form of sexual exploitation, so thus view it as legitimate to refuse to do so. They prevent themselves from being forced to have sex by asking karaoke bar owners to negotiate with officials, or tell a lie that they are sick or have their period. However, at least three Lao sex workers I interviewed confirmed that their friends were forced to have sex with Thai state officials (Interviews with some Laotian sex workers 2004).

Being forced or deceived into having unprotected sex is another form of sexual violence that occurs to Lao sex workers. "Perd-sing" is a popular practice among Thai male clients (Interviews with Laotian sex workers 2004). It is believed that having sex with young virgin girls or women is not only safe from STDs, but also gives energy and a prolonged life. The feeling of rejuvenation is a significant cause that makes Thai clients not want to use condoms while having sex with young girls or women (Interviews with Thai male client of Laotian sex workers 2004). The demand to buy sexual services from young virgin girls or women by Thai men has partly contributed towards an increase in child prostitutes in Thai-Lao border areas in recent years.

In addition, the high price paid to virgins is another factor attracting young Lao girls and women to Thailand. The price for sex with virgin women is usually 10-30 that of selling 'normal' sexual services (Interview a karaoke bar's owner). Young virgin girls and women may decide to sell their virginity without using a condom if they are convinced by karaoke bar owners. During their early work period in Thailand, they are usually told by karaoke bar owners that they have limited chances to sell sex in exchange for high payment. If they hesitate to sell their virginity the first time they are approached by karaoke bar owners, they would later receive only normal pay for selling sexual services (Interviews some Laotian sex workers 2004). This is why many young virgin female migrants decide to sell their virginity fast although they do not intend to do sex work and are afraid of HIV/AIDS infection. Such a decision might be accelerated by their need for money.

It is a common belief among Thai men that having sex without a condom is more pleasurable. Some clients agree to buy sexual services and promise to use a condom, but later take it off during sex without informing the sex worker. This situation leads to a high risk of pregnancy and HIV/AIDS infection among Lao migrant sex workers. Two Lao sex workers who have experienced this several times said that although they are aware of the disease and always negotiate with Thai clients to use a condom and refuse to sell sexual services to those who don't want to use one, they cannot prevent the risk of contracting the disease. They added that they often cannot recognize when clients will break the agreement. Sex workers who have been deceived into having sex without a condom continue to perform sex work without having a blood test. They admitted that they kept the story a secret because they were worried about being forced to quit their jobs (Interviews with some Lao sex workers 2004).

An official report in 2003 states that HIV/AIDS epidemic in some districts of Ubon Ratchathani has become severe. Thai men who frequent sex workers were identified as the most vulnerable to contracting the disease. However, the official number of Lao sex workers who have been infected with STDs and HIV/AIDS is not available (Office of Ubon Ratchathani Public Health Care Service 2000). This is partly ascribed to the fact that Thai men tend to ignore to use a condom wherein Lao migrant sex workers cannot access to reproductive or sexual health care services provided either by Governmental Organizations (GOs) or by Non Governmental Organizations (NGOs) (Interviews with local NGOs workers in Thai-Lao borders 2004). In addition, the public

health care center is quite far from their workplaces and services from private clinics are expensive for them (From field observation). Moreover, most Lao sex workers are afraid of being arrested if they ask for help from state officials while public health care officials themselves never regard migrant sex workers as their target group for services (Interview with Lao sex workers and a public health care provider 2004).

Besides being subjected to sexual violence, as above mentioned, Lao sex workers are usually also deprived of freedom: they are not allowed to contact people without permission from karaoke bar owners. Some cannot freely go to the market or contact any Thais. They cannot even go out with clients who become their boyfriends. Mobile phones become necessary tools that Lao sex workers use to contact the outside world. The phone is helpful when Lao sex workers run into some problems with their clients or state officials, as they can call their employers for help. Moreover, they can call their clients who become their boyfriend to ask for financial support when they are short of money (From field observation 2004). Lao sex workers consider they are helped by karaoke bar owners in getting a job, finding residence, and being protected from arrests by Thai officials. This is a reason why they think that working as a waitress without pay is acceptable. They perceive the bar rule that limits their opportunity to meet other Thais and to go outside without permission to be there for their own protection rather than to deprive them from their freedom (Interviews with some Lao sex workers 2004). However, this rule prevents Lao sex workers from forming a social network. Therefore, when they face exploitation or abuses from their employers, they cannot seek help from anyone else.

As prostitution is usually regarded as an illegitimate profession in Thai society, Lao sex workers are unavoidably stigmatized as 'whores', 'bad women', or 'women who have impurity'. People living in communities where there are karaoke bars, can recognize Lao female migrants, but usually never have any contact with them. Lao sex workers are discriminated because of their status as illegal migrants (From fieldwork observation and interviews with some villagers). Thai clients recognize them only as whores, but never pay attention to their other gender roles such as their roles as daughters, sisters and mothers (Interviews with some Thai male clients of Lao sex workers 2004). This causes Lao sex workers to be dehumanized. Thus, they always consider themselves as having no value or being unworthy of being loved.

Thai state officials also perceived Lao migrant sex workers as 'whores' or 'illegal migrants'. This strips Lao sex workers of protection of their human rights and access to other assistance. Their status as illegal migrants prevents them from accessing to knowledge and services related to reproductive and sexual health. As a result, Lao sex workers usually learn about condom use and STDs or HIV/AIDS protection by their employers and their Lao colleagues. Although all Lao sex workers who were interviewed admitted that they were afraid of HIV/AIDS, only a few had proper knowledge about protection of the disease. Cultural gaps and language problems make negotiation for condom use with their clients difficult. Moreover, lack of self-esteem and knowledge about reproductive health and rights becomes a major barrier that deters them from gaining access to public health services (From field observation and interviews with Lao sex workers 2004).

This study found that most GOs and NGOs working in the study sites focused on prevention of STDs and HIV/AIDS. Only a few organizations offered services related to women's sexual and reproductive health, and none touched issues of human rights, reproductive rights and violence against women. Information about proper contraception, prevention of STDs, safe abortion and other related issues is highly needed among Lao sex workers as well as their employers.

Prostitution and Racism

Sexuality is perceived by Thai men as a natural and biological instinct and, having sex, is a way of verifying and asserting their manhood. Many explanations for the demand for prostitution see some level of prostitution as inevitable, at least for single men expected to bring sexual experiences to marriage. To some extent, this explanation draw on Thai gender conceptions in which men are thought to require outlets for their sexual drives. Such a belief is related to a popular idea among Thais that extra-marital sex by men is neither normal, nor appropriate practice for single men. A visit to a brothel serves as a rite of passage for many young men in Thailand. Their close friends may arrange a visit to a brothel for them. In such a situation, young men must go through the rite if he wishes to retain his dignity and sense of 'manhood' (Havanon 1996).

In Thai society, having sex in general, as it is believed, helps release tension or stress and having sex with young girls engenders a healthy and prolonged life. However, men cannot have sex with "normal women" outside marriage freely due to social norms about virginity and monogamy whereas commercial sex is practiced openly in Thailand. Many Thai men consider that commercial sex is simply part of life. The belief is related to a popular idea among Thai people that extra-marital sexual relations with "normal women" are not appropriate for married men. Thai wives generally view men's occasional visit sex workers as more acceptable than that with non-commercial sex partners because the latter may potentially jeopardize their emotional and financial wellbeing.

Peer pressure to purchase sex is strong among Thai men. Thai men who refuse to visit prostitutes together with their friends are branded 'weak' for being subordinate to their wife's powers. Drinking and visiting prostitutes among close friends thus mark trust and friendship and it is sometimes used as an entry point for business negotiations. This practice is particularly popular among middle-class Thai men and a factor encouraging married men to frequent prostitutes (Saengtienchai, Knodel, Vanlandingham & Pramualratana 1999).

Constructions of gender and sexuality promotes cross-border mobility and affects the socio-economic and demographic composition of migrant flows. Female beauty in Thailand is often associated with lighter skin tones. In Thailand, such women traditionally came from the north. However, women with light skin from neighboring countries are often seen as attractive and are often sought after as sex workers in Thailand or in border areas of neighboring countries. An increase in sex workers from Myanmar and Vietnam in Thailand is partly based on the body image that they are viewed "cleaner" and "safer" by Thai clients (Boonmongkon, Guest, Marddent and Sanders 2003).

The border areas itself are also a factor promoting cross-border sexual relations. Lyttleton and Amarapibal (2002) explored cross-border sexual relations and explained that Mukdahan province in northeastern Thailand is seen by Laotian women as a flashy city of concrete and glass. This attracts Laotian women who want to earn money. In contrast, Suvannakhet, a province in Laos, is seen by Thai men as dusty and lacking in infrastructure. Social constructions of both physical space and corporeal or bodily space are thus important factors influencing Thai men's decision to pursue commercial sex across the border for the sense of "novelty". They describe sexual interactions there as a fresher and newer experience or as giving them the sense of "conqueror/ explorer" that endows local women with an exotic appeal. The erotic appeal of Laotian women is partly based on "their difference".

Transnational trafficking in women and prostitution is profoundly linked to racism. Images of "the exotic" are entwined with ideologies of racial and ethnic difference: the "prostitute" from Lao PDR is defined as "the other" by Thai clients because of their racial or ethnic origins. Constructions of women as "good" or "bad", "woman" or "whore", reinforce and attribute legitimacy to 'proper'

sexual relationships intended for marriage. In such relationships, the family usually sets limits on the appropriateness of sexual partners based on nationality and ethnic membership. Prostitutes from Lao PDR, like brown and black women, are often regarded as “the exotic” by their clients. Constructions of image of these women as desirable, tantalizing, erotic subject imply that these women are seen as suitable for temporary or non-marital sexual intercourses. The ideal “outside” woman is rarely seen as a candidate for a long-term commitment, an equal partner, or as a future mother. The brown or black woman thus represents the “unknown” and “forbidden” positioned in dominant discourse as the subordinated “other”.

The exoticization of the “other” is as important as economic factors in positioning women in sex work. Race and ethnicity are thus important factors for understanding contemporary sex industries. The eroticization of women from Third World’s cultures is integral to the constructions of female sexuality as highly attractive and fascinating, yet related to the natural primitiveness and lower order of the other cultural group. Away from the repressive social codes of conduct in Western Europe, these strange cultures, and particularly the women in them, became sites where sex was neither penalized, pathologized, nor exclusively thought of as procreative. Enslaved, indentured and colonized womanhood thus came to represent uninhibited and unrestricted sexual intercourse, a situation that in many ways is today reflected in the global sex industry (Kempadoo and Doezema 1998).

In my study, Laotian girls and women are likewise viewed by Thai clients as “the exotic others” (Interviews with Thai clients of Lao sex workers). This gives them an erotic appeal, although Lao women look very much like northeastern Thai and most of their clients are Thai men in the region who share a similar dialect and culture (Interview with Thai clients of Lao sex worker and fieldwork observation). Laotian sex workers’ bodies are considered by Thai men as the very embodiment of Lao PDR, which is generally considered as a country of relatively lower economic development and less modernity. For Thai men, consumption of Laotian women’s bodies enhances their sense of superiority and civility. The construction of Laotian women’s bodies as “exotic” by Thai men, and as the “new products of the sex industry” by owners of sex service-related businesses, reflects men’s power and domination over women’s bodies and definitions of gender and sexuality. The representation of Laotian girls and women as “the exotic other” is thus an important factor promoting the trafficking of women cross-borders for sex trade.

Concluding Remarks

That illegal female migrant encounter deception, abuse and exploitation is well established. However, in this paper I have argued that Laotian female migrants can not be seen as “the other” or as “victims” without also taking into consideration their perceptions and reactions to situations of abuse and exploitation. In Thai-Lao border areas, I rarely encountered female migrant sex workers who accepted sexual violence without any resistance. Sexual violence might be accepted in some contexts, but this usually occurs under particular circumstances, when women are under pressure or have no other choice. Female migrants from Lao PDR generally show their ability to make rational decisions or choose their survival strategies to react to situations of abuse and exploitation.

In many cases after female migrants who are trafficked and deceived into prostitution in Thailand, learn that their work involves a waitress in a karaoke bar where sexual service is involved, they refuse to do sex work and decided to migrate back to their original communities in Lao PDR. Those who agree to perform sex work in Thailand, perceive prostitution in Thailand as a temporary job which can enable them to earn money without people in their communities in Lao PDR finding out. Many Laotian sex workers said they will give up such a profession if they can save enough

money to start up a businesses or if they can support their siblings to finish school. Some said they would like to find love them when they go back to their communities. That is the reason why they view prostitution in Thailand as a temporary life option and are afraid of being stigmatized as a 'whore' by their communities.

In addition, Lao migrant sex workers use many strategies to cope with incidents of sexual violence. They prefer to avoid sexual violence altogether rather than having to resist once it occurs. Lao sex workers said that they observe Thai clients' behavior when they come into the bars. Then they decide how to deal with different kinds of clients. If a client appears impolite or aggressive, they would try to keep their distance to avoid any risk of sexual violence. They do not sell sex to Thai clients whom they consider likely to commit sexual violence and who look untrustworthy. If incidents of sexual violence occur, they respond to it in various ways. In some contexts, they allow it to happen and perform as sex objects. In many other contexts, however, they resist it. Strategies they use in response to such incidents reflect that they separate their identity as "women" from that of "sex worker". They might represent themselves as sex workers when they are working, but they are women, sisters or daughters in other contexts in their lives. The different ways women perceive themselves affects the way they respond to sexual violence. Thus, their identities are very fluid, depending on how they choose to represent themselves to people. The different strategies used to resist to sexual violence, however, shows that Lao migrant sex workers are not passive sexual objects or victims, but rather active agents.

Despite the aforementioned, some Laotian waitresses said that they decided to migrate to Thailand even after they were informed that sexual service was involved. These migrants are generally women who had lost their virginity outside of marriage, were divorced or had been abandoned by their husbands and left with children to take care of. Although they are aware of risks of pregnancy and HIV/AIDS infection, they choose sex work as a life option and thus can be seen as "voluntary prostitutes" rather than "forced prostitutes". However, they always negotiate with Thai clients to use a condom before agreeing to sell sex and refuse to perform sexual services to those who refuse. They cannot prevent a risk of contracting the disease because Thai clients often take off condoms during sex without informing sex workers. In addition, sex workers said that they do not know when clients will break an agreement. This situation shows that the capability to prevent sexual violence among female migrants is limited, especially in complex situations. Further study is needed to better understand how sexual violence can be best avoided and what should be done in the future to empower them.

Moreover, more research is needed to learn how culture influences sexuality and in which context Lao girls and women decide to do sex work (e.g. loss of virginity outside of marriage). In addition, long-term strategies should be set by the Lao government in order to cope with problems related to gender inequality and discrimination against women in Lao PDR. Public awareness campaigns about the causes and consequences of cross-border mobility, global trafficking and global sex trade should be undertaken, especially in some communities in Lao PDR where women trafficking and cross-border migration is a problem.

In Thailand, more research needs to be conducted in order to gain a better understanding about male sexuality, including sexual preferences and related behavior. In this study, it is found that Thai men prefer having sex with young virgin girls, foreign sex workers or having multiple sexual partners. Some Thai clients are unwilling to use condoms and have risky and exploitative sexual behavior. Future studies should focus on factors related to their sexual satisfaction, especially their sexual preferences for foreign women, and the degree to which commercial sex or sexual intercourse with multiple partners is practiced and accepted. More research should be done to deconstruct

masculine sexuality and understand the factors that result in male domination. Last of all, a means should be developed to distinguish voluntary migration from involuntary migration because various problems faced by migrant sex workers have very different implications depending on whether they are forced / coerced into prostitution, or whether there was some level of “choice”.

Getting married to foreigners through match-maker agencies in Vietnam

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Definitions

- Foreigner:

According to Article 9 of the governmental Decree 68/2002/ND-CP, *foreigner* comprises those who have not Vietnamese citizenship and have no citizenship.

- Matchmaking activities:

Matchmaking activities discussed in this article are commercialized. Cases involved the study focus on marriages between Vietnamese women and Taiwanese men that is becoming a tendency in Vietnam.

1. Status of cross-border marriage through marriage agencies

In the past decade, the phenomenon that Vietnamese women seek life partners from foreign countries, especially from Taiwan, is on the up trend.

There were 1,090 local women marrying foreigners from Taiwan, Australia, America, Canada and France in 1993, indicated the statistics of Ho Chi Minh City Department of Justice. Amongst, some 152 women or 13.9 percent got married with Taiwanese. After five years, the figure of cross-border marriages quadrupled (4,394 cases). Especially, the number of marriages with Taiwanese men saw an eleven-time increase over that of 1993. Since 2001, cross-border marriage boomed with 27,544 cases including 10,885 cases with Taiwanese, representing 39.5 percent (HCM City Women Newspaper dated November 17, 2001). (See Table 1).

Table 1: The number of Vietnam women marrying foreigners

Year	Taiwanese	American	Australian	Canadian	France
1993	152	266	409	146	117
1994	546	533	349	181	110
1995	997	1.334	416	301	138
1996	1.843	1.661	679	284	134
1997	1.551	889	297	228	103
1998	1.798	1.612	354	449	181
1999	2.001	1.728	366	458	187
2000	1.997	1.706	376	415	207
2001	10.885	9.729	3.291	2.462	1177

Source: Service of Justice (HCM City Women Newspaper dated November 17, 2001).

According to the information of Ministry of Justice on 14 April 2005, the number of Vietnamese bride in Taiwan is about 80,000.

For the time being, the phenomenon that Vietnamese women marry foreigners, especially Taiwanese men, becomes prevalent in southern provinces such as Soc Trang, Dong Thap, Vinh Long, An Giang, Tay Ninh, and Ho Chi Minh City. It is forecasted that the tendency of marrying Taiwanese men is spreading from HCM City to neighbouring provinces.

In HCM City, if there were nearly 2,000 cross-border marriages with Taiwanese men in 2000, the number of cross-border marriages with Taiwanese men in the city in 2002 reduced to over 800 cases (Law Newspaper, dated April 29, 2003).

In Tay Ninh province, to the end of 2004, there are 10,486 Vietnamese women marrying foreigner, 8,051 of them marrying Taiwanese (80 percent).

In Can Tho province, the women's union show that there are 2,500 women marrying Taiwanese every year. Since 1995, there are 11,000 women marrying Taiwanese. Tan Loc commune, Thot Not district is the hottest area in this province with 575 cases. (Vietnam news, dated autumn, 2005)

An Giang province has 3,511 marriages with foreigners between 1993 and November 2002 and 2,177 of which are marriages with Taiwanese men through matchmaking agencies (Family and Society Newspaper, dated August 29, 2003). In 2000, more than 200 families in Vinh Trach commune, Thoai Son district of An Giang province intended to give their daughters in marriage with Taiwanese men; Over 100 young women of Vinh Thanh commune of Chau Thanh district got married with Taiwanese men. In communes of My Khanh, My Thoi of Long Xuyen city, there is a fact that three daughters of a family got married with Taiwanese men through matchmakers (HCM City Women Newspaper, dated February 7, 2001).

At present, most of marriages between young Vietnamese women and Taiwanese men are through matchmakers. In 1997, the proportion of matchmaker-based marriages with Taiwanese men was 46.85 percent and it is up to 85 percent in 2002. (See Table 2)

Table 2: The rate of matchmaker-based marriages

Year	(%)
1997	46.85
1998	52.30
1999	54.8
2002	85.0

Source: Family and Society Newspaper, dated July 8, 2003

What are reasons for the increase in the number of women marrying foreigner, especially Taiwanese and the development of commercialized matchmaking activities? The first reason is economic integrated process. Since the beginning of 1990, culture-economic relationship between Vietnam and Taiwanese has been developed. Many Taiwan Business Organizations have been established in Vietnam, especially in Ho Chi Minh City. The relationship between Vietnamese and Taiwanese becomes friendlier. Secondly, the return of some women marrying Taiwanese in rich condition after 1990s or the richness of these women's families forced so many other women to marry Taiwanese men. Thirdly, the governmental Decree 184/CP on marrying proceedings between Vietnamese and foreigner that took full effect in 1995 created legal basis for spousal relationship between Vietnamese and Taiwanese. This decree has no regulation on ban matchmaking activity. Therefore, many agencies have organized commercial matchmaking activities. These agencies are

more popular, attracting more and more people because of the big profit. For example, a Taiwanese groom has to pay about US\$ 5,000 to US\$ 10,000 to marry a Vietnamese bride. After deducting all expenses, the bride's family receive only US\$ 500 to US\$ 750 (Lao dong newspaper, dated June 15, 2003). So that, a successful matchmaking will bring in maximum US\$ 5,000 of profit for the agent. That is also the reason why 44.15 percent of respondents said that many women were convinced to marry Taiwanese by matchmakers. (Vietnam women newspaper, dated July 24, 2003).

2. Matchmaking-based marriages with Taiwanese men in Vietnam in recent times

2.1. Patterns of matchmaking activities with Taiwanese men in Vietnam in recent years

At present, matchmaking activity in Vietnam exists in two patterns: Organised agency and individual agents.

Organised agency often comprises three layers and each layer is an organisation or an agent. The first layer comprises Taiwanese agencies in Vietnam. The second layer refers to big matchmakers. Because of language affinity with Taiwanese, most big matchmakers are ethnic Chinese. These big matchmakers play a strategic role in cross-border marriages. Their language advantage enables them to convey important information to Taiwanese agencies, and interpret for Taiwanese males if necessary. In addition, big matchmakers are in charge of many miscellaneous details including the arrangement of meetings, wedding banquets, and accommodations. These big matchmakers typically have many "small matchmakers" to help them, especially to help contact with future brides. Small matchmakers constitute the third layer of industrial organisation. They go to the countryside to search for women who might wish to marry foreigners and encourage them attend the meetings with potential Taiwanese males. (Quoted Quarterly Review, Vol.40 No6, 2002, p.104).

In Vietnam, there is no reliable data of matchmaker agents of cross-border marriage in Vietnam. However, Taipei Economic and Cultural Office (TECO) in HCM City had required all agents to wear a license badge when entering the TECO office. At the time of survey, the badge numbered B246 indicating that there may be more than 246 agents registered at TECO (Quoted Quarterly Review, Vol.40 No6, 2002, p.106).

Individual agents are mostly Vietnamese married to Taiwanese. They seek potential customers when they come back home country. The potential customers are often young women in their hometown or their acquaintances. Those individual agents try to persuade their potential customers to get married with the Taiwanese men. And with each case of matchmaking, the individual agent is paid commission. (HCM City Women Newspaper, dated February 7, 2001).

2.2. Process of a matchmaking-based marriage

Nowadays, the alarming problem in commercial matchmaking activity is the process of Vietnamese would-be brides selection that are adverse to the honor and dignity of Vietnamese women. There are 3 steps in this process:

The first step: Seeking for would-be brides. This step is often undertaken by the small matchmakers who are so called brokers by some newspapers. The small matchmakers are often local people so that they know well situation of their customers. Their target customers are young women who are living in distress or those who indulge in pleasures. They try to convince the young women customers to agree to get married with Taiwanese men. (The brokers in this case are not matchmakers. They are paid to help matchmakers in the initial stage of matchmaking-based marriages.)

The second step: Preparation. After the young women are brought to Ho Chi Minh City, they are arranged in boarding houses waiting for the meeting. During that time, they are prepared for the meeting, including make-up, learning how to present themselves, being provided with better meals.

The third step: Selection- the decisive step for the success or failure of a matchmaking-based marriage. When the would-be grooms arrive in Vietnam, the matchmakers bring the future brides, group by group to the meeting. To avoid any difficulties from the police, meeting times and places are varied. Today, matchmaking market is mentioned like a form smearing the good repute of Vietnamese women. These markets are located in hotels, parks, and boarding house in Ho Chi Minh City. In a market, the number of young women is about 100 to 200 while there are only 4-5 Taiwanese men. As said by one woman who has taken part in a matchmaking market "Vietnamese women are told to stand in line and move in order for Taiwanese looking at. When Taiwanese man satisfies some one, he will point her. In some cases, the young women were accepted impolite requirements such as taking off clothes for Taiwanese to look at".

Finishing a meeting, those women who are not selected will be arranged in to others meetings. According to a Taiwanese magazine report, if a woman living in accommodation provided by the matchmaking agency is not able to marry out within three months, she will be sent back to her home and asked to reimburse all costs incurred (Quarterly Review, Vol40, No6, 2002, p.99). In fact, some women who can't marry Taiwanese men don't come back their family. They look for work in the city and some of them become prostitutes.

3. The characteristics of matchmaking-based marriage

- *The big gap in age between Vietnamese brides and Taiwanese grooms*

According to Dr Phan An's research findings, Vietnamese women marrying Taiwanese are young. About –80-85 percent of them are between ages of 18 and 25. Compare to Taiwanese men's age, Vietnamese women's is much lower. The age gap between Vietnamese women and Taiwanese men is: A 5-10 age gap (20 percent); a 11-15 age gap (20 percent); a 16-20 age gap (23 percent); a 21-24 age gap (12 percent); a 26-30 age gap (5.4 percent); a more than 31 age gap (3.4 percent).

- *The socio-economic status of Taiwanese grooms and Vietnamese brides, in terms of education, occupational prestige and place of residence is low.*

Most of Vietnamese women marrying Taiwanese live in rural areas and in crowd-children families. 27 percent of them live in families having 5 children; 35 percent of them live in family having more than 5 children. Data analysis by the Taipei Economic and Cultural Office revealed that 88.86 percent of Vietnamese women before marrying do housework, 9.49 percent of them work as farmer, the rest do other works and 94.13 percent of Taiwanese grooms work as farmers or workers. (*HCM City Women Newspaper dated October 27, 2004*).

The educational attainment of both Vietnamese women and Taiwanese men is not high. The statistic of the Taipei Economic and Cultural Office in Ho Chi Minh City shows that in 18,435 couples, the average schooling year Taiwanese grooms is 8.5 years, compared to 6.3 years of Vietnamese women.

- *Having little knowledge about country, people, language, custom to each others*

The time for meeting before wedding of Vietnamese women and Taiwanese men is so short. A survey of Dr. Phan An showed that it is only 5 days to 7 days. Even though, in some case, they

became man and wife after only a meeting. 81.8 percent out of 200 Vietnamese brides said that they met their partner only one time before marrying.

Besides, both Vietnamese women and Taiwanese men are bad at speaking foreign language. Some 72 percent of Vietnamese brides can't speak Chinese, 84.7 percent of them can't speak English. Most of Vietnamese brides know vaguely about the country they will go to live after the marriage while around 47.3 percent of them don't know where Taiwan is.

- *Economic motivation seems very important for Vietnamese women making decision to marry foreigners.*

Most of Vietnamese women are descended from poor families. Through matchmaking, they want to marry a good husband to improve their living conditions and give up their hard life in rural area. A survey by the Can Tho women's union found out that 78.94 percent of women marrying Taiwanese for economic reasons (Vietnam women newspaper, dated July 24, 2003). In fact, some families have become richer thanks to the remittance from Vietnamese women marrying Taiwanese. This fact spurs young women in rural areas to marry Taiwanese.

4. Social consequences of getting married with foreigners through matchmaker agencies

For recent years, stories of Vietnamese women who get married to Taiwanese and become victims of domestic violence, trafficking and prostitution have been run on mass media in Vietnam. According to Vietnam news network, 6%-10% of Vietnamese brides in Taiwan suffered from domestic violence in July 2004. Therefore, there have been at least about 5,000 of Vietnamese women living in unhappily marital lives.

Besides, Vietnam has been facing to the situation that the children of women marrying Taiwanese returned to Vietnam to live. According to Dong Thap Police, there are 475 Vietnamese Taiwanese children who come back to Vietnam up to 2005. That makes local government face with difficulties in issuing them with nationality certificates and birth registration. They also meet difficulty in management of local population. According to current legal regulations, children's birth registration is issued by communal People's Committees of the locality where their mothers are living in or where the child was born. However, such children are not subject for birth registration because their mothers do not register permanent residence there. These children are in disadvantageous situation as they are not allowed to go to school without their birth paper.

To address this situation, administrative Justice Department, Ministry of justice has drafted a decree that is to replace decree 82 on residence registration which is expected to release some time in July. According to this decree, children will be granted with birth certificates by local authority of the place where they are living in order to secure their rights.

5. Legal framework and intervention application of cross-border marriages

5.1 Viewpoints of Vietnamese legislations towards cross-border marriages

The Vietnamese Government considers that international economic integration process links to phenomenon of getting married to foreigners. Therefore, Vietnamese laws have no stipulation prohibiting the marriages with foreigners. But Vietnamese laws prohibited strictly activities that use marriages to seek profit, damaging Vietnamese women's reputation.

Law on Marriage and Family 2000 acknowledges that "foreigner-involved marriages and family relationship is respected and protected by Vietnamese laws and international conventions

committed and signed by Vietnam government.” (Article 100, Law on Marriage and Family 2000). It is strictly prohibited in the Article 4, item 2 of the Law any marriage on the base of trickery. It is stipulated in Article 103 that foreigner-involved marriages in purpose of trafficking, sexual abuse against women or seeking profit are prohibited.

5.2. Actual intervention methods

5.2.1. Administrative penalties

In recent years, activities of matchmaking market become a pressing issue for the population in general and police force in particular. In February 2001, police of the ward 8, district 11 of HCM City imposed administrative penalties on 50 cases of violating the regulations on matchmaking services. (Newspaper of HCM City Women dated February 17, 2001). However because the matchmaking service for marriages with foreigners is not an irregularity, the police only imposed administrative penalties with the reasons that motorbike riders carried too many people as allowed, gathering to make the disorder in the locality. The penalty for such violations is often at VND 50,000 a person. For more serious violations, the penalties will be higher.

However, the administrative penalties might become ineffective if the efforts to check the matchmaking activities are lax, the market resumes its hectic operation because profit earned from these activities is very much higher than the fines.

Thus, this measure only brings in temporary efficiency in fighting against this commercialized activity.

5.2.2 Carrying out the intervention projects

In the communities that the phenomenon of getting married to Taiwanese is popular, a series of intervention projects, campaigns with purpose reducing the number of Vietnamese women marrying Taiwanese men have been carried out. Some specific projects as following:

Training on law on marriage and family, human rights, reproductive health, life values,...

Setting up the propaganda group. Members of this group are women who have married to Taiwanese men. They come to hamlets talking about the hard life in their experiences in Taiwan.

Holding conferences with topics relating to marriage to Taiwanese. The participants are from families that intend to give their daughter in marriage to Taiwanese, women who have married to Taiwanese men, local government representatives.

Supporting finance, creating more jobs for people in the communities to stabilize their life.

By above practical activities, the awareness of people in the communities has been improved. Some young women came to the women's union to be helped cancel the marriage contract they have signed. A lot of young women have given a pledge never to marry Taiwanese men. In Tra Vong and Mo Cong communes (Tan Bien district, Tay Ninh province) where the intervention projects have been carried out, the rate of women marrying Taiwanese men have reduced (51 percent in Tra Vong, 45 percent in Mo Cong) (Vietnam women newspaper dated November 24, 2002). However, the phenomenon of getting married to Taiwanese men has only been settled down in the places where the intervention methods are carried out. And this phenomenon is likely to resurge when the intervention methods stop.

5.2.3. Setting up marital supporting centres

According to the governmental Decree 68/2002/ND-CP, the marital supporting centre is planed to establish. Only the Vietnamese women's unions from provincial level with sufficient conditions get permission to set up those centres. The centre's functions are to introduce and help Vietnamese people and foreigners to know thoroughly about individual, family, social circumstances, manners and customs to each others, creating good conditions for them to come to

voluntary, equal marriages. In addition, the centres answer questions relating foreigner-involved marriages and family relationship. Those centres operate on humanitarian, non-profit principles. Nevertheless, in poor condition of material facilities, funding, those centres are allowed to receive the fee that is calculated reasonably and is agreed upon by the persons concerned/customers. According to suggestion of the central Vietnamese women's union, in the short time the model of marital supporting centre will be established in three provinces, including Ho Chi Minh City, Ha Tay, Phu Yen.

So far, one centre in Ho Chi Minh City has been working. As said by the director of this centres "until October 2004, our centre have consulted for 473 customers about marital decision, for 162 marital profiles. 105 people have come to register looking for foreign friend. This centre has acted as a matchmaker for 4 marriages. One of them is marriage to Taiwanese man". Those results reflect the centre's endeavour in supporting foreigner-involved marriages. Nevertheless, the statistics of the Taipei Economic and Cultural Office shows that there are 644 cases marrying to Taiwanese within 9 months of 2004 (*HCM City Women Newspaper dated October, 27, 2004*). Only one of them was helped by the marital supporting centre. In the fact, this centre is facing with a lot of difficulties in operating way, human resource and finance.

5.2.4 Perfecting legal system to limit commercialized matchmaking activities for alien marriages.

Regarding the activities of marriage matchmaking agencies, Circular 07/2001 by Ministry of Planning and Investment and General Statistical Office dated November 1, 2001 instructing business fields which are eligible for business registration admitted that matchmaking activity is entitled to be registered as a business field. Some people have exploited this point to operate commercialized matchmaking activities.

In an effort to prevent any abuse of this activity, it is stated in the governmental Instruction 766/TTg dated September 17, 1997 on assigning responsibilities for preventing cross-border trafficking in women and children that "The Home Ministry in coordination with relevant agencies and local people's committees are responsible for checking and closing any marriage matchmaking establishment or friend-making club with foreigners, tourism service provider which violates legal regulations in their activities of bringing people abroad."

To address pressing issues relating to cross-border marriages through matchmaking agencies, the governmental decree 68/2002/ND-CP dated July 10, 2002 provides concrete stipulations on implementation of some articles on foreigner-involved marriages in the Law on Marriage and Family. In which, "marriage registration is refuted if the investigation finds out that the marriage is artificial and not to serve the objective of building the family of wealthy, equality, progress, happiness, and sustainability; the marriage is to conceal the purpose of trafficking in women, sexual abuse or to pursue any other profit-oriented purpose." (Article 18, Decree 68/2002/ND-CP). The Decree also proposes to form a legal corridor for management, examination, and supervision of matchmaking activities for marriages with foreigners through Marriage Support Centres. On October 22, 2002, the Ministry of Justice sent to the provincial Departments of Planning and Investment to put a stop on granting business licenses for matchmaking companies. Therefore, all commercialized matchmaking agencies have been banned since January 2, 2003.

Up to now, Ministry of Justice has been keeping improving legal environment in order to stop cross-border marriage through matchmaker agencies. Ministry of Justice has submitted to the Government with the draft of Decree in which some articles of the governmental Decree 68 relating to foreigner involved marriage and adoption of foreigner involved child have been adjusted. Realizing weak points of legal corridor that leads to high rate of cross border marriage of Vietnamese

women, the Ministry has made some adjustments with the aims of making foreigner involved marriage be in legal frame and healthy. Detailed as the following:

When applying application form of registering marriage, both partners must be present at Department of Justice.

Marriage registration process must include interviews both partners. The interviews must contain parts of marriage's objectives, understanding each other, and ability of communicating with the same language that can avoid Vietnamese brides from not communicating with husband's family.

Marriage application profile must include one certificate issued by local authority. The certificate proves singleness of both partners. The certificate will be valid for 6 months (that is to help avoid the case that married foreigners use the certificate of the first marriage for the second marriage with Vietnamese women).

This draft of Decree is expected to be approved and implemented in June 2005. The Ministry of Justice hope that those new points in this draft will stop matchmaker-based marriages.

It can be said that Vietnam government and social organisations have made great efforts to prevent the cross-border marriages through commercial matchmakers. However, there are still illegal matchmaking agencies running for benefit that is barrier for the government's efforts to make cross-border marriages healthy. Thus, due attention should be paid to address the phenomenon of matchmaking-based cross-border marriage. However, a strategy to address this social issue is still a big question and a challenge for Vietnamese government.

References:

- Hong-zen Wang and Shu-ming Chang (2002). "The Commodification of international marriages: Cross-boder marriage in Taiwan and Vietnam". *Quarterly Review*, Vol 40 N 6.
- Nguyen Ngoc Diep (2000). *Studying basic content of Law on Marriage and Family*. Women Publishing House.
- The governmental decree 68/2002/ND-CP dated July 10, 2002 provides concrete stipulations on implementation of some articles on foreigner-involved marriages in the Law on Marriage and Family.
- Circular 07/2001 by the Ministry of Planning and Investment and the General Statistical Office dated November 1, 2001, instructing business fields which are eligible for business registration admitted that matchmaking activity is entitled to be registered as a business field.
- Vietnamese newspapers such as *HCM City Women Newspaper*, *Law Newspaper*, *Vietnam Women's Newspaper*, since 2001

From Trafficking to Sex Work: Burmese Migrants in Thailand

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ABSTRACT

In Thailand issues of sexuality are intertwined with issues of migration. Economic and social disparities among countries in the region provide incentives for movement while development choices adopted by the Thai government structures who moves and under what conditions they move. Some of the development paths taken by the Thai government and neighboring countries have provided the conditions through which movement into and out of Thailand is associated with sexuality.

At the individual level, sexual identity, representation and images are crucially related to movements across borders. At the macro level, a number of factors promote mobility in Thailand that also includes mobility into sex work. Thailand shares extensive borders with some of the poorest countries in the region although its own economic status is much higher.

Relative free travel across Thailand's borders along with large disparities in living conditions have been factors contributing to the movements of men and women involved in commercial sex. Thailand has established networks and procedures for assisting migration into the country. Tourism is also a major component of the Thai economy, and sexuality has for many years been a major component of Thai tourism. The role of the sex industry in cross-border sexuality in Thailand needs to be understood in the context of the active sex industry in the Thai economy.

This paper attempts to place cross-border sexuality in Thailand within a regional development framework. This is undertaken at two levels. Firstly, we review how development trends and policies have shaped cross-border sexuality involving Thailand. We use both historical and contemporary sources to show the movements across borders that are related to sex are related very closely to macro development policies and development changes experienced at the individual level. In the second part of the paper we report the findings of fieldwork focusing on the movement of women from Myanmar into sex work in Thailand. During recent years, Myanmar has been the country sending the vast majority of migrants to Thailand due to a number of social, economic, political and military factors. Most non-Thai sex workers are from Myanmar and because of their undocumented status they are often placed in positions where they are exploited.

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Migrations and trafficking in Lao PDR

Questions for victims of sexual exploitation centered approach

[DRAFT VERSION]

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This communication relays on an extensive analysis of reports concerning migrations and trafficking in Lao POR as well as interviews with victims of trafficking for sexual exploitation.

While migration for work is a fact of life that became a kind of ritual in several Lao villages, the experience might resume in trafficking for a number of persons.

If motivations and circumstances for migration are quite well known, the switch to trafficking still needs further investigation as it refers also to some overlapping between the two concepts according to the adopted perspectives. So, after defining the socio-economical and political context of migration in Lao POR, we will try to understand the migrant's point of view.

Working on a project to support victims of trafficking for sexual exploitation, we will present the complexity of this issue in the Lao POR context and the challenges we have to face in setting up a victim centred approach that can provide adequate answer to their needs.

Introduction:

This paper is the result of extensive literature review concerning migration and trafficking in Lao PDR as well as interviews with small sample group of fifteen Laotian women or girls working in the sex sector in Lao PDR and in Thailand.

Due to delays in the program implementation, it has not been possible to present data from interviews with victims of trafficking residents of Afesip centre in Lao PDR.

1/ The social and political context of migration and trafficking in Lao PDR

While Lao PDR is a country of origin and transit for migrant people, most of the trafficking² takes

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² The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Woman and Children (supplementing the UN Convention Against Transnational Organized Crime), defines trafficking as follows: a Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of - a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

- b The consent of the victim of trafficking to the intended exploitation set forth in the subparagraph (a) of this article shall be irrelevant where any of the means set forth in sub-paragraph (a) have been used;

- c The recruitment, transportation, transfer and harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in sub-paragraph (a) of this article;

- d "Child" shall mean any person under 18 years of age. The Protocol states that even if fraud and deception are not used, it is a case of trafficking if the victim is under 18 years of age. While international standards recognize and attempt to distinguish between consensual acts and those involving abduction, force, fraud, deception or coercion, under

place within labour migration to Thailand that is grounded in traditional seasonal cross-border movement, and linguistic and cultural similarities as North-eastern Thailand (Isaan in Thai) is populated with Lao ethnic people, family and social links with Laos still be strong. Thailand is attractive for young people, it offers both work and excitement. It is understandable that while migration takes place within family or friends being on both side of the border the risks for trafficking are less (but far from inexistent as friends and relatives are often mentioned as brokers) while when migration is organised by agents or for lonely inexperienced young people in need of help the risk is very high, mostly in border areas when they look for information and support. Considering internal migrations in Laos, it is a similar process that leads many women and girls to leave the village to work in other provinces, usually in the garment industry or as service girls in restaurants or hotels, or in beer gardens.

Trafficking remained largely taboo in Lao PDR until recently revealed by an officially released report¹. Victims are rarely abducted from their village instead they are often going willingly with a recruiter or friends and relatives that promises employment². When going to Thailand, they are considered as illegal migrants more than victims of trafficking. In November 2004, the National Assembly voted a law to protect women and children defining exactly the scope of protection that can be claimed by victims of trafficking. The recently created Lao Anti People (LAPTU) is getting increasingly more involved in fighting against traffickers while the Government with the mass organisations and 10 and NGO's developed a campaign to train their staff to recognise trafficking cases and to prevent illegal emigration and promote safe migration.

Exploring how does migration takes place

Due to government regulations on both the Lao and Thai sides, legal migration for work is a lengthy, expensive and difficult process while it is easy and cheap to cross over legally with a day pass and then stay over and it is not difficult to get in Thailand illegally as well by walk or crossing the river by boat. Moreover, the legal migration process not being known to people in remote rural areas. Most of the migrants to Thailand are illegal; acts of abuse or exploitation not being severely repressed in Thailand make them highly vulnerable to trafficking as well as exploitation in general. Work contracts are for from 6 months to 2-3 years, and usually temporary; the stay in Thailand can be considered as an integral part of the livelihood systems in some villages. Many migrants return home for short stays planting or harvest, family events or festivals. Massive work migration takes place during school holidays and during the dry season when fieldwork is completed, it is accentuated in case of natural calamity that destroy the crops. It is estimated that there are several hundred thousands Lao workers in Thailand, including more than 30000 young people³ with many under 15 years old⁴. Men are working on heavy industry and construction with young men rather on

international law, children cannot consent.

Furthermore, the Convention on the Rights of the Child Article 35 states that:

State Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

¹ In October 2004, Unicef reports: " *Trafficking networks were found to be well structured, with connections to organised crime networks in neighbouring countries. Victims may be bought and sold several times over with the price the trafficker receives often portrayed as an employment agent's fee.*"

² "Several communities along the Mekong report the existence of a local cross-border labour recruitment/trafficking network. In each of the villages, the network advertised available jobs and wages. The district authorities reported that they often saw minibuses they believed belonged to the traffickers entering the villages and then emerging carrying young girls." no lpec p

³ On 700000 migrants, UNICEF-UN AIDS (1998) 6 Unicef (1995)

⁴ Unicef (1995)

fishing boats or plantation while women are more in factories or in the service sectors mostly restaurant, hotel and bar, karaoke or massage parlour.

Risks of abuse and exploitation exist in all these places: working extra hours without being paid, deprivation of liberty, forced use of amphetamines, sexual slavery are not uncommon. All of them are also facing the risk of being caught by the authorities and being fine and deported after being relieved of all their belonging. The stories of people who have gone missing do not seem to significantly deter migration de facto, "*stories of successful migration far outnumber stories of exploitation or trafficking*"¹ This attitude toward trafficking is reinforced by the limited number of instances in which people have been clearly trafficked from the Lao side of the border².

While few reports bring evidence of Lao women being trafficked into China and Chinese girls being trafficked into Northern Laos, this issue still be very little documented as well as the transit in Lao POR of Chinese or Vietnamese children and women to Thailand, Cambodia and other countries. Most of the researches are focussing on border districts migrations while the migrations and subsequent trafficking from other provinces and within Lao PDR still remain much less documented.

There are push and pool factors in this important migration movement. economic aspect is an important one but not the only one even if it appears as the main motivation for push and pool combined with consumerism orientations.

The main push factors are:

- Lack of land due to family growth.
- Necessity of cash to fulfil basic needs (support sick parent, raise many children, built house etc).
- Free time after rice fieldwork is completed and no other way of generating income after the rice is harvested.
- While subsistence farming is still the norm, the earning potential from agriculture is not attractive enough.
- Youths want to escape the prospect of a life of subsistence farming.
- Scarcity of wage labour in Lao POR and limited choices for career.
- Lack of access to higher education because limited scholarship funds are available, and parents do not have enough money to support their children through more years of education (sometimes, schools demand bribe).
- Many children and young adults have to become self-sufficient at an early age and they feel independent and strong enough to leave their family.
- Inadequacy of education, those who completed high school find themselves with little practical knowledge and few useful skills to use in the village, education might even reinforce the family gaps³. While not continuing their education, they are free to move abroad.
- Literacy might be considered as a push factor considering that "*illiteracy may provide a disincentive for migration*",⁴. While the less educated might feel not confident enough to go to Thailand, for those who study there are not much job prospect apart from government low paid jobs for the ones who have connexions.
- Rising new needs (for example TV or Hifi once the village is connected to electricity or motorbike once there is a road connexion).
- Migration to Thailand appears as an ambition, a kind of "ritual de passage" a pilgrimage or a fashion for young people: "*The extent to which young people need to undertake at least one trip*

¹ Thipphavong (2003) p10

² Unicef (2004) p

³ no lpec (p)

⁴ Thipphavong (2003) p8

to Thailand 'in order to secure social status among their peers needs to be further studied [as does] the lure of culture (music, language) appearance (clothes, dyed hair) and attitude in teens migration "¹.

- Peer pressure when some come back to the village, they try to bring some friends with them to go to work in Thailand. The youngest wish to follow the path of others.
- Ignorance of risks and the situation in Thailand: many migrants are not aware of cases of trafficking.
- Cultural optimism, deny of risks and spirit of adventure, the trip to Thailand is considered as a matter of luck², youths feel self confident enough that bad things will not happen to them. Subsequent trips may turn out differently. Because of this view a bad experience does not prevent a person from trying again, nor does it prevent others from going to try their own luck. This cultural faith is combined with treasurehunt propensity so that the proof of unrealistic expectations or dangers has not prevented people from crossing the border into Thailand to seek fortune.

The main pool factors are:

- The demand for low skilled workers is high in Thailand especially for factory or domestic work that Thais are reluctant to do nowadays.
- The good stories comfort the desire to leave. The ones who had bad experiences usually don't report them too largely to protect their pride, so success stories become the prototype for migrations. -Reinforcement due to the attraction from migrants coming back with cash often dressed better and better looking, so they become popular among their friends.
- Desire to take advantage of the wealth and opportunity Thailand is believed to offer (cash, consumer goods, trendy cloths and music). Thai TV popular in Lao villages reinforces this impression.
- Excitement and curiosity, desire to see Thailand. Being bilingual in Thai and Lao and having extensive knowledge of Thai popular media culture, the youths used to cross to attend festivals or markets on Thai side have some familiarity with Thailand already, they want to explore more the country and specially the lure of big cities.
- Agents or friends and relatives in the villages or brokers on Thai side who are facilitating finding jobs or promising jobs or good prospects for the ones who leave.

From migration to trafficking there is sometimes a little step, let see now how the switch operates.

2/ From being migrant to being a victim of trafficking or a prostituted person

Many trafficked persons began their journey as volunteer migrants. Several were contacted by a broker to assist their illegal movement or looked for some help to get a job somewhere else. Mostly at the level of departure from Laos often facilitated by friends or relatives, it is difficult to know what direct or indirect profit these persons had in bringing others back with them or helping them to find a

¹ Thipphavong (2003) p11

² "Nothing, including large fines and horror stories of what has happened to others seems to have a great deterrent value, given both the fatalistic attitude towards luck, and the potential for making money. Police complain that many people caught upon return have been caught more than once, not always in the same province, indicating that they have found work at different locations throughout Thailand",

job and how much they are informed of the outcomes of the situation for the future victim. While getting into contract, migrants might have to pay back important sums of money supposed to be covering the transport fees. At this stage, the trafficking situation is more obvious; the person might be facing debt bondage with use of force or violence leading to highly exploitative and forced labour or prostitution. There are many levels of debt and exploitation that make this link between brokers and victims difficult to analyse in order to identify the trafficking process. Mostly when different figures intervene in the chain, it is not easy to find from whom and where the intention to exploit is flagrant and lead to immediate profits. It is sometimes at the very end of the process; at the time or requesting salary or permission to leave that the person understand that he/she is not only an illegal immigrant but also victim of trafficking. In Lao, while most of the first migration occurs in groups guided by friends, relatives and neighbours who are returning, in fact the persons who have no guide are facing the most risks for trafficking or disappearing. *"From a trafficking point of view, social distance is more important than physical distance. The most severe forms of abuse were found among the villagers who lacked a social network in Thailand. But must also be noted that lack of a social network does not discourage people from going¹."*

Conditions of vulnerability to trafficking

The overwhelming majority of trafficking victims surveyed in Lao PDR are girls aged between 12-18 years of age. In the villages where many youths left about 17% of the parents don't have news of their children after several years², Thippavong³ mentioned that there are more girls than men missing in the villages of

origin, that can be also interpreted as an indicator of trafficking. Young girls and women are the most vulnerable to trafficking because they face high risk to be enrolled in sexual exploitation or slavery, that is the main cause of exploitation within trafficking. Most victims (35%) interviewed in the Unicef survey ended up in forced prostitution. Other forms of employment were domestic labour (32%), factory work (17%), and fishing boats (4%). Those that worked in agricultural labour tended not to be trafficked and exploited whilst those working in domestic household situations experienced some of the most extreme cases of abuse and mistreatment. Most victims come from rural areas, although few of the victims came from extremely remote areas or from situations of severe poverty. The connection between ethnic background and child trafficking issue needs further study, since *"the majority of non-Lao trafficking victims come from villages that have been resettled or relocated"*. These victims were found to be from Lao and Tai ethnic groups, with Tibeto-Burmese being over-represented in trafficking data compared to the percentage of the population (10% and 2.5% respectively)⁴.

Of the victims/migrants interviewed, approximately 63% were 18 or under, 33% were between 19 and 29, and 4% were 30 and above. Males going to Thailand are on the average older than females and tend to be less exploited or trafficked. Females tend to be younger, under 18 years of age, and more vulnerable to sexual exploitation.⁵

From the different studies consulted and our interviews, the main factors of vulnerability toward trafficking can be summarised as such (also we cannot provide a comparative incidence of each of them):

- Going alone.
- Having no family links in the place where they go.

¹ Chamberlain, (2002) p

² Unicef (2004) p

³ Thippavong p

⁴ Unicef (2004)4 p

⁵ Unicef (2004) p.21.

- Recruitment process through unknown person or caught into brokers' networks on the Thai side specially.
- Being a young, pretty girl or women
- Being illiterate or with a low level on instruction. Children who have left school early are not well equipped with essential life skills. The quality and quantity of education provided at school is not sufficient for them to make well-informed decisions and to cope with rapid changes in society. Children blinded by consumerism are susceptible to those who seek to take advantage of them,
- Not speaking local language or Thai fluently.
- Being impressionable, naïve or psychologically weak as recruiters abuse confidence and ignorance
- Facing poor conditions of living (also not the extreme miserable ones)
- Living in a recently displaced village
- Having faced family problems including sexual harassment or love and marital deception,
- Having single parenthood, being orphan and living with step parents,
- Having sister or relatives working in the service sector.
- Being consumerism orientated.
- Being addicted.
- Being a single mother without qualifications.

Migration, sexual exploitation and trafficking

At the world level, migrants represent an important proportion of the persons involved in prostitution¹. The process that leads migrant women or girls to step from migration to prostitution and might end up especially in Thailand in trafficking²19 and sex slavery is complex. Sexual exploitation is booming in Malaysia where recent investigations report alarming levels of trafficking of girls and young women from Cambodia, Vietnam and Laos. We will focus in the following chapters on women and girls being forced into prostitution and sexual exploitation as result of trafficking.

The idea commonly shared by anti-trafficking groups is that traffickers use deceit to get women to leave home, while in fact several of the migrants women engaged in prostitution did know what they were going to do might have a "sexual component" but not much about the real work conditions. The migrants project is built on a complex weaving of ideals and constraints, advantages and disadvantages, while facilitators or brokers take advantages on the vulnerable situation of undocumented or illegal women. Total deceit from the very beginning happens when women are trapped into situation of sexual slavery completely different from the ones they sincerely accepted to go.

The group of migrant women involved in prostitution refers to different profiles of migrants from the ones who have been lured and sold into prostitution to the ones who left knowing that they were taking risks and the others who went to prostitute themselves and found to be caught into trafficking. The discussion on the degree of consent, obligation or forced experienced by migrant women who engaged in prostitution should not obliterate an in deep description on the practical issues of survival and success than women migrant have to face and negotiate³.

Defining prostitution⁴ in the Lao context would need developments that are out of the scope of this

¹ Agustin (2005) p 96,

² Unicef (2004) mentions that of the victims that return to Laos, most have escaped their employer on their own or with assistance from local citizens, There were almost no cases of victims being voluntarily released by the employer, except in situations where victims had contracted HIV and were too sick to continue working,

³ As developed by Serge Douchantousse in this conference concerning the single mothers who turn to prostitution.

⁴ For prostitution, we just keep the general scope of persons who do provide sexual acts in exchange for money, gift or favour. The term itself is so loaded with western Judeo Christian values that it would deserve a whole deconstruction.

paper. Prostitution is rarely leading to forced sexual exploitation in the Lao PDR; most of the service women who might provide sex are internal migrants working in the entertainment area¹, this can be occasional service. Brothel style places are rare or at least well hidden and the so called service girls have a high mobility and cases of captivity, bondage and slavery are rarely reported until now, although this might change with the opening of new international roads crossing over the country and the coming of mafia style networks. The sell of virginity to Thailand through organised network was recently reported to us at a large scale on the Southern border, we don't know its incidence in terms of HIV-Aids and long term trafficking into sexual exploitation.

Most of the authors share the idea that no women would like to be prostituted, although prostitution could be classified according to the way persons entered it or depending on the degree of force (autonomous, semi autonomous or semi-voluntary, bonded forced, coerced and slave like²).

Autonomous entry into prostitution suggests free will; it does mean a free choice among other economic alternatives for those women who decide by themselves (but the margin of choice might be perceived as non existent by some women without professional skills). So called voluntary prostitution usually doesn't fall into the definition of trafficking apart for those under 18 year old; but once controlled by pimps or in brothels, voluntary prostitution might end into exploitation and sexual slavery or trafficking. Most of the women enter because of dire economic needs within a specific social and family context. Single motherhood, parents being sick, supporting younger brothers and sisters schooling combined with a lack of professional skills and network to find another job are some of the reasons mentioned by women in prostitution to give a reason for having this income activity. Having sex for money or in exchange of gifts occurs in different contexts and situations of needs, but once in prostitution, women become vulnerable and they are target for recruiters to sell them to other brothels.

Involuntary prostitution occurs when women are lured deceived or even kidnapped or in any other way tricked into prostitution against their will. It seems that quite a large number of women would fall into this category even if some of them said that they knew that they took some risks while going to Thailand. Usually girls are promised good decent job in a restaurant or shop that turns to be a place of prostitution. The majority of victims are lured or deceived into leaving their homes on the promise of a good employment opportunity.

Bonded prostitution defined with parents sibling or associates being involved in selling the child or young women to another person for promised employment in return for cash seems to be rare in Lao PDR even though there is in South East Asia an historical practice of selling women³. The following table⁴ shows that in the migration process trafficking occurs within a range of different levels of coercion while the economical impact of migration is decreasing accordingly to the level of exploitation.

Although part only of the migrants (internal or international) will fall into this situation, trafficking and sexual exploitation is not only devastating individual life but also depriving persons of what was the main aim of their migration.

¹ See Lyttleton (1999) for an ethnography of bar girls interaction with clients.

² Agustin (2005) p 104

³ Muecke (1984 and 1992)

⁴ Ginzburg O (2002) P 6.

Possible view on the impact of income generating activities:

Little impact ↓		Person abducted or kidnapped		↑ Trafficking
		Person "sold" by relatives into prostitution or other exploitative situation		
		Person clearly forced to leave against		
		Person following suspicious or un-trusted agent		
		Person forced to leave by circumstances (e.g. child of broken family)		
		Person leaving the village with no explanation		
		Person leaving the village for a job		
		Person leaving the village without clear		
		Person following trusted agent		
		Person leaving the village for a clear,		
Great Impact				(Illegal) Migration

Appropriate psychological intervention needs to address the situation as expressed by women themselves: migration is a solution that is found to solve some problems and to answer some needs. It would be counter-therapeutic to reduce migrants women engaged in prostitution as passive and ignorant victims only. The recognition and the acceptance of the degree of risk are variable according to the persons. Conception of morality in selling sex varies according to the cultures. It is so necessary to understand better how do women plan (or not) to leave their family and community? How travel abroad was part of a project for a new life? How decision might be weighted between other potential options? How it has been discussed with friends or family? How does judgement has been developed all along the process? What is the wide range of experiences that these girls of women met along their way?

3/ Phenomenological analyse of the psychological incidence Of prostitution and trafficking

The psychological incidence of prostitution has been explored only recently in a quite feminist western intellectual tradition while (and I don't think it is male deny of the gender abuse and patriarchalism that is involved in prostitution to advance that), the way persons are affected is depending on the socio-cultural context and the degree of exploitation, threat violence and coercion that is encountered by the victims. Theoricians from every side in the hot debate concerning prostitution (pro or again legalisation of so called sex-workers) tend often to silent hush up direct women testimonies and decision processes. *"Migrant women's own descriptions of what they are*

doing contrast with the characterisations of outsiders, particularly the gendered emphasis on passivity, ignorance and force¹. Even when migrants say that they were lied to or feel disillusioned about some aspects of their situation, they typically complain on the working conditions they are forced to accept, and not about the work being sexual per se²".

The author shares the idea that *"the internal ravage of prostitution need to be better analysed and described in psychology"*³ mostly in the field of traumatic stress. Psychological distress due to physical assault, repetition of scene such as forced relation or selection by johns might invade victims mind and impede a potential return to a normal life.

Although, it is not well documented, we can presume that the psychologically incidence of been forced into prostitution by economic circumstances is different from being forced by kidnapping, violence, and abuse. It is important to consider that so called voluntary entry into prostitution might lead however to forced situation and slavery like exploitation. Many other factors need to be taken into account, context (place and time) and personality of the victims, the familiarity and trust with the perpetrators, the support system etc...

31- Self identity in the experience of prostitution

Self-identity is affected in different ways by the experience of one prostituting her/himself depending also on the way that the person has been involved in personally, socially, culturally and economically. Again, the case of forced prostitution as a result of trafficking requires special attention.

The image of Self is affected from the look from others. While in Buddhism, prostitution is not condemned⁴ as it would be in the puritan and pro-creation sex orientated Judeo Christian world, prostitutes might feel of little value in the way other look at them, enduring a low esteem of themselves mostly after having lost their virginity before wedding that is depreciated in some South East Asian societies⁵. Prostitution can lead to an undermining of self-esteem feeling of being forever spoiled and therefore less of value can make in the same time more susceptible for repeated trafficking.

Being chosen with number by johns as cows on the market for slaughter and *the "reduction of body to vagina anus breast and mouth"*⁶, something to be used to allow men to empty themselves, induce a deep inner feeling of depreciation but in other contexts of prostitution men regress and prostitutes are more kind of care givers or as a clients they will appreciate the intellectual qualities of the geishas style courtesans.

How did the deception occurred has a major incidence. When sold by somebody they know they trust or they loved, women might develop a self-blame as if it is their fault to trust somebody. This issue of betrayal is affecting deeply the person psychological dynamic, her self-confidence and again the image of herself.

Hiding the real person with a change of name and identity (as real name doesn't have importance in

¹ Agustin (2005) p 98, "The testimonies suggest that women migrants are actively engaged in using social networks to travel, often aware of the sexual nature of the work, and, like other migrants, variably able to resist the social and physical forms of compulsion they face... Their status as illegal migrants... is the single overarching problem to solve ..not sex, is the heart of the issue. "

² Agustin (2005) p 105

³ Fairley (2005) p XII

⁴ Lord Buddha accepted a land donation from a famous rich courtesan (Ambapali) and to honour her invitation for home meal at the great discontent or local bourgeoisie.

⁵ But can be repaired if not repayed in some contexts see and the person would be reintegrated in the community.

⁶ Fairley (2005) p XIV

this field anyway and it is better to protect it), changing one's style¹ induce a depersonalisation process that is supported by the pimps in order to shape or make a new woman a robot for prostitution. Short stories with ambiguities, uncertainties, denial, omissions, distortion, inaccurate biographies are made and remade in brothels for clients, using of new name to protect themselves and also to provide a new meaning and an understanding to the events.

Dissociation of the personality and creating a new life story are part of the coping processes when reality is too painful. Dissociation permits psychological survival whether the trauma is war, slavery or any kind of unbearable situation; it is *"a strategy in which human cruelty results in fragmentation of the mind into different parts of the self in order to face reality and not to become mad"*².

Answering to this need to push away real emotions, substance abuse is another main issue met by victims of trafficking for labour and sexual exploitation. The use of drugs and alcohol helps numb out unpleasant feelings and ideas and to detach from unpleasant reality. But addiction reinforces the power of pimps in terms of control and increasing debt toward them (as they are often also the drug providers or will advance cash to buy the drug that is added to the debt), while the sell of alcohol increases their profit. Being addict reinforces the low feeling of self-esteem.

The person needs also to find answer to this terrible question: Why does this happen to me? In this regard the role of cultural and spiritual context in which prostitution happens is fundamental. With Theravada Buddhist followers, the ideas of karma (great suffering due to transgressions or bad actions in former existence) or predestined fate might support better compliance if not acceptance of suffering.

32- Violence abuse and trauma

Threat and direct violence is a recurrent theme in all the publications related to trafficking and sexual exploitation as well as prostitution. Brothel prostitution is devastating; it should be differentiated from other forms of prostitution in bars and nightclubs without captivity, bondage and debt. Violence of pimps is aimed at control the women, to make them worthless powerless, to ensure their compliance and keep them trapped into prostitution. It includes, threats to bit, to kill, kick, starve, burns and all kinds of verbal abuses. When women are young and have little education, it is easier for pimps to abuse them and to keep them prostitutes under such permanent threat.

Stories where victims are physically abused, the most extreme being in cases of sexual exploitation and domestic servants are common. This violence or threat of violence is coupled with the threat of being handed over to the police as an illegal migrant (or undocumented in Laos); it is usually enough to keep the victim trapped in her situation. Cases of rape, beatings, verbal abuse are frequent; torture is more exceptional in Laos but less in neighbouring countries.³ While repetitively and forcedly performing sex with customers, prostitutes experience negative feelings. Violence might become a norm for women in prostitution that is itself a form of sexual violence under the power of money.

The concept of trauma and PTSD⁴ are obviously relevant for victims of trafficking and sexual exploitation, but the diagnostic should be used carefully at it has its own limitations.

Distress and suffering after the trauma can be normal responses to abnormal situations. There is a

¹ Self-smiling the prostitute should accommodate positions, sexual fantasies, if not phantasms, including verbal abuse sexual harassment that could lead to rape torture violence.

² The risk of dissociative process is that in case of new danger, the person mobilises the same defences and she is not able to defend herself.

³ Unicef (2004) p43

⁴ see Annex 2

danger to call or stigmatise people as mentally ill. What is important is the meaning of symptoms to the persons who are suffering. A diagnosis of PTSD alone is poorly predictive of the capacity of the person to keep going despite hardship and is not a reliable predictor of a need for psychological treatment.

Trauma as an event is not a sufficient determinant of PTSD there are risk factors that account for individual's vulnerability to develop this disorder: social support attitudes of parents, prior exposure to trauma, individual personality, family history, other life events at the time of trauma, exposure to subsequent reactivating stressors. The time course of symptoms development and the range of symptoms patterns among victims who have undergone similar traumas are not the same

Sexual exploitation as resulting of trafficking can be multi-traumatic¹. Victims of trafficking and sexual exploitation related the experience of being betrayed, degraded and helpless. They express feelings of shame, sadness, worthlessness, anger, anxiety and shame, of not being understood. They experience grief and depression, fear and distrust, sleep difficulties or nightmares, poor appetite and developed a sense of hopelessness, resignation and despair that are increased in conditions of captivity. The acknowledged risks of AIDS increase their fear and anxiety. Psychological distress might result also from dangerous and degrading circumstances surrounding the conditions of exploitation that are physically and emotionally painful².

Classical symptoms of trauma are usually described in western models of PTSD but they should be used with caution in other cultural contexts. Shocking and violent experiences and their elaboration are depending on the context the social environment, the person vulnerability and the meaning they give to these experiences. Victims of trafficking and sexual exploitation often go without medical treatment and suffer from long-term physical and psychological damage that need to be recognised and addressed professionally.

33- Social incidence relation with family and reintegration in the community

The role and perception of family and parents toward their children departure and the "supposed to be income generating activities" they might be involved in, need to be carefully assessed understanding what is the meaning of being a good daughter for the family and for the person. Many girls would say that they want to help family to survive, to alleviate mother charge and suffering.

Doing so, they perform an expected role of children who is respectful and dutiful, they show compassion toward family and might acquire some merit (that is a bonus for both parents and individual karma).

While it cannot be said to be the major cause of trafficking, or being involved in prostitution, several studies³ as well as interviews show that family situations of person who left the village that can be broadly classified as dysfunctional, for any number of reasons whether organic, social, or psychological are quite frequent. Many children don't live with both of their parents at home or suffered from home conflicts.

Concerning the position of parents toward their children departure, reports bring balanced points of

¹ Farley study in 6 countries found that 68% of the prostitutes met PTSD criteria, 70 to 75% were raped in prostitution, 88% experienced verbal abuse and social contempt, 89% wanted to escape. (p 56)

² 90% of the prostitutes interviewed by Farley reported a negative experience of having a trick p

³ According to different studies 55 to 90% of the prostitutes report a childhood sexual abuse.

view. In some studies, communities¹ report that the majority is migrating against their parents' will. Parents rarely persuaded their children to go to work in Thailand while in Laos, most of the girls indicated that their family knew what work they are engaged with². The recent Unicef study states that most children went abroad with their friends and without their parents' consent. Many parents had tried to stop their children leaving, but they left anyway. Parents may at first be angry with a child who went without their permission, but what seems to be most important in how any returnee is received is how successful he or she has been, as measured by money earned and consumer goods brought back.

Parents interviewed were generally concerned over their children's welfare. Some of them were deeply distressed by the disappearance of their children while others seemed to understand and accept that their children wanted more opportunities and to experience life outside Laos. Some parents also expressed pride that their children could earn money to help the family³.

Some victims of trafficking report that parents persuade them to go for example they encouraged their children to go to work in Thailand in order to build a new house.

At young age (under 16), separation from family might induce a disruption of emotional psychological development.

The individual reintegration in the village is not always easy as it means re-adaptation to the former life (work in the fields) while having adopted new lifestyle and behavioural codes. *"Young returning migrants have typically adopted new fashions in Thailand. They may wear cosmetics, dye their hair, paint their nails, use sunglasses or wear an earring. Many come back speaking Thai. In a rural village, even one accustomed to Thai fashions and language from TV, these affectations set returnees apart, make them less part of the village. And the village may now feel too small and backward to the youngster,"*⁴

Returnees experience a feeling of being different, misunderstood, isolated and stranger ness, for victims of trafficking, unworthiness, dirtiness, feeling of shame and being spoiled are common and push to leave again.

Those who have not sent money home, or come back empty handed, may be looked upon with suspicion by other villagers who assume they *"only went to Thailand to 'play', drink alcohol, use drugs, etc."*⁵ And while their family will probably be sympathetic, *"other people tend to consider that if something bad happened to their neighbour's children and not to theirs, there must be a good reason for it"*⁶.

For the victims of sexual exploitation, family ties might be weakened due to the shame felt by family and victims, but many will tend not to tell their story in order not to face social prejudice being no virgin could be considered as having no virtue.

Stigmatisation is also another main problem to be faced if the social environment disapproves the behaviour activities or appearances and that makes the returned migrant more apt to leave again.

Migrants who are caught upon returning to Laos are usually fined. The fine is assessed according to how long they have been gone from their village. The amount varies significantly from village to village.

Reintegration in the family and village is a sensitive issue for victims of trafficking or sexual

¹ MLSW-ILO P

² MLSW, 2002 p15.

³ Unicef (2004)p 50

⁴ Unicef??

⁵ Sisouda (2003) p11.

⁶ Sisouda (2003) p14

exploitation, the family dynamic, the degree of needs and consumerism, the expectation and the gain returned, will orientate the future and the chance to leave the village again or not.

4- The recovery process: working with a victim centred approach

Once the person is physically out of harm, a process of recovery begins, referring to a stabilisation process during which the survivor develops the means (physical and emotional) to face a new life situation. Depending on the person and the trauma experienced, this process can take weeks, months or years. The recovery can be facilitated with the assistance of an individual (social worker, counsellor or legal representative) or from an institution (public or NCO managed home). However, in most cases the survivors find their own way without the help of others. The recovery can also take place in the shelter, in the family or within a community. The aims of the recovery process are to provide comfort and support and to encourage self-sufficiency after an assessment of the problem and setting case management¹. While providing a healthy restoring environment and safety in terms of housing, legal, physical and psychological support, a good assessment should acknowledge the victims strength. Having a safe place for expression and exploration of the traumatic event through different phases (fact phase, feeling phase, meaning phase), leads a lengthy healing process through multiple layers of trauma to reconnect to the different parts of the self and to rebuild the battered self esteem of the survivor, enabling *"the different parts of the self to see the past the present and the future from a whole person perspective rather than from the perspective of insulated separated identities"*². When the victims have expressed the facts and their feelings and they have made sense of the events in a way that relates to their current or new attitudes and beliefs, then they are ready to decide on appropriate action. They have a right and a need to fully participate in decision making with regard to their future but often, women need further information about resources and options available to them and to facilitate appropriate options.

Psychosocial Recovery (or Rehabilitation, PSR)³ is understood as the reduction of harm and as enabling the person to be as free as possible of the negative physical, psychological and social repercussions of the abuse and exploitation, which she/he has experienced⁴48. Recovery or rehabilitation strategies may be implemented through a range of approaches and in a number of different settings, such as, residential care, street outreach, psychotherapy, and family and community services. Macro activities include advocacy, awareness raising, community mobilization, promotion of national policy and legislation, use of legal system, networking, professional collaboration, and community development could be organised in the same time.

¹ See annex

² Fairley (2005) p209

³ PSR has three components:

- Preventive interventions or remedial activities;
- Physical safety interventions or remedial activities;
- Psychological interventions or remedial activities.

⁴ The Ideal Course of Recovery (UNESCAP manuel p)

Horowitz (1976) writes about the "ideal course" of recovery in a crisis and proposes a number of tasks that must be completed in order to move through a crisis to recovery. These tasks are:

- To perceive the event correctly;
- To translate the perceptions into a clear meaning;
- To relate this meaning to a current belief, attitude, or meaning;
- To revise memories, attitudes, and/or belief systems to fit the new developmental line made necessary by the experience;
- To decide on appropriate action.

Building a professional relation with victims of sexual exploitation as social worker or counsellor is challenging as they developed a double defensive identity and it became difficult to develop stable and rewarding relationships after repeated betrayals by close relations, pimps or police. They suffer from moral degradation inducing shame, resentment, and mistrust. Setting up a warm and non judgemental context based on honesty fairness and respect is a way to start a new relation that needs to be clearly established and respected in order to encourage to bring voice to all what she endured in terms of dishonest, unfair and disrespectful behaviours. Social problems are difficult to face and the task become complex when working with women who still be engaged in prostituting themselves¹49.

41- Legal support

Legal work is a first step to re-establish victim legal identity and secure its rights. It is important for the person to know that she is not the guilty one and even that she might claim compensation. Things might be much more complicated when relatives are involved in the traffic itself or when parents are the ones who sold their children. The juridical intervention is a whole part of the healing that it is supporting.

42-Coping, resilience and Healing

Coping is a systemic, dynamic and cultural way for people to overcome difficulties and involves physical and mental processes to mobilise personal, familial, environmental resources. Coping involves creating, reinstating, or reinforcing meaning in the midst of stress. It is important to consider persons as active survivors not passive victims, they are able to work on their own environment, and they are not only recipients of experience. While vulnerability is widely considered, coping has been neglected, looking at coping helps us to understand better the victims' psychosocial dynamics and the way they mobilise their resources. While coping suggests some improvement, passing over and strategies, resilience means that the person is not altered and can come back at least to a former functioning level. In this field, there is a need to extend the concept of resilience in girls or women to include environment and co-dependant village relations in the Lao context. Resilience is natural and expectable but there is danger of stigmatisation of the ones who cannot be resilient as it is not automatic. Resilience is linked to the fact that the person can trust self and others. A person can't become resilient without the support of the ones supposed to take care of him/her. Others in the community help the victims to make meaning for his/her life and for his/her future. The way others look at you is important, if parents show love and care, victims have more chances not to recover easily. Types of boundaries between self-others-environment impact resilience in Laos.

Thinking in terms of resilience, a paradigm shift is operated from the risk-adversity-pathology terminology to protection-resourcefulness-creativity-hope values. Without being too positivistic, it is interesting to think about challenges more than damage, not demoting or overlooking the deleterious effect of hardship, but considering that hardship has paradoxal effects causing strengths and weakness simultaneously. Resilience means a dynamic of evolution that has to be promoted.

Resilience: the role of culturally embedded rituals and spirituality

Cultural norms shape interactions between parents and children that increase or decrease protection and resilience. Individual manifestations of culture: traditions, ceremonies, language can be source of

¹ Several testimonies show how difficult to get out of prostitution for several reasons such as being caught in slave slavery and having no other economic perspectives.

support and self-esteem or pride that helps people face adversity. Several traditions and practices are turned toward protecting or safeguarding health for children such as wearing amulets, or the burial of placenta.

Values, language, tradition, maintaining good relation with the spiritual world are reinforcing self esteem and identity, they are part of a healing process referring to what Eisenbruch¹ called "cultural bereavement".

*"Traditional societies are prone to support resilience as they try to maintain equilibrium between physical, emotional and spiritual elements. There are 10 distinct values or principal beliefs associated to the promotion of resilience in autochthonous situations: spirituality, importance of education and enlarged family, respect of elders, wisdom in tradition, respect of nature, generosity and sharing, collaboration and group harmony, autonomy and respect of others, quietness, and patience, relativity of time and group harmony."*² In the context of Lao PDR, the role of indigenous ethnic cultures in promoting resilience is rather limited for ethnic minorities values that are often considered backward and carrying superstitions, their culture and traditions are rather seen as an impeachment toward development than facilitation. Some provinces do have radio education and propaganda programs in the main ethnic languages, but they are not taught at school. Ethnic minorities cultures when confronted to dominant group values are not able to bring the expected support.

Traditional healing ceremonies might be performed such as offering in the temple or to spirits³. Bassi and suk khuan (soul calling ceremonies widely used in Laos) chase bad influences and call for the good souls to come into the body and stay with. These collective celebrations have also a reintegration effect as this ceremony is usually performed while inviting relatives and neighbours as well as local authorities in some cases.

Purification rituals with holy water (lot nam) have magical power to clean and to reinforce one's energies, it has effect not only on mental dynamic but also physical pains.

Amulet and tattoos (rarely on women) protect from dangers.

Diviners (mo do) or monks might provide explanation that help to understand why the events happened to the person looking in horoscope or fate, delimitate periods in different lives before and referring to the rules of karma (in terms of result of passed action) but also with the aim of gaining merits for the future life (when helping aged parents by the money brought from prostitution).

Traditional and religious beliefs play an important role both in the healing and in the reintegration processes, they are sources of information about the causes and how to deal with problems as well as potential help for the victims in terms of reinforcement of ego.

Socio-economic answer: support for income generation opportunities for the family.

This activity is the corner stone of the whole rehabilitation/reintegration process. The focus on reintegration of the victims (to family whenever it is possible) is on income and financial support. This involves liaison with local resources for income generation schemes taking into account the market opportunities and other environmental factors. Some of the push and pull factors taken as a whole are antithetic; referring to distinct individual profiles, they request differentiated strategies. If land is scarce irrigation could be one answer to expand the cultivation area but if youths don't want

¹ Eisenbruch (1992)

² Oion (2003) p 25 & 26.

³ Half of the Lao PDR population is animistic and even Buddhists would perform animistic rituals.

to be farmer anymore other skills need to be provided to them. If they are attracted by urban style of life definitely these skills should match the restraint urban labour market.

Resettlement independently in the community is the solution favoured by 60 % of AFESIP victims in Cambodia. Resettlement of the young women is possible once they show sufficient self-confidence, technical competency and capacity to live independently. Sometimes family reunification is impossible for various reasons. In this case staff will determine in close collaboration with the person herself future orientation. Place of resettlement is in accordance with the best interests and wishes of the concerned person within the bounds of available resources for support including micro-credits. Where no local employment is available, AFESIP considers possibility of income generation schemes into small business. Follow-up monitoring is part of the whole reintegration process. It is done once or twice a month during the first 3 months and lasts up to 2 years.- Emphasis is made on economical, medical and psychosocial aspects. The aims are:

- To check the current situation of girls and young women in their families or community and make sure that they are well treated.
- To check the situation of their business or job.
- To provide counselling to the family.

In order to facilitate reintegration, AFESIP provides each young woman with a "business starting kit" either in kind (stock for micro-business) or in cash (through micro-credit). Providing good quality follow-up of former residents is a key the success. Top priority is given to avoid re-trafficking situations.

Perspectives for father and mother on the child return might vary, the victims are not always welcome, it is important to make in deep evaluation of the family links and the family potential involvement in trafficking although rare in Lao PDR has to be considered.

Women share the concern about getting back to the village empty handed. Considering that many girls or women left for economic reasons, it is important that reunification present them as a valuable member still contributing to the family economy so to think about a project that might bring benefice to the family or assistance at community level. Preventive measures must be introduced quickly to stimulate moral development, revitalize rural areas, and stimulate the local economy through cooperation. Build a model that can generate sufficient income in the community and train local people to conduct vocational training in and out of school¹ are one of the best option to prevent migration that might end in trafficking.

Conclusion

The migration of young people from the villages along the Mekong River has left some families and communities without their strongest, most productive members. The reasons given by migrant labourers and trafficking victims for leaving their villages often without their parent consent are mostly economic reasons, particularly the desire to earn more money for the family; although this is not necessarily related to deep poverty as materialism and consumerism appear to be significant factors².

While some are truly happy to be away from the village life that they perceived as boring and

¹ Something like this was already established: children would go to work a few hours in local brick factories after school in order to earn money to pay for study materials.

² Some officials would suggest that migration to Thailand is a problem of morality and ideology among youth and not only of absence of jobs and education.

without future, the life of illegal immigrants is not always as easy as dreamed, complains of abuses in terms of working hours, conditions and payment are frequent, moreover migrants are living in the fear of being illegal, caught detained and sent back without a penny. Brokers and international traffickers, playing on their ignorance, lure some of them: slavery like practices, abuses, deception and exploitation are quite common if not recurrent, mostly for young women who choose voluntary to go for a variety of services and jobs, several of them become caught in the trafficking networks. Once entered in prostitution women and young girls become vulnerable to being trafficked. Living conditions are varying the worst being slavery like and bonded labour situation.

How does a person shift from one situation to one other is the result of a complex combination of factors. At the departure point, it is not always easy to make a clear distinction between those who are voluntarily willing to leave illegally Laos (following a recruiter or on their own initiative), and are in the end trafficked into situations without their being aware that they will eventually be exploited, deceived, forced if not kidnapped. If a young woman voluntarily leaves her village (and illegally her country), knowing that she might end up in the sex trade, but once there decides that this was not what she wanted but cannot leave out of fear of reprisals, she has to be considered as a victim of trafficking (and should not be punished because "she got what she deserved" while taking risks).

While we want to put emphasis on the recognition of victims of trafficking in the Sub Mekong region, we tented to underline that the employment of this expression might provide a poor description of the women experience and what do they say about their own life projects. The word victim should be used legally to defend their rights and be recognised compensations but it should not obliterate the fact that some of this women made choices and were not always ignorant. *"One problem is that the person designated as a victim tends to take an identity as victim that reduces her to a passive object of others' actions. According to this logic, the subject of the discourse become irrelevant and the helper takes centre stage encouraged to propose strategies which are reminiscent of imperial interventions in the lives of the native subject"*¹.

"The intent of the human trafficking paradigm is to help all who find themselves in a situation where they lose their

*freedom to control what they want to do because they fall under the influence of debt bondage, coercion, force or threats"*². However, the question of voluntarism often remains confused as several factors might determine or constrain the individual "freedom" or choice they have.

Though a person centred approach, it is intended to consider comparatively the choices and intentions expressed by the person within the experienced set of limitations that he/she is facing in the family or community, in order to restore his/her dignity in the context of his/her life and environment.

The ideal situation for facilitated recovery is a safe³ location that covers the basic needs (food, shelter and medical support), has a limited number of people (between five and ten) in a family-like

¹ Agustin (2005) p 107

² idem p 109

³ Unescape (2003, p).The physical safety interventions include activities such as: .Medical services;

. Nutrition services and education;

. Health education;

. Sex education;

. Housing/place to live;

. Legal services;

. Core person/reliable adult;

. Outreach;

. Creating safe community environments.

setting, trained counselling staff, freedom of movement and a playground for children. The goal is to help stabilize the survivor through a structured short-stay programme in order to get them back into a safe, protective family or community environment as soon as possible. The services must be adapted to the needs of each individual trafficked person since each case has to be understood as unique and requires different support.

Bibliography

- Agustin Laura, Migrants in the Mistress's house: other voices in the//trafficking// debate, *Social politics*, 12, Spring 2005, p 96-117, Oxford.
- Boenlhein, Culture and society in posttraumatic stress disorder, *American journal of psychotherapy*, oct 1987 t 41 no4 p 519-530.
- Boenlhein, Commentary OSM diagnosis of PSTO and cultural sensitivity response 1988, t 176, no5, p 257263.
- Brown Louise, Sex slaves, the trafficking of women in Asia, virago press, 2001, London.
- Cameron Jennifer M, Child labour in the Lao POK factories, agriculture and the entertainment industry, Ilo Ipec, 2001.
- Oion Stout M. Peuples autochtones, resilience et sequelles du regime des pensionnats. Fondation autochtone de guerison, Quebec, Canada, 2003.
- Eisenbruch M, Toward a culturally sensitive OSM: cultural bereavement in Cambodian refugees and the traditional healers. *Journal of Nervous and Mental Disease* 180(1): 8-10, 1992.
- Farley Melissa, prostitution trafficking and traumatic stress, Haworth Maltreatment and trauma press, 2003.
- Ginzburg Oren (2002), Building project on assumptions, trip report from Laos, June 10-20, 2002; 12p. IOM Paths of exploitation, studies on the trafficking of women and children between Cambodia, Thailand and Vietnam, CAS, Phnom Penh, 1999.
- IOM, From Laos to Thailand and home again, the repatriation of trafficking victims and other exploited women and girls workers, a study of 124 cases. August 2004, Bangkok.
- Khamdavong Phouvanh, Etude exploratoire sur la prostitution des jeunes femmes dans deux villes du Laos (Vientiane et Pakse), Rapport d' etude de terrain, IUEO, Geneve 2005.
- Kleinman A, social suffering, university of California Press, 1997
- Lyttleton Chris, Any port in a Storm: coming to terms with Hiv in Lao PORI Culture, Health and sexuality, 1999, Vol1, N° 2, 115-130.
- Ministry of Labour and Social Welfare, _ivision of Trafficking in Women and Children, United Nations Interagency Project, Trafficking in women and children in Lao POR - Initial Observations, Vientiane, 2001.
- Ministry of Labour and Social Welfare and Unicef(*How I got there? Commercial sexual exploitation of children in Lao PORI 2002 (?)*).
- Ministry of Labour and Social Welfare, and Ilo-Ipec, Labour migration survey in Khammuane, Savanakhet and Champassak, 2003.
- Mouren-Simconi MC, 1993, le syndrome de stress post-traumatique chez l'enfant, *Annales de pediatrie*, Vol 40, 8, P 489-495.
- Muecke Marjorie,
- Mother sold food, daughter sells her *body*: the cultural continuity of prostitution, social sciences and medicine, Vol115, no7, pp 891-901, 1992.
 - Make money not babies, changing status markers of Northern Thai women, *Asian Survey* Vol XXIV, no4, April 1984.
- Phetsirieng Inthasone, preliminary assessment of illegal labour migration and trafficking in children and women for labour exploitation, MLSW and ILO-IPEC, 2003.
- Sisouda Khampanh and Phouthasone Xay, Biungkham village, Saravan district, Saravan province,

- Laos, Trace report, 2003.
- Thippavong Chinda and Souliphone Chaensavang, trafficking from community to exploitation, Trace report, Nakeng village, Outhomphone district, Savanakheth province, Laos, 2003.
- UN-ESCAP, course of psychosocial and medical services for sexually abused and sexually exploited children and youths, UN, New York 2002.
- UNICEF and MLSW, Broken promises and shattered dreams, a profile of child trafficking in Lao PDR, October 2004.
- UNIFEM, Promoting gender equality to combat trafficking in women and children, Bangkok, 2002.
- Wille Christina, trafficking of children into the worst forms of child labour: a rapid assessment, Thailand-Lao POR and Thailand-Myanmar borders areas, ILO, 2001, Geneva.

Summary Report on Gender Analysis of the Patterns of Human Trafficking into and through Koh Kong Province (January 2005)¹

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Introduction

Legal Support for Children and Women is a local Cambodian non-governmental organisation, whose mission is to work towards preventing and eliminating all forms of trafficking, exploitation and discrimination towards children and women in Cambodia. LSCW works to promote gender equality, protect men, women and children from all forms of exploitation and violence, gain recognition of and respect for their rights, and raise awareness of those rights among the target groups.

Trafficking of women and children has become a worldwide phenomenon, and in recent years the link between trafficking and labour migration has come more apparent. LSCW's decision to extend its work by providing legal support and protection to victims of trafficking in Koh Kong province was based on preliminary research carried out in this area. This highlighted that, despite its location on Cambodia's southwest border with Thailand and the long-time recognition of Koh Kong as a prime trafficking route both within the country and cross-border to Thailand, the province's relative inaccessibility has meant that most interventions to date have focused instead on the northwest border town of Poipet. As a result, very little concrete information exists on the situation of human trafficking in Koh Kong, although a field visit by LSCW to the province in March 2004 to interview NGO staff and local officials uncovered reports of women and girls being internally trafficked from other Cambodian provinces to brothels and karaoke bars in the provincial capital Koh Kong (Daung Tong) for sexual exploitation; similarly motivated cross-border trafficking of women and girls to Trad province, Thailand; and trafficking of men across the Thai border for the purpose of labour exploitation.

Meanwhile, gender has recently been pushed to the forefront with regard to trafficking and migration studies. As yet, no research has been carried out into the gender-related dimensions of who is trafficked to and through the province and why, or how the criminal justice system responds to the situation. Moreover, no studies have been done on the situation of trafficked men at all, despite the fact that this can be regarded as a critical issue.

This research project was initiated focusing on a thorough situational and gender analysis into the patterns of human trafficking into, through and from Koh Kong, and areas of weakness in the current criminal justice and social welfare response within Koh Kong and between Cambodia and Trad province in Thailand. In addition, Prey Veng province in Cambodia was identified as a major source province for migration and trafficking to these areas; research was planned in this area. This report aims to provide a clearer picture of human trafficking issues in the target areas, with a particular focus on the gender-related vulnerabilities and experiences of victims. This will serve to provide a solid foundation on which LSCW can structure gender-appropriate strategies for future programmatic and policy activities, as well as informing the work of other key government and non-governmental players in the target areas.

¹ To get a full paper, please do not hesitate to download from LSCW website: www.lscw.org

This research hopes that the highlighting of gender discrimination and female subordination will prevent donors, governments, NGO agencies and policy-makers from overlooking or neglecting it as a fundamental cause of internal and cross-border trafficking and exploitation in the future. LSCW aimed to address the need for more research into the gender aspects of trafficking by showing the differences in the process of migration which can lead to trafficking of men and women, focusing on the two border areas of Koh Kong (Cambodia) and Trad (Thailand) and one source province (Prey Veng). The research seeks to understand how gender is a variable in identifying those at risk and how women and girls, owing to gender factors, become more vulnerable to trafficking than men and the primary links with gender discrimination. Although men are also victims of trafficking, the research illustrates how human rights and labour exploitation are more common for women, and how vulnerabilities that exist for men are in a different context to that of women. The research posited the hypothesis that a gender perspective is critical to understanding trafficking and the various steps of the process, as it is clear that poverty is not the major factor leading to the trafficking of Cambodian men and women. It outlines the dynamics of the decision-making process in the community and the cultural aspects of the demand side and the risk factors according to gender.

This report outlines the background to the research, including aims and objectives, target groups and areas, methodology, definitions and constraints. It then gives a background to gender roles and positions in Cambodian society. A gender analysis of trafficking outlines the underlying causes and contributing factors and details the differences between Cambodian men and women with regard to roles, responsibilities and needs and the gender values and norms in Cambodian society, including gender discrimination. The report examines all relevant pre-departure information and the trafficking and migration process in its various stages, including push factors and demand/pull factors, analysing the reasons why Cambodian men, women and girls leave the source province; the origins of trafficking; the risk groups; the decision to leave; and the recruitment process and characteristics of those involved.

The report continues by giving information about transportation and conditions of work in the destination provinces of Koh Kong and Trad (Thailand), according to gender. It points out the differences in men and women remitting money home to Cambodia, the length of time they leave home for, issues of returning home and the effect on the source province of Prey Veng. It uncovers the key features and differences defining the trafficking experience for men, women and girls respectively, showing what gender-related differences exist in patterns of transportation, destination, exploitative purpose and return. A sound understanding is gained of the gender-related vulnerabilities of different groups of migrants in Koh Kong and Trad.

The observed gender-related patterns of systemic response within the social welfare and criminal justice systems in Cambodia (Koh Kong and Prey Veng) and Thailand (Trad) are documented. This also includes the gaps that exist in response to trafficking and labour exploitation in Prey Veng, Koh Kong and Trad, especially concerning social and legal support.

The results from this study show that, owing to a number of circumstances, such as feminisation of poverty and migration and other gender factors, including gender discrimination in source provinces such as Prey Veng, Cambodian women and girls are forced to leave their villages in poor provinces for urban areas such as Phnom Penh and onwards to Koh Kong and Trad, or are tricked from the source province, reliant on traffickers to reach the destination point. Some men, finding themselves in debt and financial hardship, with lack of land or employment opportunities, risk unsafe migration to seek employment in Trad and other Thai provinces. As traffickers and smugglers are firmly based

in poor provinces, men particularly pay such people to help them to migrate through illegal channels. Women and girls on the other hand are more vulnerable to being cheated by traffickers into sexual exploitation with the promise of well paid jobs, incurring debts to the trafficker on arrival at the destination (Trad or Koh Kong), the debt being wholly the responsibility of the women and girls.

Gender discrimination in destinations such as Koh Kong and Trad creates increased vulnerability for women and girls compared with men, often leading to trafficking for sexual exploitation, involving debt bondage. This is doubled when the trafficking is cross-border, as women and girls are discriminated for being not only migrants but also sex workers. For men, being poor, uneducated migrant workers in Thailand leads to labour exploitation and abuse of human rights. Without proper travel documents, Thai language skills, and familiar support systems, as well as being undocumented, migrants are under the control of unscrupulous employers, traffickers and smugglers, and the police and authorities. In the case of women and girls, this can result in sexual abuse, exploitation and rape. Vulnerability for women and girls is associated with human rights abuses, discrimination, blind migration and gender-based violence; for men, labour exploitation, financial debt and tricking by traffickers and smugglers is more prevalent.

The research details conclusions and recommendations for effective intervention for Cambodian men, women and girls trafficked internally or cross-border in the light of the two existing MOUs on trafficking and employment. It recommends collaboration against the internal and cross-border trafficking as well as gender-appropriate strategies for future programmatic and policy activities for LSCW and others.

Background

1. Trafficking and migration in Cambodia

Trafficking of women and children has become a worldwide phenomenon, and in recent years the link between trafficking and labour migration has come more apparent. The process of trafficking cannot be viewed in isolation from the process of migration; to focus solely on one without mentioning or highlighting the other would give a distorted view of both. Fundamentally, it can be said that human trafficking involves the movement of a person from his/her origin to a new location, and the exploitation of that person at some stage in the process. The extent of trafficking is obscured by the general flow of migration.¹

Trafficking in persons therefore is a particularly abusive form of migration, since the distinguishing feature of trafficking is the presence of force, coercion or deception for the purposes of exploitation.² Migration has become a survival strategy for large sections of the Cambodian population. In the census of 1998, 881,400 people were migrating from rural areas in Cambodia and the average distance was also increasing.³ Cambodia is coming to terms with an increasing movement of people from poor rural areas to urban areas and across the border to Thailand, owing largely to the changes in supply and demand, particularly for women and girls. In the past it has primarily been men who have migrated to find work. However, this research points out that the overwhelming majority of migrants are young women, which is confirmed by a recent MOWVA report from six provinces.⁴ In

¹ Skrobanek, S. *et al.*, 1997: 16.

² Huntington, D., 2002.

³ CDRI, 2002: 12.

⁴ MOWVA, 2003: 8.

a 1998 census, female migrants made 50.3 % of the total migrants, particularly in the 15–19 years old age group.¹ There is an accelerated demand for women in the labour market, in Koh Kong and Trad and in urban areas such as Phnom Penh, and many women and girls with low education and skills see migration as an opportunity to make money.

Although migration for some Cambodians to Thailand and to urban centres such as Phnom Penh and Koh Kong has provided better opportunities for some, for others – particularly women and girls – it has led to serious vulnerabilities with regard to trafficking and human and labour rights violations. Hence, this research will attempt first to document the vulnerabilities of women and girls in comparison with men.

Secondly, interventions and programmes are prioritising women and children; trafficking in Cambodia, as in other countries, has become synonymous with brothel-based sexual exploitation of women and children, forced and coerced to migrate by unscrupulous traffickers or known persons. This has resulted in a major focus on this particular component of trafficking, meaning that other forms of trafficking have largely been ignored, e.g. trafficking into domestic work, marriage, fishing, fish processing and other industries. Furthermore, it has led to a grave misconception that men migrate and women are trafficked, and has led agencies to question whether this is appropriate. This preconceived and widespread idea feeds on the gender stereotype constructed by societies: in most societies, men are presented as in control and as the breadwinners.

However, with more and more women coming into the workforce, this notion is now being challenged. Moreover, it is often not recognised that men too are trafficked. As outlined in this report, Cambodian men are trafficked and exploited in many areas of work in Thailand, particularly onto fishing boats, where there is growing anecdotal evidence of extremely long working days, forced amphetamine use and even murder of those unable to keep up with the work pressure.² Like men, Cambodian women and girls are trafficked, but also migrate into factories and fish processing. The causes of trafficking are applicable to both men and women, but women are faced with an additional vulnerability that stems from social discriminatory practices towards Cambodian women and girls. They are often found working in the worst forms of labour, related to the low status given to them in Cambodia society. This increases the risk of trafficking for women in comparison with men. Furthermore, it can be said that the patterns of women's migration differ from those of men. Men and women have differing reasons for leaving, and their means of travel and their destination are not always the same, as this research indicates.

In the past, prevention components of anti-trafficking programmes in Cambodia have frequently focused on seeking to discourage people from migrating internally and cross-border. These have included 'stranger/danger' campaigns; these have made little impact since the majority of traffickers and smugglers are known to their victims. Furthermore, many agencies have conducted counter-trafficking and prevention programmes in Cambodia, but very few have been tracked or evaluated, and for the most part are gender-unresponsive. In this research, the focus will be on trafficking and labour migration trends through a gender perspective – outlining the differences in the experiences of men and women, many of whom are willing to take substantial risks in order to obtain work which they see as a means of survival for themselves or their families; it will also look at how each process of migration can lead to trafficking.

¹ OXFAM GB, 2000: 20.

² UNIAP, 2003: 7.

Gender factors and dimensions have become important in shaping migration, and an integral part of discussions and strategic planning on trafficking. As the ARCPPT project has pointed out, ‘Gender affects all aspects of the trafficking process, from the factors that contribute to trafficking to the nature of the laws and policies developed to deal with the phenomenon’.¹

Recently, gender has been pushed to the forefront with regard to trafficking and migration studies. This research hopes that the highlighting of gender discrimination and female subordination will prevent donors, governments, NGO agencies and policy-makers from overlooking or neglecting it as a fundamental cause of internal and cross-border trafficking and exploitation in the future.

2. Aims and objectives

In this study, LSCW aimed to address the need for more research into the gender aspects of trafficking by showing the differences in the process of migration which can lead to trafficking of men and women, focusing on two border areas, Koh Kong (Cambodia) and Trad (Thailand) and one source province (Prey Veng). The research seeks to understand how gender is a variable in identifying those at risk and how women and girls, owing to gender factors, become more vulnerable to trafficking than men and the primary links with gender discrimination. Although men can also be victims of trafficking, the research illustrates how human rights and labour exploitation are more common for women, and how vulnerabilities that exist for men are in a different context to that of women. The research posited the hypothesis that a gender perspective is critical to understanding trafficking and the various steps of the process, as it is clear that poverty is not the major factor leading to the trafficking of Cambodian men and women. It outlines the dynamics of the decision-making process in the community and the cultural aspects of the demand side and the risk factors according to gender.

Objectives were:

- To gather as much information as possible within the three-month period regarding the internal trafficking of women and girls to Koh Kong, and through Koh Kong (of men, women and girls) cross-border to Trad province in Thailand.
- To develop and improve the strategies that NGOs, IOs and government agencies use to prevent trafficking. It was hoped that once the gender analysis had been completed, LSCW and other agencies would be able to put together effective counter-trafficking strategies which would take into account the individual circumstances from a gender perspective in Cambodia and in the receiving countries.
- To improve understanding on the extent and situation of trafficking in Koh Kong and Trad with a particular focus on the gender-related push and pull factors affecting men and women respectively.
- To understand clearly how gender inequalities contribute to trafficking.
- To determine the principal provinces of origin for victims of trafficking to and through Koh Kong, recruitment methods and routes employed, as well as issues of destination and return.
- To provide a solid foundation of research on which LSCW could structure gender-appropriate strategies for future programmatic and policy activities related to the prevention of trafficking and the provision of legal support and protection for its victims.

3. Target areas

¹ ARCPPT, 2003b: 1.

The research focused on two gap provinces (both geographically and with regard to NGO and government agency interventions on combating trafficking). These were Koh Kong, border province on the southwest coast of Cambodia, and Trad, the most eastern province in Thailand. The research also focused on one major source province in Cambodia (Prey Veng), in the east of Cambodia.

The research activities in Koh Kong province focused primarily on Daung Tong, the city area of Koh Kong, where internal trafficking to Koh Kong was prominent among women and girls in the sex industry. In Trad province, the main focus of the research was on cross-border migration leading to trafficking in the Klong Yai district, including Klong Soan and Koh Makam villages. Klong Yai was chosen owing to the large numbers of Cambodian men and women working in fishing, fish processing, ice and sawmill factories, and the sex industry, and the fact that it was easily accessible thanks to its border proximity. Koh Chang was also chosen as there were a number of Cambodian men working in the construction industry. Prey Veng was chosen as one of the poorest provinces of Cambodia, with the main focus being on Mesang district, where large numbers of both Cambodian women and men migrate to Trad province through Koh Kong. Reasons for choosing the three research areas can be summarised as follows:

Koh Kong province, Cambodia (source, transit and destination province)

- Status as a gap province within Cambodia with regard to NGOs and government agencies offering assistance to trafficked victims.
- Proximity to the border with Thailand: across the new bridge it is only a few kilometres to the checkpoint.
- Established legal and illegal trade routes.
- Established migration routes, particularly for labour migration to Koh Kong.
- High influxes of cross-border trade, business people and tourists.
- Large number of sex establishments and prevalence of sex tourism.

Trad province, Thailand (transit and destination province)

- Status as a gap province within Thailand with regard to NGOs and government agencies assisting trafficked victims.
- Large numbers of unaccompanied Cambodian men working in various industries, often indicating a number of Cambodian women in the sex industry.
- Presence of high numbers of Cambodian migrants in villages near the border with Koh Kong.
- Presence of cross-border migration to Trad since the opening of the border.

Prey Veng, Cambodia (source province)

- High percentage of out-migration (internal) to Phnom Penh and cross-border to Thailand, including women, girls and men.
- Number of brothel-based girls in Koh Kong and Trad originally from Prey Veng province.
- Relatively large size with high poverty level.
- Relative proximity to Phnom Penh.

4. Constraints to research

Issues addressed and not addressed

The research is not focused primarily on causes or comprehensive analysis based on substantial amounts of data but is a more quantitative study, reflective of a rapid assessment incorporating gender factors and encompassing the migration and trafficking processes. The research documents common themes and patterns which were exploitative in the different industries and concentrates on the differences and vulnerabilities of Cambodian men, women and girls during each stage of migration which could lead to trafficking and labour exploitation, particularly at the destination point.

The research focuses on Cambodian men migrating cross-border to Trad province in Thailand; with regard to women and girls the focus has been on internal migration to Koh Kong and cross-border to Trad where trafficking for sexual exploitation was likely. There was no evidence of trafficking of men to Koh Kong as a destination location. A few cases have emerged in remote locations in Koh Kong, but not enough information was available to pursue this. The priority focus was not children, although some girls interviewed in the brothels in Koh Kong and Trad were believed to have been under 18. This is not to indicate that trafficking in women and girls is confined to the sex industry, as is often portrayed in Cambodia, but that trafficking is prevalent among women and girls in Koh Kong and Trad into the sex industry owing to the various gender factors. Secondly, the research is not claiming to be representational of all Cambodian women and girls who find themselves trafficked into the sex industry, or cross-border to Thailand. Rather, the information gained from interviews with sex workers, as well as from Cambodian men working in the various industries in Trad, gives useful clues as to the differences between men and women migrating and the factors that make them vulnerable.

The research is based on interviews with respondents, some of which were in-depth detailed discussions lasting a number of hours, together with direct observations providing accurate information which was cross-checked. A large amount of the information may not be new to resource persons working with these issues in Cambodia and Thailand; the expectation was not that the findings would incorporate new processes or methods. However, the research hopes to create further understanding of gender factors which lead Cambodian men, women and girls to be vulnerable to trafficking, and to supply general information about the situation of Koh Kong and Trad provinces, two border areas overlooked in many major counter-trafficking interventions.

Gender values and norms in Cambodian society

Findings

- Gender roles are reinforced by the gender values, norms and stereotypes that exist in each society. In Cambodia, societal and cultural factors increase the vulnerability of women and girls to trafficking as opposed to men.
- Cambodia's societal control over women's sexuality, strict cultural and societal norms and roles regarding virginity, and sexual repression create devaluation and marginalisation of Cambodian women and girls.
- Gender inequality and discrimination and lack of opportunities are linked to stereotyped ideas about men and women's roles in the workforce. These do not cause trafficking but exacerbate the vulnerability of women and girls.
- Religion, early marriage and divorce, sexual violence, health and education, land and access to resources highlight inequalities between men and women, which create conditions that assist trafficking and exploitation.

- War, changing demographics, female-headed households, and changing roles have impacted on Cambodian women and girls' decision to migrate.

Gender discrimination

Women and girls suffer from gender inequalities and discrimination in Cambodia. Such multilayered discrimination and inequality prevents women and girls from taking control of their lives and also increases their vulnerability to trafficking, especially into the sex trade. In a paper addressing sexual exploitation from a gender point of view, one of the causes mentioned is the 'systematic undervaluation of females in terms of property or ability to earn in the market'.¹ These relate to the cultural values regarding the role and status of women and men. Women and girls in Cambodia are seen to be shy and submissive, which means they grow up with a lack of opportunities, especially in the workforce, because of their demeanour, have greater constraints, especially in the highly competitive job market in the urban areas, and are more susceptible to differences in economic variations and financial recessions. The cycle of poverty for women coupled with gender discrimination means that from mothers to daughters this poverty and lack of opportunities is continued.

Gender-based discrimination and gender disparity in the labour market takes a variety of forms.² Women and girls earn substantially less than men, both internally in Cambodia and in Thailand. One of the reasons for this is labour market segregation where women and men are grouped in different occupations, linked to stereotyped ideas about men and women's roles and weaknesses, i.e. men work in construction, fishing and factory work, whereas women work in the service industries, such as domestic work and the commercial sex sector, and in poorly paid exploitative jobs, such as garment factory work and fish processing.

Gender discrimination and inequalities are not the cause of trafficking but exacerbate the vulnerability of marginalised groups and render them increasingly more open to a variety of different harms. This leads women to leave home, migrating internally and cross-border, hence creating a potential supply of female migrants and livelihood seekers who, without education and skills, have limited opportunities and options to survive and are conditioned to accept their fate. Outlined below are other major factors, particularly gender constructs³ which are influenced by the patriarchal system and religious and cultural values in Cambodia. These highlight discrimination and the unequal and unbalanced relations between the sexes.⁴

Religion

Religious practices in Cambodia reinforce discrimination of Cambodian women and girls. A woman is thought to be born thus as a result of bad karma; women and girls are therefore thought to be unable to achieve enlightenment, suffering as they are for past illicit behaviour. Thus, whereas men can show gratitude and respect to their parents by becoming monks and pursuing a spiritual life, many girls have to make up for this by caring for and making sacrifices for the benefit of their families, villages and their own karma, resulting in women and girls trying at all costs to provide for their families through any opportunity they can find.⁵

Early marriage and divorce

¹ WEDO, 1996: 12.

² UNIFEM, 2003: 19.

³ CARAM Asia, 2003.

⁴ Haspels, N. and B. Surivasarn, 2003: 4.

⁵ UNIFEM, 2002: 6.

Many Cambodian women are subjected to early and arranged marriages, therefore losing their independence and right to consent to marriage. Often they suffer from domestic violence and rape. Divorce is also frowned upon as shameful in Cambodian society. According to PADV, 'Women who choose to get a divorce are discriminated against at every turn',¹ which results in many women living with constant violence from abusive husbands, leading to a life of servitude. Divorce can lead to vulnerability: women are shunned by their families and communities and are therefore without any support system, education or financial means, at risk of falling prey to trafficking and exploitation.

Violence

Violence against women and girls in Cambodia is prevalent, vicious and often ignored. One in every six women admits to being physically abused by husbands and sexual violence such as rape also appears to be on the rise.² The violence is often severe: 50% of women who reported spousal abuse stated that they received injuries and more than half of those injuries were to the head. Women reported beatings, whippings, stabbings, and even axe attacks. This can be linked to societal views of women in Cambodia.

Education

There are significant areas of gender disparity, particularly in educational attainment. It is estimated that 50% of rural women are illiterate and have not completed primary school education;³ levels of literacy and education are low particularly in provinces such as Prey Veng.

Rural girls suffer from a lack of education and low enrolment, owing to the traditional belief which values investing in boys' education rather than girls'.⁴ Literacy rates for Cambodian women and girls remain low compared with the rest of Asia. This owes partly to the traditional roles of girls, both in the house as domestic workers and as agriculture workers in the fields, and partly to the traditional ideal that girls should stay close to home. Hence, the need to educate girls is not seen as a priority by rural communities. Only 60% of students completed primary schooling in 2003 and most of those were those were male pupils.⁵ Girls tend to drop out of school earlier because they have to start work as a result of poverty and the traditional responsibilities of girls within the family. In Koh Kong province, for example, 80% of sex workers are reported to be functionally illiterate.⁶

Health

Rural women in general have poor health and nutrition, with inadequate access to health facilities. Health costs are extremely high (e.g. access to safe drinking water etc.) and there is a poor level of reproductive health.

Poverty

In 2003, 90% of citizens were living under the poverty line in rural areas and the majority of these were women.⁷ 65% of women were farmers, responsible for 80% of food production.⁸ In places like Prey Veng, which is prone to flooding and droughts, this means women in particular face great

¹ PADV, 26 January 1998, quoted in Levi, R. S., undated.

² Rasmussen, H. M., 2001.

³ Gender and Development Network, 2003: 37.

⁴ Gray, I. and B. Wouters, 1999: 13.

⁵ Cambodia Independent Teachers Association, Phnom Penh, May 2004, quoted in Hicks, N. 2004: 53.

⁶ CARE International/CARE Koh Kong, 2004: 2.

⁷ Gender and Development Network, 2003: 37.

⁸ Ibid.: 35.

difficulties in providing enough food and income for the family or in releasing themselves from their debt and poverty cycle.

Wages

Women suffer from both wage and non-wage discrimination in the workplace and do not have the same opportunities when it comes to promotion, job seniority and benefits.¹ Men earn 33% more for equivalent work and dominate the private and public corridors of power.²

Land and access to resources

Women are vulnerable with regard to ownership of land and contracts. In particular, single-headed households, widows and women whose husbands have migrated are susceptible to claims made by the more powerful on their land – leaving them without a source of income.³ There are numerous reports of violations of land ownership and inheritance rights concerning women, an issue which is fundamental to women's autonomy.

Conclusion

These issues impact both on the causes and contributory factors involved in migration, and on the situation encountered by migrants on arriving in destination in Koh Kong province, Cambodia and Trad province, Thailand.

Gender analysis: causes and contributing factors

1. Push factors

Findings

- The push factors which encourage men and women/girls to migrate and leave home are not only different but are gendered.
- Cambodian women and girls are affected by feminisation of poverty; cultural norms affect women and girls disproportionately to men. For example, family obligations, family problems, economic need, attitudes to women, lack of affection all are push factors. Men without education and skills, land, employment, debts and gambling frequently migrate.
- While the feminisation of poverty is key in migration issues, social factors within the backgrounds of women and girls were often found to be more relevant in increasing vulnerability.
- The reasons for women and girls being vulnerable to trafficking differ from those for men. Societal and cultural factors impact more heavily on women and girls than on men.

The information gathered is based on interviews with women and girls in Koh Kong and Trad and male migrants from Prey Veng, although some of the information comes from respondents from other provinces. Push factors affect both men and women but many affect women disproportionately, in terms both of their magnitude and their consequences.⁴

Analysis: push factors affecting women and girls

Feminisation of poverty and economic push factors

¹ OXFAM GB, 2000: 13.

² ADB, 2000: 3.

³ Hicks, N. 2004: 23.

⁴ ARCPPT, 2003a: 10.

Incidence of poverty among women is increasing owing to the impact of war in Cambodia and of globalisation; this is a process referred to as the feminisation of poverty. Shrinking prospects in the job market, and lack of opportunities through loss of land and decline in traditional agricultural practices have impacted greatly on Cambodian women and girls. There are no opportunities for girls with low education to earn money, especially in source provinces such as Prey Veng (traditionally a rice farming area). Unequal access to education limits women's and girls' opportunities to increase their earnings in more skilled occupations.

Girls are following traditional migration routes to places like Phnom Penh with their friends and female relatives, going to garment factories (which also provide recruitment grounds for traffickers into the sex industry). However, these garment workers can only make between US\$35 month plus a US\$10 bonus in some factories. On average the wage is around US\$45 dollars and the work is highly repetitive and labour intensive. Some girls are not happy about the difficulties in making ends meet with such a small salary, especially those on probation, causing some to leave the factories in search of better economic opportunities.

Meanwhile, a further problem is that, owing to the patriarchal system that prevails in the rural communities and the lack of a male support system, female-headed households, an estimated 35% of Cambodian households, remain vulnerable, especially to loss of land, or are cheated into selling land for a very cheap price.¹ Women left alone with children try to earn money for their families through small businesses. Owing to a lack of business sense, the business often fails, leaving no money for survival and creating new debts.

Feminisation of migration and family push factors

While the feminisation of poverty is key in migration issues, social factors within the backgrounds of women and girls were often found to be more relevant in increasing vulnerability. Culture in Cambodia states that women are supposed to contribute to the family's income; women and girls feel pressurised to fulfil expectations and have a sense of responsibility to provide for the family. This, combined with livelihood constraints, forces women and girls to break with the usual tradition of staying close to home and to go to find a way to pay off debts. They send remittances home, sometimes in compensation for their absence. This is a process referred to as 'feminisation of migration'.² As one interviewee stated in a brothel in Koh Kong, 'In Cambodia there is a proverb which states that girls have to help their parents when they are in need and is a kind of repayment for raising you'.

Meanwhile, parental divorce, problems with stepparents, and upheavals in the family, such as family break-ups and deaths, lead to lack of emotional support for girls, which often compels family members to send girls away or pushes women and girls to leave home to find work. As Sophorn (in a brothel in Koh Kong) stated, 'My parents died when I was 17 and I live with one older widowed sister and younger siblings. I am the older sister so I left home to try and find some income to help my sisters.'

Owing to the pressure put on by parents, siblings and family members to work away from home as well as strict societal constraints on women and girls with regard to freedom, girls complain of a lack of affection and love from parents. This has meant many girls feel the need to leave home or to make decisions without the consent of parents and relatives.

¹ IFAD, 1999.

² Haspels, N. and B. Surivasarn, 2003: 10.

Finally, women and young girls accompany their male relatives to Trad province, especially when their land and rice is not enough to support the families' needs.

Social push factors

Female respondents in this research linked the difficulties of their own situation with the decision to leave. These included: girls who had been raped; girls who had lost their virginity to a boyfriend and had been left with a broken heart; girls who had run away with a boyfriend and then been duped or sold to a brothel; those married young and now divorced, after a failed marriage when the husband left, or when the husband drank, gambled and was violent i.e. women and girls who were escaping domestic violence. Rape and abuse are also increasing notable in Cambodian society. One respondent who had been trafficked to a karaoke in Trad province stated the following: 'I moved with my family to Koh Kong after leaving my drunk husband. As the oldest daughter and divorced woman I needed to earn money to support my family and was tricked by a friend and old women in Koh Kong to work in the sex industry.' Another respondent in the same place said her parents were very poor and her mother had become seriously sick, resulting in her needing money to help the family.

Push factors – outside influences

Girls in the sex industry stated that the earnings could be substantially higher than in factory work and the work is seen to be easier. A number of girls interviewed stated that in rare cases where debts had been paid off they could send US\$80 a month home to parents or buy gold jewellery. Generally, the girls who had seasonal work reported earning US\$35 a month in the factories, which they expressed as inadequate.

There has been an increase in competitive materialism to build new houses and buy new products, which has lead women especially to seek to improve their family's economic status within the communities. Traditional occupations such as farming can no longer provide the stable income to support the level of income and lifestyles many women and girls desire. This is exacerbated by the popularity in karaoke videos and TV series showing wealth, glamour, and romantic destinations. This has influenced young girls to leave home in order to seek opportunities and to have enough money to be able to afford better clothes and jewellery etc.

Analysis: push factors affecting men

The principle reasons for men migrating and leaving the provinces differed from women and girls. Men migrated for economic reasons: they were escaping chronic poverty in Cambodia due to poor rice cultivation to seek employment. The following are included as push factors:

- Men without agricultural skills and land have difficulties in securing a job and making money.
- Inadequate, unfulfilling and legitimate employment opportunities in the poorer rural Cambodian provinces such as Prey Veng are combined with poor living conditions. Agricultural work is low paid and seasonal. There is only work for a few months per year, owing to a single rice crop. There are no other livelihood pursuits.
- Men can make 2,000 riel (US\$0.50) per day from rice cultivation and chicken-rearing, but this amount is not sufficient to meet daily living expenses and men are forced to borrow money from others to survive.
- Agricultural problems in source provinces such as Prey Veng include: loss of animals; rice crop failure; low land productivity; drought, flooding and natural disasters; lack of fertiliser; low price of rice products at market; and lack of an irrigation system.¹

¹ ILO/IPEC, 2004: 1.

- Debt crisis forces men to migrate to seek employment to repay loans to moneylenders in order to provide for families during the (agricultural) low season. As reported by the Cambodia Daily on 2 November 2004, moneylenders charge extremely high interest rates (20% per month), threatening those who fail to repay with jail and confiscation of property and land. As such moneylenders have powerful people behind them and threats are very real.¹ Hence, outstanding debt is a major push factor in the decision to leave and migrate. But if the migrants are cheated or trafficked the debt increases, and the initial cost of migration is usually paid for by taking out a new loan.
- A number of male respondents from Prey Veng do not own adequate land for farming or subsistence living, making daily life impossible. Land is sold to obtain quick cash for emergencies such as health needs, or to recover debt with high interest owing to decrease in income and increase in family members. In more recent years, land has been claimed by high-ranking officials and land-grabbing has become a serious issue for the poor rural communities that are cut off from their only means of living once the land is sold. One migrant fisherman from Prey Veng stated: 'My family had land for rice farming but the local authority came and took the land to build a hospital but in the end they did not build it but kept the land for themselves'.
- Some men get into debt as a result of gambling.
- Male respondents stated that by migrating they hoped to make enough money to support their family at home, for marriage and for material needs such as a house, land and cows. One respondent working in an ice factory in Trad said: 'I want to build a new house and marry a woman I love. In Cambodia, it is very difficult to find a job and earn a lot of money. Especially people like me. I only went to school until sixth grade. I can just read a little bit.' Men also stated that they wanted to expand their horizons beyond Prey Veng and see other places.

As will be outlined in the recruitment section, traffickers/smugglers (who are often returning migrants) are active in the communities where migration is the highest. Some traffickers/smugglers need to pay off a debt at home or in the destination and need to recruit others in order to do so.

2. Demand and pull factors

Findings

- Labour markets are gendered; there is an increasing demand for female migrants, both in Koh Kong and Trad.
- In Koh Kong, the presence of internal migrants, business people and trade, and the increase in sex tourism, have meant a demand for girls in the sex industry. In Trad, Cambodian migrant workers fuel the demand for Cambodian sex workers, and development policies, such as tourism on Koh Chang, create new demands for Cambodian women and girls.
- In Trad, Cambodian women and girls are required for labour-intensive industries such as fish processing, where hours are long and wages are low.
- Men are required in jobs that are dangerous and labour-intensive, and rejected by Thai nationals, in industries such as fishing, sawmills and ice factories.
- Employers demand migrants, such as Cambodian women and girls, who are easily manipulated and exploited, and men, who are willing to work harder, longer hours and for less pay in difficult working conditions, which is no longer the case with Thai nationals.
- Push/pull factors include: the opportunity to earn higher wages and the preconceived idea of Thailand as a land of prosperity; the ease with which money can be made in Thailand; the porous

¹ Cambodia Daily, 2 November 2004.

border (with corruption on both sides); and, for men from Prey Veng in particular, the habit of migrating to Thailand to work in the fishing industry, especially Trad province.

The demand for Cambodian men and women in different labour markets in Koh Kong and Trad and jobs is largely defined by gender.

3. Decision to leave

Findings

Women and girls leave owing to pressure or some disruption in the family and rarely discuss the decision with others, tending to be more impulsive about leaving, whereas men with their families plan and discuss the decision to migrate.

4. Recruitment

Findings

- Women and girls are more susceptible to trafficking during the recruitment process, as more coercion and deceit is used in comparison with men. Men approach known smugglers to assist them whereas women and girls are often coerced or tricked into leaving by traffickers.
- There is a greater lack of awareness among female migrants of the risks of migration compared with men. Women and girls are more likely to have less knowledge about the journey, the destination, and the living and working conditions than men, and it appears they migrate under risky circumstances and with little consideration for their own safety. Blind migration is more common among women owing to lack of access to recruitment networks and job opportunities, and they are less prepared.
- Smuggling to Trad is more common among men who are migrating for work but, owing to the nature of the job and the demand, trafficking is more prevalent among women and girls. The latter are more vulnerable to trafficking during the recruitment process owing to their status and to gender factors.
- Male migrants do not understand the term trafficking or consider themselves victims of trafficking
- Men accumulate debt to pay traffickers and smugglers in the source province and at times in the destination, whereas women accumulate debt to the employer at the destination, or debt bondage occurs.
- There are links with internal migration from the poorer provinces to Phnom Penh around the factory areas and then to Koh Kong. Women and girls remain vulnerable on their own in cities and encounter problems there, or are lured from Koh Kong across the border.
- Connections were found between Phnom Penh and Koh Kong and south coastal areas such as Kompong Som, Kampot and Trad in the trafficking of women and girls into the sex industry.

Deception and tricks to Koh Kong

Traffickers actively seek out girls who are in crisis after family problems and who are upset or angry with their families, relatives or husband/boyfriend. These traffickers (usually women) are particularly clever in gaining the trust of the girls and trying to persuade them, using friendly and emotionally supportive methods, as well as luring them with stories of high incomes and material possessions. Traffickers are on occasions introduced to potential victims by friends, relatives and acquaintances who are also involved in the deception. One respondent already working in Koh Kong

returned to the factory where she used to work in Phnom Penh to recruit other girls. The traffickers regularly use the following information to persuade unsuspecting women and girls to go with them:

- That there is the potential to earn a lot of money and find a new job such as waitressing, working in a restaurant, or as a CD player in a karaoke shop.
- That there are jobs in domestic work and as cooks.
- That new factories in Koh Kong require employees. [In reality, the industrial area in Koh Kong has yet to be built (as of October 2004)].
- That they will be able to have jewellery, nice clothes and makeup.
- That Koh Kong is a fun and exciting place to be.
- That jobs are available in the shrimp farms [despite that they have already ceased operation].
- That they can work in a shop.
- That they will earn more money than (in factories) in Phnom Penh.
- That it is easy to find work and set up a karaoke establishment in Koh Kong.

Sex industry (Trad)

Traffickers who are working in direct contravention of national laws facilitate women crossing borders illegally. Many use coercion, force, or false promises in placing women in illegal sex work.¹ Trafficking of girls to Trad either begins in urban areas such as Phnom Penh, when girls who have previously migrated from poorer provinces are forced or lured across the border from Koh Kong, or occurs when girls decide to leave Koh Kong. Girls who are now working in Trad were tricked into leaving with false promises of different jobs or deceived by traffickers and brought to Koh Kong. The trafficker then calls the second trafficker in Trad to transport the girl across the border and take her to the destination point.

Such traffickers are active in urban areas such as Phnom Penh, where they are able to take advantage of the naivety of the girls, their lack of other options and crisis in their lives. The research found that women and girls who had been married young but were now separated and divorced without means to support themselves were vulnerable to traffickers, as they were no longer virgins and were stigmatised by society for not being with their husbands. When asked why she ended up as a sex worker, Keng replied: 'I am already married but my husband left me and I am not a virgin'. Srei Rath said, I have been married since I was 14. My husband left me without reason.'

There are a number of cases of girls working in Trad province who have been misled or cheated and travel from either the source province or other provincial areas with the traffickers. One sex worker paid the trafficker 300,000 riel (US\$75) to take her to Trad on the promise that she would get a job in the fish processing industry but was duped into working in a karaoke bar. It was reported (but could not be substantiated) that female Cambodian migrants have left previous occupations in seafood processing or domestic work in Trad province to become sex workers owing to a lack of work or difficulties in surviving with the small incomes in Trad (which has a higher cost of living than Cambodia).²

Furthermore, young girls who are poor, orphaned or in family crisis in Koh Kong itself are vulnerable to trafficking. One case was found during the research where the girl had been orphaned

¹ UNIFEM, 2003: 6.

² OXFAM GB, 2000: 21.

after the death of her mother (who was a sex worker) from HIV/AIDS. She was raped twice and then later sold by an unknown woman to a karaoke establishment in Klong Yai.

Two girls, who came from Kampot (a poor area with high levels of migration internally) were persuaded by old women in Koh Kong. One was introduced by a friend to the trafficker and informed of high paying jobs. The girls were cheated by the traffickers from Koh Kong on arrival in Trad. NGO community monitors in Koh Kong report a number of cases where Cambodian men return to Koh Kong to marry a girl and then sell her to a brothel or rich family for domestic work in Trad. However, cases were not found by the research team.

There are also indications that Cambodian girls who are being trafficked to Trad province are becoming younger or are transiting through Trad to other locations in Thailand. The women and girls travel with traffickers who charge about 2–4,000 baht (US\$50–100) to transport them to Thailand and find employment. In addition, there appears to be a rotation of girls from Koh Kong to Trad and vice versa, with some connections between those running brothels in both places. One Cambodian karaoke owner used to run a business in Koh Kong but, after the economic downturn in Koh Kong, moved his business to Klong Yai in Trad. Connections were found between brothels in various areas (Phnom Penh, Battambang, Kompong Som and especially Koh Kong and Klong Yai in Trad), whereby girls were rotated and replaced by new girls. Resource persons in Koh Kong repeatedly emphasised that girls were taken by boat at night to Trad from the Koh Kong brothels.

Deception and tricks to Trad

- That jobs and earnings are easier to find than in Cambodia and more available, but no information is given on high daily living costs.
- That girls can sell sweets, beer or wine and can earn between 1,500 and 5,000 baht (US\$37.50–125) per month.

Labour migration to Trad (women and girls)

Cambodian women and girls who migrate to work in labour-intensive industries in Trad province regularly borrow money from people from the same locality, such as neighbours, returned migrants or community leaders. Sometimes these loan the families of the women and girls money in the form of an advance for services to be rendered in the future. The women and girls become indebted to the trafficker/smuggler for this advance. Hence, the women and girls accumulate debt. Therefore, the first person in the trafficking chain is known but the victim is then passed on to more exploitative employers or traffickers at the point of destination. In other cases, money is owed to family, friends, loan sharks etc. and the person cannot return home without finances to repay the debt. One young girl from Koh Kong, who was living with her extended family which had with a history of domestic violence and exploitation, was persuaded by her great-aunt to go and work in Thailand selling makeup and flowers. On arrival in Thailand, her uncle took a loan from the shopkeeper for 200,000 riel (US\$50) which was to be paid off by the girl. Her whereabouts today is not known. Some girls from Prey Veng pay to secure jobs but are unaware of the exploitative nature of the labour. One girl from Prey Veng lost her leg from the knee down in a fish processing machine.

Labour migration to Trad (men)

Numerous men in Prey Veng actively seek out traffickers/smugglers to transport them to Thailand. Others are approached by traffickers who are recruiting men to work in Trad, some of whom have experience of working in Thailand and know the route and have established contacts in Trad or other

parts of Thailand. Occasionally the traffickers/smugglers are distant family members who have returned from working in Trad. Some traffickers/smugglers ask the men to make appointments with them if they are willing to go. Many of the traffickers/smugglers are members of the same community who return to the source province to see family and at the same time take other workers back. Sometimes, in order to pay back the debt to the original person involved, migrants will return to recruit others.

Women usually find themselves indebted financially to the traffickers and at the destination point, especially in cases of sexual exploitation, but men have to pay upfront for the transportation and/or for securing a job, although debt is also accumulated at the destination. This results in debt to rich people and moneylenders in the source communities. For example, the trafficker/smuggler demands money from the men. The poor are not likely to have access to this type of money so they sell other assets, such as animals, and mortgage their land. Often men borrow from their families, taking loans from others in the village or the moneylender at extremely high rates of interest.¹ Without assets or collateral, men are unable to borrow money from the banks. Men usually borrowed between 300,000 and 800,000 riel (US\$75–200), on average 350,000 riel (US\$87.50) at 5–20% interest per year, but it was repeatedly heard that respondents paid 100% interest for one year. It has also been suggested that men have more access to borrowing money than women and girls.

Much of this money is needed to pay for transportation, which can result in debt bondage to moneylenders. Traffickers/smugglers arrange travel but also may liaise with the authorities, pay bribes, determine the crossing points for leaving and entering, be proficient in Thai, and pay money received by the migrant at the destination point to families at home. Over the years connections between such traffickers and smugglers have been built with employers, labour contractors, the authorities and the police.² Many migrants rely on traffickers/smugglers, especially those looking for long-term work in Trad. Men interviewed stated that they received transportation and food, could cross the border, and were placed in a job. Others paid once the job had been secured. In many villages, there were a variety of traffickers and smugglers working, with slightly different methods of crossing the border, and it was extremely difficult to get substantiated information on whether men were trafficked or smuggled: from the interviews conducted this was not always clear.

The majority of smugglers are friends or relatives of those migrating and are usually not held responsible for what happens at the workplace, only for the safe passage.³ Distinctions between traffickers and smugglers become blurred when migrants pay/hire a smuggler but do not know that a smuggler is really a trafficker who intends to cheat, deceive and hold them in forced labour conditions.⁴ Men interviewed did not understand the term trafficking or considered what had happened to others who had been cheated and exploited as victims of trafficking but that they had been unlucky.

The system of traffickers/smugglers relies heavily on well trodden routes and several layers of people. The first trafficker/smuggler is in contact with companies and employers in Trad and earns a high salary, the second trafficker/smuggler brings the people from Cambodia to Thailand and is possibly based in Koh Kong, and the third trafficker is based in the villages and provinces and recruits people directly and is a trusted member of the community. Other recruitment methods are less systematised, with returnee migrants seeking new workers for a particular industry in Trad. Each

¹ CDRI, 1999: 8.

² Piper, N., 2002: 10.

³ MOWVA, 2004: 11.

⁴ Piper, N., 2002: 5.

has a system (as reported by returnees) of contact from the source to the location, especially with the local authorities, police and immigration police. Traffickers/smugglers recruit labourers for work in construction, farms and fishing boats, but are not needed by male migrants from Koh Kong who already have knowledge of routes and connections in Trad. These are more aware of tricks of traffickers owing to wide knowledge and experience of working in Trad, hence vulnerability to trafficking is reduced. These men from Koh Kong take the opportunity to work in Trad as there are few jobs in Koh Kong; though earnings in Trad are not substantial, they continue to risk the journey.

Labour migration to Trad (men) – deception and tricks

Labour migration for men is also risky. During the research the team met young male migrants who had been tricked by smugglers, who took their money and transported them to Koh Kong from the poorer provinces. Once at the border or near the border (Cham Yeam) pagoda in Koh Kong, the men were abandoned. Furthermore, men who manage to cross the border with assistance from traffickers are frequently abandoned on the Trad side, where they risk being imprisoned. This was confirmed by local commune leaders in source provinces and NGOs working in Koh Kong. It was also the case that migrants were sold to Thai employers and others were tricked about the work and conditions, demands having been made of them that the money be paid when employment was secured. Cambodian fishermen are generally ignorant of the conditions of the work, having received inadequate information about the length of the period of work and the conditions to be endured, often including long working hours, lack of sleep, threatening behaviour by boat owners, and restrictions to personal freedom and movement through fear of arrest by the Thai police.

Men in source provinces such as Prey Veng are also enticed by the stories of other migrants, who tell of earning high salaries. Migrants and village chief report of cases men who went to work in Thailand and were tricked and did not receive salaries, and returned from Trad without any money.

Recruitment process

Today, Cambodian men with their families or wives make the decision themselves to leave home to seek their fortune in other urban areas or neighbouring countries such as Thailand, whereas women and girls are more often lured, tricked or deceived, either from home provinces or from urban areas to where they have previously migrated. Therefore, circumstances surrounding their migration differ. Men actively seek out traffickers/smugglers who know the route, or are persuaded to leave; deception is less prolific than it is in the recruitment of Cambodian women and girls for the sex industry. A large amount of coercion, manipulation and trickery is required in order for traffickers to persuade women and girls, as few choose to end up in the sex industry, which is highly abusive and exploitative, unless for economic survival. Women and girls are sought by traffickers to fill a particular demand and are usually tricked during recruitment about the nature of the work and the conditions, as well as told that it is easy to make money and that Koh Kong and Trad are places of opportunity.

5. Traffickers and smugglers

Family members such as uncles, aunts and stepfathers have been known to be involved in the trafficking of female relatives, especially for labour. There is a lack of information as to how prevalent this is currently. However, interviews show that in the majority of cases it was not blood relatives who instigated the sale of girls or the forcing of them into labour exploitation but more distant male relatives. The research documented the cases of one girl persuaded to go with her uncle to find a job, and one whose uncle took loans using her as collateral. Close friends, villagers or

known people in the community were commonly known to trick the girls and sell them to brothels, as well as individuals from the destination, e.g. brothel owners, men working for brothel owners, karaoke shop owners and other sex workers from Koh Kong.

Conclusions and recommendations

The research team believes that the findings in this research reiterate the growing belief that factors that contribute to trafficking and that ultimately result in women and girls becoming more susceptible to trafficking are a result of gender.¹ As the ILO has noted, 'It is the gender-segregated labour markets as well as the sexual division of labour in the household that determine gender-selective migration flows'.²

Stated simply, men and women follow different migration patterns because they do different things in the sending country (Cambodia) and are expected to engage in gender-specific occupations on arrival to the host country (Thailand). Cambodian men, women and girls are faced with a myriad of problems when migrating to Koh Kong and Trad. Indeed, it is clear that all categories of migrant workers are regularly subject to abusive, exploitative and discriminatory treatment. However, for Cambodian women and girls the dangers, vulnerabilities, violations and consequences of trafficking and exploitation are far greater than for men owing to unequal gender relations and less social and economic power at every stage of the migrating process.

The report would like to conclude by summarising the vulnerability factors that have come to light which have caused women and girls to be trafficked or engaged in various work sectors that expose them to sexual exploitation and other abuses. It will additionally show vulnerabilities for men and generally for Cambodian migrants interviewed, as this has formed a major part of this research. It will then make recommendations for future action.

Recommendations

Starting from the country of origin, through transit, country of destination (Thailand) and even integration, as has been outlined in this research, women and girls have to bear an extra burden of vulnerability when migrating. The research has highlighted the need to address the root causes of migration to prevent Cambodian migrants, especially women and girls, becoming vulnerable to trafficking and sexual exploitation. As the Special Rapporteur on violence against women stated, 'The root causes of trafficking and migration greatly overlap. The lack of rights afforded to women as the primary causative factor at the root of both women's migration and trafficking in women.'³

The research has shown how the initiation, the process and the outcome are different for men and women during migration. Programmes initiated to combat trafficking, whether for labour or for sexual exploitation, need to understand gender disparities to understand how migration impacts men and women differently if they want to reach out effectively to men/boys and women/girls.⁴ Furthermore, interventions and development programmes that are gender specific and address gender equality as well as protecting rights need to be developed. A holistic gender-responsive approach can address the factors that cause women and girls to be vulnerable and support the

¹ Wijers, M. and L. Lap-Chew, 1997: 87.

² ILO, 2004b.

³ Pearson, E. *et al.*, 2001: 45.

⁴ CARAM Asia, 2002: 65.

strengths of all migrants. It is also a rights-based approach, since gender discrimination is now recognised as a fundamental denial of human rights. Human rights must therefore lie at the core of any credible counter-trafficking strategy and must also be responsive to gender differences and disparities, and focused on realising human rights equally for men and women, boys and girls.

Importantly, developing more understanding of the needs of migrant workers is fundamental as new programmes and policies need input from those who have been previously trafficked or exploited, and from migrants generally, so they are able to influence decisions and solutions that affect them. Consequently, stakeholders' implementing programmes must focus on issues and needs raised by migrants, especially female migrants. Their participation is needed to work towards improving their conditions, recognising their rights and reducing vulnerabilities. Furthermore, LSCW appeals to the government agencies, NGOs, IOs, UN and donors in both Thailand and Cambodia to consider the following:

- Addressing the gaps in assistance to Cambodian trafficked and exploited migrants is vital, as programmes and projects are limited in numbers and locations, particularly in Thailand.
- As the research has highlighted, the needs and vulnerability of Cambodian women and girls differ from men. Thus there is a need for specialised intervention to address these differences. Furthermore, all agencies need to work together to guarantee that migration does not lead to trafficking and exploitation.
- Policies dealing with trafficking need to take migration issues on board; this needs to include trafficking concerns, as often these issues cannot be separated. There should be full comprehension of gender issues with regard to both.
- There is a need to address the risks in certain sectors, such as fishing and the sex industry, where migrants are frequently trafficked and exploited. This should involve exploring specific measures and action to reduce such violations in the future.
- Cambodia is in the process of implementing an MOU with Thailand¹ which will offer legal channels of migration to Cambodians, but it is possible that these legal channels will focus on the male-dominated sectors such as fishing and construction, putting Cambodian women at a severe disadvantage: the gender-segregated industries, such as domestic work and the sex industry, are not covered in migration policies. Such moves could increase vulnerability to trafficking, exploitation and abuse, with little recourse for protection from the authorities. It is vital that such moves are prevented.²

General recommendations

Cambodia and Thailand have signed two MOUs towards joint cooperation on trafficking and migrant workers. In 2004, Prime Minister Thaksin Shinawatra reiterated his government's commitment to combating trafficking and declared this to be a national priority. Therefore, the following recommendations are highly relevant.

To governments (Cambodia and Thailand)

- There should be integration of a gender perspective into all trafficking interventions; gender-sensitivity training should be designed and run for government staff and agencies. Mainstreaming gender is vital for solving the increasing problems of trafficking and preventing gender discrimination.

¹ MOU between the Government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Cooperation in the Employment of Workers, signed 31 May 2003.

² Corner, L., 2002: 15A.

- Government agencies UN, IOs and local NGOs together should be instrumental in addressing key attitude changes towards women in Cambodia, and on sexuality, gender relations and sex work.
- Governments of Thailand and Cambodia should ensure rights-based, clear gender-specific migration policies are planned and implemented.
- Government and agencies should adhere to the MOU on trafficking to prevent arrest, detention and deportation of Cambodian trafficked women and girls.¹
- The government of Thailand should permit Cambodian organisations to assist trafficked and exploited migrants through legal channels in Thailand.
- There should be concerted efforts to prevent corruption, bribes, extortion, harassment and violations of human rights by officials (authorities, police, military, and immigration officers), especially in the border areas.
- Government agencies, UN, IOs and local NGOs should address the gap identified to respond to the needs of female migrant workers and children, and work to support women, encourage participation, strengthen positions and allow them to speak up for their rights.
- There should be implementation and enforcement of existing bilateral agreements, such as MOUs (on i) trafficking and ii) employment of workers). New agreements should be formed on cross-border cooperation between Thailand and Cambodia, particularly focusing on Koh Kong and Trad and other cross-border areas.
- Men are not recognised as victims of trafficking within the two MOUs that have been signed with Thailand (on i) trafficking and ii) employment of workers). Generally, there is little concern of the needs of men, with extremely few interventions undertaken to reach out to them. Agencies need to make provision for trafficked and exploited men through migrant assistance programmes to provide support, legal services and protection.
- Concerted efforts are needed to break trafficking networks and prosecute people who exploit migrant workers with heavy penalties; victims should be offered special visa status, protection and social services in exchange for testifying against exploitative employers, traffickers and smugglers.
- Reports should be examined of increased numbers of sex tourists in places like Koh Kong and Trad province, and strategies and action created, especially among law enforcers, to prevent exploitation and rights of Cambodian women and children in this regard.
- Legal labour recruitment organisations in Cambodia should be monitored to prevent high costs to migrants, corruption and other bad practices.
- Thai labour laws should be enforced as legally stated as entitlements for registered migrants who face exploitation; these need to be in line with international standards.
- Destination countries such as Thailand should regulate the status of undocumented migrants, particularly women and girls in the sex industry.
- Thai and Cambodian governments should ratify international conventions which pertain to migrant workers, such as the ILO Convention on Migrant Workers (97 and 143), and the Convention against Transnational Organized Crime and its protocols, particularly the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
- Governments with assistance from IOs and UN agencies should train labour inspectors to monitor and inspect industries which are notoriously exploitative and where trafficking is common, e.g. fishing.
- Government agencies in cooperation with NGOs need to adopt concrete strategies to monitor areas around factories and garment factory girls'/women's accommodation in order to prevent active traffickers from operating and to address the issues surrounding shutdowns of factories and possible

¹ MOU between the Government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Human Trafficking, signed 31 May 2003.

job losses among the 240,000 female garment workers after the US quota expiry on 31 December 2004.¹

Research and other issues

Further research is required on the following topics:

- The vulnerabilities and factors surrounding the trafficking of men, to encourage more understanding of men as victims of trafficking.
- Trafficking from a broad perspective, including forms such as domestic work and fish processing.
- Baseline research on the problems affecting Cambodian migrants who cross the border to Thailand.
- General situation of migrants, such as work issues, labour conditions and abuses, needs, family life and living conditions, effect on home communities and particularly on gender issues.
- Root causes of migration and gender vulnerability, to prevent further trafficking, abuse and exploitation.
- Gender-based vulnerabilities and discrimination of women in source, transit and destination areas.
- Impact of migration on source province and households.
- The link between trafficking and voluntary entry into the sex industry among garment factories in Phnom Penh, at the same time increasing monitoring after possible factory closures, concentrating especially on formulating strategies for future employment.

Safe migration and prevention of trafficking

Governments and supporting agencies need to work to increase opportunities and expand channels and mechanisms for safe legal migration, including improvements in migration management and connecting with worker protection measures, and the creation of migrant worker support networks. Such moves can minimise vulnerability of undocumented Cambodian migrants to trafficking and labour and human rights violations.

Potential Cambodian migrants need to be properly informed about the risks of migration internally and cross-border (exploitation, violence, lack of freedom, debt bondage, health and security etc.), as well as avenues for legal non-exploitative migration.² In addition, there is a need to enable migrants to learn about protection strategies, perhaps in the form of a checklist, which can enable them to leave the village more informed about the destination etc., i.e. they will not be departing blind and putting themselves at risk. For example, potential migrants need to tell their families and the authorities, ask more questions to the person recruiting them, and not travel with those they do not know, which can put them in danger of trafficking. The migrants need to be able to protect themselves and could formulate tools to give these messages, e.g. through video, radio, comedy etc. Providing reliable information to communities (migrant individuals and families) about the realities of migration, deception by traffickers, human rights, and legal literacy and options is imperative in preventing trafficking and exploitation.

Safe migration and prevention strategies

¹ Cambodia Daily, Monday 8 November 2004.

² MOWVA, 2004: 19.

- Education, information and awareness-raising materials need to be developed on safe migration and protection, accessible for people who cannot read and write, to give them practical information on trafficking. Materials need to be visual or use innovative ways to disseminate information to illiterate people who are considering migrating.
- Protection strategies need to be developed in the vulnerable communities, especially with regard to how to report problems and to which agencies in provinces can assist community members when trafficking and smuggling violations are suspected, e.g. hotlines and response mechanisms.
- There needs to be awareness creation in communities with high migratory patterns, through various media, on the dangers of illegal migration, hazards, working conditions – especially in certain industries, the cost of living in Thailand, cultural differences, tricks of traffickers and smugglers, and protection strategies that can help counteract the risk of trafficking and exploitation.
- There should be greater participation by communities in preventing trafficking, through the establishment of village-based protection activities, the identification of key focal points for safe migration in the village, and effective educators on safe migration. Migrants who have not been successful could be encouraged to talk about the problems of labour migration and the reality of the living and working situation in Thailand.
- Government agencies and NGOs should undertake campaigns aimed at Cambodian women and girls who need to be given dependable information at the village level (source), not only of the opportunities of migration but also of the limitations and dangers they can encounter through the migration process, in order that they can make informed choices.
- Pre-departure training programmes in areas and provinces of high migration should include information on labour law, rights, details of contracts, and registration procedure and entitlements under the Thai registration process.
- Information should be given to women and girls who are considering migrating on how they can access services and information in their home province, by providing telephone numbers and names of NGO programmes or agencies.
- There should be opportunities created and changes considered on discriminatory attitudes to men and women's roles, bodies and sexuality.
- There should be public education on the beneficial aspects of a women's role and gender-awareness training on the changing roles of Cambodian women and girls as migrants, to prevent discrimination in all areas and 'create more positive attitudes to women and girls rights, roles and status'.¹
- Men and communities should be encouraged to look at the internalised 'good/bad women' concept, to recognise that in human rights women should be treated with the same respect as men.²

Skills and education in source provinces

- Alternatives should be broadened and choices developed for employment and income generation for men and young boys in the poor communities where traffickers and smugglers operate to obtain workers for industries in Thailand.
- Long-term initiatives should be created to empower Cambodian women and girls from key migrating communities with skills training and education, so they can enter and compete in the labour market and make sustainable changes to their livelihood. Income generation for women and girls needs to be dependent on market forces in the province, and competitive with salaries in migration destinations in order for them to be attractive enough for people to decide not to migrate, e.g. with loans, training in technology or different agriculture techniques.

¹ Corner, L., 2002: 17.

² CARAM Asia, 2002: 6.

- The Cambodian government should be encouraged to make an integrated effort to overcome poverty and provide funds for rural development, involving participation of communities with high migration to Thailand and other destinations, both internally and cross-border.
- Support services are required for families and women left alone in the source province to prevent creating additional vulnerability (debt, financial insecurity, trafficking and exploitation).

Legal protection

Training

- NGO lawyers and staff, local authorities, and police, especially immigration police, need further training in basic legal instruments, legal procedure – focusing particularly on better investigation techniques – and evidentiary procedures to create a disincentive for traffickers and to impact on demand (Koh Kong and Prey Veng).
- It is imperative that the anti-trafficking bureau police in Cambodia conduct further training in Koh Kong with the immigration, border and provincial police, especially on the current and new anti-trafficking laws.
- Young female lawyers need to be trained to represent female clients; female police officers should be encouraged for collecting evidence to support convictions and for sensitivity to the needs of the client. In addition, an increase in recruitment and training of female police officers, prosecutors and judges should be promoted.
- Immigration and border police, the judiciary and social services should be trained on the treatment of trafficked, exploited and in-crisis migrants, laws and MOUs. The criminalisation of traffickers, decriminalisation of victims and prevention of the practice of deportation/viewing victims as illegal migrants should be promoted. Training is also required on how to recognise possible cases of trafficking and the difference between smuggling and trafficking.

Improvement in legal awareness and policies

- NGOs and other agencies need to disseminate and implement relevant laws to agencies and lawyers working with victims, as well as to local authorities, commune councils, village chiefs and the communities.
- Labour laws should be standardised to ensure equal rights and working conditions, regardless of origin and gender of workers.¹
- There should be education on legislation for better enforcement; judges and judiciary should be interviewed to find out about attitudes and identify gaps in knowledge.
- Cambodian migrants require knowledge and understanding of how to use legal instruments to seek redress and legal rights under Thai and international law, e.g. CEDAW and the MOUs with Thailand, on reclaiming belongings, claiming compensation, or payment for unpaid services etc.

Improvement in legal procedure

- NGOs are urged to send complaints of misconduct by the courts to the Ministry of Justice or Supreme Council of Magistrates.
- There should be a reduction in demand for trafficked victims, achieved through cracking down on, arresting and prosecuting traffickers/smugglers and closing exploitative businesses.
- Policies based on rights are needed so that traffickers and smugglers and those involved in exploitative recruitment practices are punished, as are those who exploit and physically and sexually abuse Cambodian men, women and children at the source, during transportation, and in transit and destination areas, such as brothel owners, police, authorities and employers, including those who profit and extort money from those crossing the border, such as border guards.

¹ Wijers, M. and L. Lap-Chew, 1997: 25.

- There should be advocacy to strengthen judicial procedures during trials that are rights based or victim friendly, including client and witness protection. Protection of women and children who testify in court needs to be improved, as confronting them with their tormentors in court often leads to prolonged trauma. No victims should be encouraged to pursue legal means without protection.
- Law enforcement practices need to be reviewed, as trafficked victims tend to be exploited numerous times, first by the trafficker, then by the police/border/immigration police, and finally by employers and brothel owners.

Legal services

- There should be access to free legal services, assistance and representation for women and girls in Koh Kong and Prey Veng, and Cambodian migrant workers in Trad.
- There should be free translation services for Cambodian migrant workers in Trad province during legal proceedings.
- There should be access to legal redress and compensation.
- Housing, protection and financial assistance should be provided during the legal process.
- Discussions should take place in a number of places with appropriate stakeholders on registration of sex workers in Cambodia, with particular regard to legal implications and control by the authorities, which could trap rather than protect women and girls.¹
- Lobbying should be carried out to improve the legal position of women and girls in Cambodia, as fully recognised workers protected by labour law in destination countries such as Thailand.

Community protection (destination)

- Community-based intervention programmes are important to reduce vulnerability to trafficking.
- Training programmes need to be developed to sensitise authorities on the problems and needs of trafficked and exploited persons, especially women and girls.
- Support networks need to be established in the gap provinces of Thailand where Cambodian migrant workers are prolific, including remote areas, so that migrant workers can exercise their rights together (Samut Prakarn, Pattani, Songkla, Bangkok, Trad, and Chonburi).
- Information needs to be provided regarding services available for victims of trafficking and exploitation for migrants (both internally and cross-border) in destination country or location.
- Community drop-in centres need to be established, which can be a focal point for various services and information for migrants and their families, and where issues such as rights and protection of migrants can be monitored, especially in the areas of trafficking, exploitation and discrimination.
- A response system with services for women and girls in Koh Kong and Trad province who have been trafficked, exploited, raped or suffered violence needs to be mobilised in a holistic manner, i.e. covering health, legal, psycho-social issues etc.
- There needs to be creation of a mechanism whereby victims within Cambodia, and Cambodian migrants, can report complaints of labour violations, trafficking and exploitation, in confidence without retribution, in order to prosecute employers involved.
- Employers need to be educated about their obligations to protect the rights of workers and to adhere to national labour laws.
- Cambodian migrants need access to information about what they are entitled to in the registration process, labour laws, and MOUs (between Thailand and Cambodia). Hence, translation of Thai labour laws, registration documents and procedures into Khmer is needed.

¹ On Tuesday 7 December 2004 in the Cambodia Daily, it was reported in an article that the local police in an unknown destination photograph sex workers and collect US\$2.50 every couple of weeks from the girls.

- Understanding needs to be created of migrants' rights to services if trafficked or exploited (under national trafficking laws and MOUs), irrespective of status and gender.
- All Cambodians, whether migrants, documented, undocumented, trafficked or exploited, need to be provided with assistance to address health, social and personal problems.
- Migrant support programmes should be set up by women themselves to prevent violence against female migrants, with services for those who have survived gender-based violence, e.g. educating female migrants on their rights and training other female migrants to offer support and monitor violations of trafficking, exploitation and other human and labour rights.
- A communication system or hotline should be set up in Koh Kong to offer emergency help for those who require it and provide services such as translation, lawyers and legal support.
- A system needs to be developed, with the input of migrants, by which Cambodians can remit money back to Cambodia from Thailand. This should take into account the fact that Cambodians generally do not trust the banking system and only trust family members or known persons.
- Advocacy should take place through government ministries for protective regulations for women and girls working in the sex industry in Koh Kong and Trad.¹
- Agencies, with the assistance of the Thai media, need to present positive images of migrant workers to prevent stigmatisation and discrimination.

Reintegration

- Services and referrals from the border to the home province should be in place for all migrants and for trafficked and exploited men, women and girls, particularly those without any Cambodian ID.
- Review of Cambodian NGO shelter policies, codes of conduct and manner of operation so that high quality services are provided to trafficked women and girls
- A safe and secure halfway house, centre or shelter for girls rescued or needing assistance in Koh Kong and Prey Veng needs to be set up, where victims of trafficking can be temporarily housed and where they can receive medical care, psychological counselling and legal advice. This should take into account the different needs of adults and children and acknowledge the agency of Cambodian women and girls in choosing whether reintegration back to families/relatives/community is in their best interests.
- Assistance is needed, particularly for women and girls and migrants in crisis being deported from Trad to Koh Kong, in order to ensure safety across the border.
- Programmes are necessary to tap into the already existing support mechanisms in communities, to assist returning migrants and victims.
- Assistance is needed for women and girls with STDs or HIV/AIDS, who are pregnant, traumatised, or have psycho-social problems, as well as those without support networks in their province owing to rejection/stigmatisation from families/communities.
- Awareness-raising is required in communities to which trafficked and exploited men and women return, to prevent stigmatisation and create supportive environments.
- Cooperation is needed between government and NGOs to create opportunities for employment/utilise skills migrants have acquired, e.g. in construction, fish processing and agriculture, to assist in the development of rural areas and source provinces.
- Men also require reintegration assistance, such as health services, support groups and low-key counselling sessions, and training and employment assistance.
- Extradition and return agreements within the MOU need to be implemented in Koh Kong, similar to those already in place in Poipet.

¹ Asian Migrant Centre, 2002: 19.

- Protocols need to be established between the police, border authorities, and assisting agencies, both in Thailand and Cambodia.
- Government agencies, UN, IOs, NGOs and government agencies in destination areas need to assist trafficked and exploited victims in obtaining holistic services and assistance in their home province.

Networking and cooperation

- Networking, cooperation and collaboration needs to be encouraged and strengthened among NGOs, IOs, government and UN agencies that can provide services to victims in Koh Kong and Prey Veng, especially focusing on women and girls.
- A mapping exercise of government, UN agencies, IOs and NGOs in various key provinces could help establish who is focusing on trafficking and migration issues, in what areas activities, programmes and projects are being conducted, and what has been accomplished, to avoid overlap and assist in cooperation.
- The Cambodian government, UN agencies, IOs and NGOs should work closely with Thai counterparts in providing protection to Cambodian victims.
- The Cambodian government should be assisted in implementing the two MOUs with Thailand (on i) trafficking and ii) employment of workers), through cooperation between government ministries in Trad and Koh Kong.
- Cross-border agreements developed between Koh Kong and Trad, and mechanisms for networking and collaboration at governmental and non-governmental levels, should assist trafficked and exploited victims in Trad province, and other transiting migrants who are vulnerable (in the areas of health, gender, labour and law).
- The immigration police have regular meetings with their Thai partners and occasional meetings with the border liaison office (BLO), but these need to be expanded to address trafficking/labour migration issues. An official agreement is needed between Trad and Koh Kong on deportations. Joint training for Cambodian and Thai law enforcers, e.g. on MOUs, trafficking/smuggling and migration, can assist collaboration.
- It is important for counter-trafficking programmes to connect with migrant workers and health organisations to make clear that the protection of migrant workers' rights and the rights of trafficked persons are integrally linked.¹ There is a need to exchange information and develop joint strategies and mechanisms among stakeholders, particularly in source provinces in Cambodia and destination locations in Thailand.
- All agencies and sectors, including private, government and civil society, need to build stronger relationships with each other and form agreements on activities, as well as providing channels of communication to help reduce the vulnerability of Cambodian women and girls and the exploitation of men in certain industries.

Specific recommendations for trafficked and sexually exploited women and girls

As the research has indicated, Cambodian women and girls are more vulnerable to trafficking for sexual exploitation than men. The following specific recommendations have been made:

- Specialised programmes should be developed for women and girls who have been trafficked in the sex industry, such as shelters, care and psycho-social support, and improved social services to women and girls working in the sex industry in Koh Kong and in Trad.

¹ GATTW, 2003.

- Government agencies and NGOs need to assist girls in the sex industry and other areas to recognise that debt bondage labour is exploitative and that they have labour and human rights, as well as encouraging them to move to have more self-sufficiency.
- Sex workers need to be informed of their rights and legal procedures, for example that debts to brothel owners are illegal and any such contracts and obligations are against international and national law.
- Through collaboration between government and NGO agencies, girls who no longer want to stay working in brothels, karaokes etc. should be assisted to leave and helped in gaining self-worth and value, combined with empowerment to make their own decisions, live independently, and have the opportunity to take part in skills training that will lead to jobs based on the needs of the source province.
- Outreach strategies are necessary to assist women and girls who continue to work in brothels, karaokes and other establishments, to provide them with vocational training to increase their range of future choices based on their needs and linked to the local labour market, to assist them in making such a transition, and to seek job placements.
- Appropriate strategies should be formed, focusing not necessarily only on reintegration/return of women and girls to their homes as the sole options, but also on building self-esteem and empowerment, so that women and girls have the capability to make life choices and are aware of their value, qualities and abilities.
- Empowerment of sex workers and trafficked women and girls should ensure that those who have experience of migration and trafficking are involved in developing strategies of resistance. Victims of trafficking must be given a voice; women and girls must therefore be consulted before projects developed are implemented.
- Partnerships should be formed with sex worker groups, with victim/survivor participation encouraged, in order to form strategies to gain access to girls working in the sex industry. This could include establishing drop-in centres where girls can come for free beauty treatment, information, education and services. Also important is identifying key locations from which trafficking and exploitation-related activities are run and reporting on problems that need immediate solutions.

Legal Victims: sex trafficking and the construction of gender, borders, and victimhood¹

Edith Kinney²

ABSTRACT

Increasing attention to the issue of human trafficking for sexual labor marks a flash point in the politics of trans-border migration. Debates about how to most effectively address the extent and nature of sex trafficking and its victims also serve as a crucible for the re-construction of gender and national identities. In the face of globalization and rapid social change, socio-legal interventions regulating trafficking become forums in which to negotiate ethnic, moral and sexual boundaries in the regional political economy.

This paper is drawn from an ongoing research project examining the tension between formal, state-centered legal change and the informal ways in which organizations and other actors render human rights and anti-trafficking policies into action. In order to explore the construction of trafficking victims from the Mekong-Sub region, this project investigates the different ways activists translate international anti-trafficking discourses and policies into local goals, training techniques, enforcement guidelines, and organizational cultures.

By analyzing how some activists in Thailand construct victimhood through their perceptions about law and culture, this paper aims to explore some of the possibilities and limitations of anti-trafficking campaigns. The potential friction between counter-trafficking activities, broader political transformation, and human rights concerns highlights the need to better understand the intersections between policy making, legal change, implementation efforts, and social activism.

¹ Paper prepared for the international conference on "Transborder Issues in the Greater Mekong Sub-region," held on June 30-July 2, 2005, at the Nevada Grand Hotel, and organized by the Mekong Sub-region Social Research Center, Faculty of Liberal Arts, Ubon Ratchathani province, Thailand.

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INTRODUCTION

Activists' experiences in networks working to combat human trafficking¹ illustrate the tension between formal, state-centered legal change and the informal ways in which organizations and other actors render human rights and anti-trafficking policies into action. By highlighting activists' perceptions of collaborative legal mobilization efforts around trafficking for sexual exploitation,² this project helps to shed light on the discursive fields and organizational styles emerging from new policies that recast trafficked persons as "victims" rather than "criminals."

This paper explores preliminary observations and emerging themes from a research project investigating the work of non-governmental organization (NGO) activists in counter-trafficking initiatives in Thailand.³ NGOs play multiple roles in anti-trafficking taskforces, bridging target populations, policymakers, and state officials. My research explores activists' legal consciousness within broader anti-trafficking networks as they navigate multiple and often discordant commitments to their clients, their political agendas, and their collaboration with national and international agencies.

In the following sections, I employ ideas from the field of jurisprudence and social policy to analyze some of the possibilities and limitations of current campaigns against trafficking in Thailand and the Greater Mekong Sub-Region. First, I introduce core concepts such as legal consciousness, legal mobilization, and rights talk. These ideas provide theoretical tools to consider some competing socio-legal constructions of trafficking victims in Thailand. I next explore how activists addressing trafficking for sexual exploitation employ ideas about gender and culture to explain their understandings of the role of law in social change. Finally, I ask how competing definitions of victimhood in the implementation of anti-trafficking laws operate to (re)construct notions of sex/gender, ethnicity, and borders in the Greater Mekong Sub-Region.

¹ For a legal definition of the concepts of "human trafficking" or "trafficking in persons," see the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially women and Children (supplementing the UN Convention Against Transnational Organized Crime). This paper explores different constructions of the concept of "sex trafficking" and "trafficking victims" in discussions with NGO activists and public officials in Thailand, and as such, reflects different ideological debates about what trafficking is and what actions should be taken (or avoided) to address it. While this presentation primarily discusses activists' views on measures addressing the trafficking of women, many children and men are also trafficked. International law identifies all persons under eighteen years of age as a child, and therefore incapable of consent. However, several activists described difficulties identifying exactly "when" young people may voluntarily engage in work involving sexual services--as one activist explained, "If a 13 year old is prostituted, that pretty obviously abusive. But what if a 17 ½ year old says she's a willing sex worker? It's hard to tell what 'consent' means then....and it's especially hard to tell who gets to decide where that line is."

² A note on contested terminology: The historic links between "trafficking" and "prostitution" continue to provoke heated debate; while some counter-trafficking groups focus on "prostitution" as a human rights violation per se, other researchers, policymakers and activists prefer to discuss exploitative "sex work" or "sex-for-money." Divergent factions debate the use of the term "prostitute" as a discriminatory status, preferring instead "prostituted" persons exploited by the "prostitute use" of others. (See, e.g., Julia O'Connell Davidson, *Prostitution, Power, and Freedom* for an excellent overview of these debates). Dominance feminists including Jeffreys, Barry, and Balos' contest the language of commercialization (e.g., "sex worker" and customer") arguing that it erases the sexual violence implicit in prostitution. In light of the loaded nature of these terms in the shifting debates, as well as the contextual nature of sexual labor in general, I shift between terms, using each groups' own terminology to describe their respective stance. Since "prostitution" as a global social problem has a longer history than contemporary debates over terminology, I tend to use "prostitute" and "prostitution" when referring to anti-trafficking legal regulation, targeted subjects, and reform efforts, and "sex work" language to refer to emerging legal consciousness and mobilization among sexual laborers and anti-essentialist, -subordination activism.

³ Quotes throughout this paper are drawn from interviews with over twenty-five NGO activists and ten public officials. All quotes are drawn from qualitative, in-depth interviews gathered from January - June 2005. Interviews are confidential and coded to protect the anonymity of both interviewees and their organizations.

Themes from Law and Society – Activists and Strategic Legality for Social Change

Campaigns against human trafficking in the Greater Mekong Sub-Region emphasize the need to enhance the rule of law in sending, transit, and destination countries.¹ A major indicator of a state's commitment to combat trafficking involves the demonstration of increased law enforcement and prosecution efforts.² Several recent agreements, Memoranda of Understanding, and action plans aim to increase cooperation between legal institutions and across national boundaries. But how are formal changes to "law on the books" implemented as "law in action"? The Law and Society tradition provides several theoretical tools to explore the ways in which political rationales about trafficking are translated into social change.

A core principle of modern legal liberalism relates to the idea that marginalized groups can and will rely on legal norms and strategies to provoke social reform. Socio-legal scholars such as Stuart Scheingold challenged this belief as a "myth of rights," arguing that "legal norms and tactics are closely linked to prevalent hegemonic political culture and are therefore highly limited in their capacity to promote significant social reform."³ The role of law in social reform movements remains hotly contested, particularly for groups seeking to eradicate race or gender discrimination. It is clear, however, that strategies focused on litigation or legislative reform without broader cultural and institutional support for change are likely to produce backlash and retrenchment.⁴

Looking for the ways law operates outside the narrow constraints of formal institutions allows us to reconceptualize law as relational and context-specific. Models that investigate the broader "legal mobilization" of social movements argue that the power of law is not merely found in courtrooms or police stations.⁵ Rather, law is continually reconstituted in everyday interactions through the process of engaging with legal ideas, actors, and institutions.⁶ Strategic or symbolic deployment of the law's power through the use of legal tactics and rights rhetoric can be used to dramatize abuse, embarrass particular institutional actors, and generate favorable media attention.⁷ On this view, legality becomes a "powerful resource for those who seek widespread and subtle change, especially when used by strategically minded activists."⁸

My research explores the constitutive effects of legal norms and tactics on movements for social change around trafficking issues. I investigate non-governmental organization (NGO) activists' expressions of "legal consciousness," or the meanings activists assign to legal norms and strategies throughout the process of political mobilization to combat human trafficking.⁹ This approach broadens the scope of socio-legal investigation to organizations and informal processes that

¹ See, generally, *The Proceedings of the 1997 Regional Conference on Trafficking in Women and Children*, Bangkok Thailand. Mekong Region Law Center and Office of the National Commission on Women's Affairs of Thailand in cooperation with SEAFILD/CIDA and UNICEF, Thailand. First Edition, June (1999). Bangkok: Amarin Printing and Publishing Public Co., Ltd. (1999).

² See, e.g., the *Proceedings of the Coordinated Mekong Ministerial Initiative Against Trafficking in the Greater Mekong Sub-region: Senior Officials and Ministerial Meetings*, 27-29 October 2004, Yangon, Myanmar.

³ Scheingold, Stuart, *The Politics of Rights: Lawyers, Public Policy, and Political Change*, New Haven: Yale University Press (1975).

⁴ See, e.g., Rosenberg, Gerald, *The Hollow Hope*, Chicago: University of Chicago Press (1993). Rosenberg attempts to underscore the futility of legal strategies in movements for civil rights, abortion rights and environmental justice in the context of the United States by exposing the impotence and failure of court-based strategies to produce "significant social reform."

⁵ McCann, Michael. *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*, Chicago: University of Chicago Press (1994).

⁶ Patricia Ewick and Susan S. Silbey, *The Common Place of Law: Stories from Everyday Life*. Chicago: University of Chicago Press (1998).

⁷ See, e.g., Helena Silverstein's 1996 *Unleashing Rights: Law, Meaning and the Animal Rights Movement*, Ann Arbor: Univ. of Michigan Press, investigating similar extra-legal strategies in the animal rights movement.

⁸ Kostiner Idit. "Evaluating Legality: Toward a cultural approach to the study of law and social change," 37 *Law & Society Review* 323, 323-356.

⁹ See McCann's study of *Rights at Work*.

shape the relationships between different actors in anti-trafficking initiatives. In this respect, actors strategically engage legal tactics in both legal and non-legal institutions. I investigate the ways in which legal tactics and norms *indirectly affect* activism combating human trafficking—*how and under what conditions* law empowers or constrains social movements around trafficking.¹

Broadening our conception of law to consider its constitutive effects is particularly important when analyzing the new organizational structures developed to combat human trafficking at local, national, and regional levels. Increasing inter-agency collaboration generates new forms of organizational culture, both between and within organizations. The new organizational structures developed to combat human trafficking open space for meaning making and ideological change. Thus, a flexible conception of what law is and how it matters is important when evaluating the effectiveness and sustainability of anti-trafficking taskforces. Attempts to manage trafficking cases by coordinating the work of police, medical professionals, social workers, lawyers, NGO activists and public officials suggest that we must consider the divergent meanings actors in multidisciplinary working groups may assign to legal processes and norms.

Since NGO activists play both advisory roles in policymaking and serve on the “front lines” of the “war against trafficking,” they are appropriate targets to sample the discursive strategies at play in counter-trafficking campaigns. The majority of NGO activists working in anti-trafficking taskforces interviewed for this research express a disillusioned understanding of law as merely one strategy in light of highly limited avenues for social change. Individual activists discussed the role of law in a variety of overlapping and sometimes contradictory ways. Some activists employed an *instrumental* view of law, emphasizing the usefulness of law as a mechanism to reallocate concrete resources for women and/or minority groups (e.g., education, healthcare, and jobs). Others described law in terms of its ability to act as a *political* tool or barrier to the empowerment of marginalized communities. Activists working on issues affecting indigenous and tribal peoples, particularly around citizenship issues, often discussed law as erecting obstacles to the political mobilization of these communities. Most activists also described law as a vehicle for transforming *cultural* assumptions of society at large. One activist, for instance, flatly stated that “*law itself doesn’t matter...we invoke the law to change attitudes*” about the acceptability of gender violence.² Legal consciousness theory suggests that possible contradictions between these schema help sustain the idea that law matters for social change by enabling activists to justify the use of law despite their own criticism of its role.³

Activists frequently invoked *rights talk* in trafficking debates to give their positions leverage and publicity in today’s global political economy, transposing individual cases of victimization into universal legal principles and human rights. The rhetoric of rights talk helps marginalized or stigmatized groups, such as migrant women and sex workers, frame their needs and demands in terms of shared normative and moral values, thereby provoking a response from the state. However, as noted earlier, unless there is substantial support for these socio-legal demands from other institutions, rights talk may incite retrenchment or backlash.

The legal mobilization/legal consciousness approach identifies different repertoire activists use to rationalize legal intervention in the hopes of achieving social change for women and marginalized communities. Investigating the ways in which activists discuss strategies to combat sex trafficking and advance victims’ rights helps to identify how social categories such as gender, race and class are (re)produced in the application of new legal reforms.

¹ Paris, Michael (2001) “Legal Mobilization and the Politics of Reform: Lessons from School Finance Litigation in Kentucky 1984-1995,” 26 Law & Social Inquiry 631-84.

² Interview A

³ See Kostiner’s identification and description of these three schemas; note how the same individual may employ competing schemas to justify or critique law at different points. As Kostiner observes, while “the multiplicity of schemas sustains the commonsense notion of law as a means for social change, it also accounts for possible changes in this notion” (327-8).

The political centrality of sexual suffering in trafficking debates

For over a century, human trafficking for sexual exploitation has been the subject of competing explanatory models and reform efforts—variably presented as a problem of religion, morality, progressive social hygiene campaigns, labor rights, human rights, and global mobilization against women's subordination. Each of these elements in the socio-legal genealogy of trafficking discourse mold political rationales structuring the problem of "sexual slavery." Historically, movements addressing trafficking have helped construct political order through the creation, surveillance, and governance of racialized and sexualized subjects, geo-political borders and moral boundaries.¹ Today, as in the past, anxieties over immigration, urbanization, and rapidly changing sexual mores combine to "threaten traditional forms of sexual control and traditional ideas of civilized morality."²

As domestic debates about prostitution at the turn of the century bled over to the emerging field of international law, nations signed conventions condemning the transnational prostitution trade as social problem paralleling slavery.³ International conventions from 1904 to 1949 focused on the movement and prostitution of women, "[consolidating] many of the gendered assumptions of the time, both about the role of women and men in society as well as about the role of the state in sexual relations."⁴ Dominant narratives about human trafficking continue to reflect this history. As sex work advocates lobbying around the 2000 UN Trafficking Protocol argued, "anti-trafficking measures have been more concerned with protecting women's 'purity' than with ensuring the human rights of those in the sex industry."⁵

Popular accounts of trafficking often craft a victim character through the icon of a naïve young rural woman, lured by false promises into accepting offers of work away from home, only to wind up abused, exploited, and ultimately forced into the sex industry. Focusing on the suffering and sexual exploitation of migrant women, trafficking victims are frequently constructed as innocent, "traditional," passive, and in need of protection and rehabilitation. This image sparks emotional public reactions, provoking a flurry of legislation, typically emphasizing a criminal law and border control approach to declare a "war on trafficking."⁶ As such, becoming a party to legal conventions against trafficking continues to be a vehicle for states to simultaneously demonstrate political will and control, commitment to international society's gender standards, and adherence to the principles of "civilization," even while reinforcing cultural and gender stereotypes.

¹ See, generally, Foucault, Michel. *History of Sexuality*, Vol. I, NY: Vintage Books (1978). McClintock, A. *Imperial Leather: Race, Gender and Sexuality in the Colonial Conquest*, New York: Routledge (1995), and Nagel, J. *Race, Ethnicity, and Sexuality: Intimate Intersections, Forbidden Frontiers*, New York: Oxford University Press (2003).

² Deinleitner, Nora V. "Forced Prostitution: Naming an International Offense," 18 *Fordham Int'l L.J.* 163 (1994) (providing a history of the "white slavery" terminology), at 6.

³ For instance, see the *International Agreement for the Suppression of the White Slave Traffic*, Mar. 18, 1904, 1 L.N.T.S. 83, B.F.S.P. 95, (focusing on the trafficking of non-consenting females across international borders for the purpose of prostitution); and the *International Convention for the Suppression of the White Slave Traffic*, May 4, 1910, 211 Consol. T.X. 45, 103 B.F.S.P. 244, (imposing obligations on signatory states to punish those who recruit underage females into prostitution, regardless of consent). See also the *International Convention for the Suppression of the Traffic in Women of Full Age*, Oct. 11, 1933, 53 U.N.T.S. 49; *Convention for the Suppression of the Trafficking of Persons and the Exploitation and Prostitution of Others*, Dec 29, 1949, 96 U.N.T.S. 272.

⁴ Deborah Stienstra, "Madonna/Whore, Pimp/Protector: International Law and Organization Related to Prostitution," *Studies in Political Economy* 51 (Fall 1996): 191.

⁵ See the Network of Sex Work Projects, (NSWP), 1999, "Commentary On the Draft Protocol to Combat International Trafficking in Women and children Supplementary to the Draft Convention on Transnational Organized Crime," at www.nswp.org/mobility. NSWP's critique notes that law enforcement and protective measures also "[limit] the protection afforded...to those who can prove they did not consent to work in the sex industry. It also ignores the abusive conditions within the sex industry, often facilitated by national laws that place (migrant) sex workers outside the range of rights granted to others as citizens and workers."

⁶ "Thailand unveils war on human trafficking," AFP, *The Nation*, Bangkok, August 6, 2004.

Despite the fact that vast numbers of migrant laborers suffer “severe” and exploitative working conditions, the subset of victims trafficked for commercial sexual exploitation, most typically women and children, is targeted in dominant trafficking discourses to highlight most extreme and offensive forms of “modern day slavery.” The historical link between trafficking and prostitution marks anti-trafficking discourse as a key site for the construction of women’s roles as workers, sexual subjects, and reproducers of the nation. However, by fixating on the meaning and treatment of prostitution, anti-trafficking discourses mask “overlapping sets of social interests and anxieties” regarding globalization, geographic and moral borders.¹

Several factors, including political and military persecution, increasing economic disparity and mobility, the rise of global technology and communication systems, and transnational organized criminal activity exacerbate the structural inadequacies of state institutions attempting to suppress human trafficking in the Greater Mekong Sub-Region (GMS). Social and political anxieties about immigration, national security and the trajectory of economic development under globalization intersect in the icon of the trafficked prostitute, marking her as a “powerful symbol of sexual and economic exploitation under...capitalism.”² Thus, it makes sense to appraise contemporary efforts to combat regional trafficking as one way GMS nations can confirm their ability to govern subjects and sustain political and social order in times of rapid change.

These political and cultural trepidations shape conceptions of what trafficking is and what should be done about it. The identification and processing of groups targeted as vulnerable to trafficking often turn on socially constructed boundaries between consent and coercion. Political rationales and legal definitions linking trafficking with the regulation of prostitution therefore implicate concerns about women’s work, capacity for self-determination, and sexual agency. Debates about trafficking reshape the socio-legal meanings attributed to the systemic sexualized violence against women, their unequal bargaining power in migration and exploitative working conditions, as well as the complex linkages between trafficking and “domestic” forms of social and economic injustice.³ As such, initiatives to combat sex trafficking may be viewed as a socio-legal index to gauge the status of different categories of women—both as legal subjects and cultural icons (whore, wife, mistress, mother, middle- or upper-class reformer, low-wage laborer, or maintainers of moral/cultural boundaries, including the public/private divide).

Because overlapping social and legal rationales inform the legal consciousness of front line officials, policymakers, and NGO activists, it is critical to assess the competing and contradictory ways legality impacts the attitudes and practices of those implementing counter-trafficking measures. The varied discourses and cultural repertoires activists employ to describe victims of trafficking and justify interventions or political strategies illustrate the complex and divergent ideas different actors hold about the role of law in social change around trafficking issues.

Trafficking as a Platform for Activism: Victimhood and Anti-Subordination Politics

Activists frequently describe their work in terms of instilling new forms of legal consciousness to influence the trajectory of counter-trafficking initiatives, in the sense of both broader political transformation and awareness- and sensitization-trainings for law enforcement officials. The following sections explore a few themes emerging from interviews with NGO activists about their strategies to change ideas about law, culture and gender in efforts to combat trafficking and assist victims. This exercise also helps identify points of harmony and resistance between different actors’ legal consciousness.

¹ Elizabeth Bernstein, “Border Wars, Migration and the Regulation of Sex-Work in the New Europe,” paper for volume on *Trafficking and its Discontents*, July 2004. Presented at the Law and Society Association Conference, May 2004.

² Walkowitz, Judith R. *Prostitution and Victorian Society: Women, Class, and the State*, (1980), at 4.

³ See, generally, Gayle Rubin, “The Traffic in Women: Notes on the ‘Political Economy’ of Sex,” in Rayna R. Reiter, ed., *Toward an Anthropology of Women*, New York: Monthly Review Press (1975).

Many Thai activists utilized connections between trafficking, sexual exploitation, and prostitution to marshal support for their goals of cultural and political transformation. Some women's groups in Thailand have capitalized on the emotive link between trafficking and prostitution to mobilize support for broader family issues and women's empowerment agendas. Several activists explained their work in terms of leveraging the radiating effects of anti-trafficking campaigns. Many viewed the recently "enhanced political--and *financial*--attention" to trafficking as an opportunity to infuse new socio-legal meanings into related political and development issues affecting both women and ethnic minority communities, including property and citizenship rights, access to education, and health care under the gambit of trafficking prevention.¹

Women's activists have successfully used the trafficking issue as a platform to politicize a highly gendered private sphere. Interviewees often employed the universalizing language of rights talk to broaden ideas about trafficking to embrace intersecting issues of domestic violence, drug and alcohol abuse, and women's changing responsibilities in the home and the workplace. By framing "women's issues" in terms of victims' rights and the respective responsibilities of the state, several activists reported increased funding and official support for a broader platform of policy changes benefiting Thai and indigenous ethnic women.² As a result, activists were able to link state-centered activity around trafficking to other projects, mobilizing national and international support and resources to address local needs. Additionally, activists used new connections and friendships with officials as an opportunity to inject gender issues into the reform of legal institutions and practices. Interviewees' descriptions of these strategies exemplify activists' deployment of political and instrumental legality to effect social change.

In addition to these efforts to channel the impact of anti-trafficking reforms towards enhancing women's rights, activists simultaneously engaged rhetoric about traditional gender roles to champion their causes. As one activist explained, by making traditional "womanly gestures" of deference to male authorities, her group was able to engage policymakers and influence legal reform agendas. In this case, strategic use of gender norms and savvy recognition of institutional culture was a politically expedient way to ensure women's activists a stake in processes of socio-legal reform.

Other activists contrasted their "softer," "*ngan yen*" approach with the "aggressive and confrontational" tactics of women's activists in the West.³ One longtime campaigner for women's rights noted, "Yelling and screaming at the male politicians to demand women's rights just doesn't get things done in Thailand. You have to present it so they can think it was their own idea; that's how we get women's issues on the agenda." Thus, women's groups in Thailand have been able to manipulate traditional gender roles crafting men as decision makers and women as protectors of Thai culture and identity in order to "create political space" for other issues affecting women, children, and families, including social, economic, and legal reforms. But this has often come at the cost of identifying some groups, particularly rural, ethnic, and "non-Thai" women, as in need of guidance, protection, and reform.

As discussed above, activists' politicization of problems identified with the "traffic in women" has historically overemphasized the image of the suffering prostitute as a strategy to mobilize support for broader social welfare and urban reform agendas.⁴ The trope of the prostitute also justifies middle- class and elite women's intervention in the socio-political sphere. Adopting a "victimist approach" to prostitution and trafficking in Thailand has been a more politically palatable strategy than highlighting women's agency in decisions about work, migration, and sex. Jeffrey

¹ Interviews G, N, P, M

² Interviews A, N, L

³ *Ngan yen* was described to me as "cool work," often explained through its contrast with *ngan ron*, a political technique identified with women's rights activism in the West, inappropriate and counterproductive in the context of Thai culture and politics.

⁴ Doezeema, Jo. "Forced to Choose: Beyond the Voluntary v. Forced Prostitution Dichotomy," in *Global Sex Workers: Rights, Resistance, and Redefinition* at 44-45 (Kamala Kempadoo & Jo Doezeema eds., 1998).

argues that “by clearly aligning themselves on the side of ‘good’ women, these women’s organizations hoped to maintain some legitimacy in a society that viewed their demands for women’s rights as ‘foreign.’”¹ Indeed, the periodic reorganization of prostitution as a social problem has been a central catalyst in the development of many women’s movements across the globe.²

However, as Cook argues, the politics of activism around prostitution in Thailand has resulted in a tendency for some “Thai middle-class women [to] depict themselves as the prostitutes’ saviours; as substitutes for the moral guardians a materialistic and venal world has failed to provide for young peasant women.”³ Interviews with some activists working to shelter and “rehabilitate” trafficked women attest to an abiding protectionist mindset. Trafficked women were regularly described in terms of either naivety or competitive materialism, viewed as “inappropriate” attributes for “ladies.”⁴ One interviewee likened former trafficking victims spending habits to the “irresponsibility of a child;” victims were in need of moral reeducation and personal guidance from “house mothers” to learn “proper Thai” attitudes towards more conservative clothing, makeup, and hairstyles so they would “stop looking like prostitutes.”⁵

Thus, while nearly every interviewee utilized a language of rights to discuss their organization’s work to combat trafficking, rights talk does not always reflect an “emancipatory agenda,” in part because rights remain a “contested terrain.”⁶ Activists employed cultural, instrumental, and political schemas to describe their engagement with legal reforms around trafficking in pursuit of a variety of socio-legal goals. Such overlapping and contested designations of volition and victimhood among activists and other stakeholders in anti-trafficking initiatives reflect ongoing negotiation of national, ethnic, and sexual boundaries in the regional political economy.

The majority of activists emphasized leveraging the power of law to change social norms and attitudes about marginalized women, especially among government officials in legal institutions. Yet given the different articulations and goals of counter-trafficking activism, it remains clear that the constitutive meanings attached to the legal identity of “the trafficking victim” vary for differently positioned actors within counter-trafficking initiatives. Yet because legal consciousness is a learned phenomenon, it is often difficult to translate new conceptions of rights (and conversely, what constitutes exploitation) across different organizational cultures.

¹ Jeffrey, L.A. *Sex and Borders: Gender, National Identity, and Prostitution Policy in Thailand*. Silkworm Books: Chiang Mai (2002)

² See, for example, Walkowitz, Judith R. *Prostitution and Victorian Society: Women, Class, and the State*, (1980). Demleitner, Nora V. (1994) “Forced Prostitution: Naming an International Offense,” 18 *Fordham Int’l L.J.* 163. Doezeana, J. (2001) “Ouch! Western Feminists’ ‘Wounded Attachment’ to the ‘Third World prostitute,’” 67 *Feminist Rev.* 16-38 (Spring). Langum, David J. (1994) *Crossing Over the Line: Legislating Morality and the Mann Act*. Chicago: University of Chicago Press. Kapur, Ratna, (2002) “The Tragedy of Victimization Rhetoric: Resurrecting the ‘Native’ Subject in International/Post-Colonial Feminist Legal Politics.” *Harvard Human Rights Journal*, Spring. Odom, Mary E. (1995) *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920*.

³ Cook, Nerida. “Thailand: ‘Dutiful Daughters,’ Estranged Sisters,” in *Gender and Power in Affluent Asia*, ed. Krishna Sen and Maila Stevens, New York: Routledge, (1998), 278.

⁴ As Jeffrey observes, the “consumerism critique” in Thailand denounces the aggressive and self-confident attitude of some prostitutes in Thailand, since “this ‘brazenness’ contradicts the dictates of middle-class and elite society—that peasant women should be guided by their betters....By interpreting the agency of prostitute women merely as consumerism or greed, the consumerism critique effectively silences the complex realities of prostitutes’ lives: either women are innocent victims or they are greedy consumers.” (at 132).

⁵ Interview F

⁶ For a discussion of the limitations of the human rights framework, see Ratna Kapur, “‘Traffic Controls’: Legal Responses to Transnational Migrations,” in *A Rights Based Approach to Trafficking*, Alliance News, Issue 22, December 2004, GAATW.

As a result, the transition to a victim-centered, rights-based approach to trafficking is not always a smooth one.¹ Policies recasting trafficked women as victims rather than fallen women or criminal illegal aliens presume that new legal norms will eventually filter down to those on the “front lines” of the “war against trafficking.” But this shift in policy requires an attendant transformation in the legal consciousness of actors charged with monitoring and enforcing new laws. NGO activists identified several points of resistance to their efforts to graft ideas about human rights, gender-awareness, and victim-sensitivity into their training programs and interactions with police and legal officials. By investigating some areas where activists’ and officials’ ideas diverge about the proper role of law in anti-trafficking initiatives, we can identify some of the rationales activists use to construct both victims and interventions; and, in turn, explore some of the possibilities and limitations of anti-trafficking campaigns.

Implementing Anti-Trafficking Policies -- Transforming Legal Consciousness

One of the central roles of NGO activists in anti-trafficking initiatives is to protect and support victims through rehabilitation services. NGOs also liaise between victims and criminal justice officials, helping to identify and facilitate trafficking cases by providing counseling and coaching victims to serve as witnesses. Furthermore, NGO activists play a key role in the implementation of counter-trafficking initiatives by coordinating training programs for legal actors to recognize and respond to trafficking with respect to the rights of victims. This positions NGO activists as both information gatekeepers and as mechanisms to render human rights and counter-trafficking policies into action.

A bevy of immigration, labor, and criminal laws, Memoranda of Understanding (MOU), regional and international declarations attempt to address socio-economic challenges and disparities driving trafficking within the Greater Mekong Sub-Region. As a result, the vetting process for trafficking victims requires front line officials to interpret a broad range of overlapping policies and mandates. When linked to other flashpoints around irregular migration, drug trafficking, sexual exploitation, transnational organized crime, and illegal or stigmatized work, the discretionary nature of anti-trafficking measures tends to encourage selective enforcement along existing race, class, and gender hierarchies. Because the processes defining victimhood inherently rely on relational and subjective assessments, individuals making gradations between cases often call upon internalized social and political categories and norms.²

Several activists sought to transform those categories by creating curriculum and running training seminars with judicial and enforcement officials. Many activists organized training sessions for police and legal officials to familiarize them with human rights, new domestic laws and “victim-friendly” approaches to trafficking set out in a series of MOUs between governments, state agencies, and NGOs.³ MOUs set new standards for victim protection, for example by allowing pretrial videotaped testimony, outlining procedures for brothel raids, and placing victims in shelters rather

¹ See the Global Alliance Against traffic in Women (GAAATW)’s Alliance News, “A Rights Based Approach to Trafficking,” Issue 22, December 2004 for several articles and editorials discussing the benefits and drawbacks of “rights based” initiatives, identifying some problematic examples in both policy and application.

² See, for example, Frohman’s analysis of prosecutors’ decision-making and weighing of “convictability” in determining whether or not to pursue rape claims of women from marginalized communities. Frohman, L. (1997), “Convictability and Discordant Locales: Reproducing Race, Class, and Gender Ideologies in Prosecutorial Decisionmaking,” *Law & Society Review* 31(3): 531-556.

³ MoU on Common Guidelines and Practices for Government Agencies Concerned with Cases of Trafficking in Women and Children (2nd Issue) B.E. 2546 (2003)

MoU on the Procedural Cooperation between Government and Non-Government Agencies working with Cases of Trafficking in Women and Children B.E. 2546 (2003)

MoU on the Operational Guidelines of Non-Governmental Agencies Concerned with Cases of Trafficking in Women and Children B.E. 2546 (2003).

than detention centers.¹ One legal official explained that in combination with recent legal reforms, the development of Thailand's MOUs signified a decriminalization of prostitution, the identification of all trafficked persons under eighteen as victims, stronger penalties for traffickers, and the creation of separate procedures for Thai and alien victims of trafficking.²

Activists structured trainings on trafficking reforms and MOUs to foster trust and engage participants in a non-confrontational way to promote further discussions about social hierarchies of gender, sex, and race at play in trafficking issues. As one activist explained,

"We use storytelling games and folk stories—we start with human dignity, which [police participants] can't refuse or deny. Then we move to the concepts of equality, stereotypes, and discrimination against women, the poor, and racism."³

Activists saw training sessions as an opportunity to graft new ways of thinking about women, rights, and the purpose of law into the legal consciousness of police participants. Curriculum developed to help officials identify and assist victims of trafficking encourage participants to:

"analyze responses to sex and gender role expectations...the police are blind to how these expectations lead to trafficking. For example, parents expect girls to take care of money. Men have to be leaders. Our stereotype games [demonstrate] why girls become prostitutes and men go into construction. It explains the objectification of women and the sexual double standard."⁴

Other activists opined that women's- and human rights awareness-raising activities helped "humanize" those who criminal justice officials tended to perceive as criminals. By explaining trafficking in light of racialized "power relations and the impact of gender inequalities throughout life," activists hope these exercises will ultimately lead to enforcement officials' use of a "rights-based approach" to the treatment and processing of trafficking victims.⁵

Activists framed demands for women's and migrant's rights in terms of a legal protection model, appealing to the professionalism of the police and their duty to rescue exploited and helpless victims. Other activists stressed that initiating trainings with trust and respect for the constraints placed on police officers and front line officials was crucial to the success of training programs:

"The worst thing trainers can do is to start off hard with a litany of complaints: 'You did this wrong,' or point out how much corruption there still is...they've heard that a million times before. These guys are hardly ever treated with respect in their jobs. You can't teach them to respect trafficked victims unless you respect them and their situation first."⁶

To help shift participants' legal consciousness from criminality to victimhood, several activists developed awareness-raising and training programs for crimes involving sex/gender violence, emphasizing restorative justice rather than highly legalized or punitive measures. For instance, one activist explained her strategy to introduce trafficking for sexual exploitation in the context of more routine crimes related to violence against women. She found this to be an effective method to train male legal actors because it helped "challenge the acceptance of prostitution" in Thailand and bridge cultural beliefs regarding sexual violence as a "personal matter" rather than a criminal act.⁷ Interviewees felt that appealing to the police as protectors of vulnerable or exploited women was an effective method to transform participants' ideas about their professional and cultural responsibilities to intervene in cases of both domestic and commercial sexual violence.

¹ *Id.*

² "Report on the Regional Seminar on Using Legal Instruments to Combat Trafficking in Women and Children," Economic and Social Commission for Asia and the Pacific (ESCAP), 1-3 August 2001, Bangkok. See comments of Mr. Opat Varophat, Provincial Chief State Attorney, at 8.

³ Interview A

⁴ Interview B

⁵ Interview T

⁶ Interview C

⁷ Interview Y

However, different conceptions of what trafficking involves and how law should be used to address it complicate the even application of victim-centered approaches. One of the core difficulties activists identified in their anti-trafficking work was translating new ideas about victims' rights across professional and institutional divides. In one activists' experience, "prosecutors often have a harder time seeing [patterns of gender inequality]...For some reason the higher the educational status, the blinder they are."¹ Prosecutors also "resent what they perceive as 'interference' by NGO activists who 'aren't smart enough,' but seek to become co-parties to victims' cases" in order to ensure appeal of unsatisfactory judgments.² Another source felt that higher-level judicial figures, including many judges, were more likely to hold traditional ideas about gender and work, and as such often failed to take gender-awareness trainings seriously.

Several other activists reported that while the MOUs had "helped put trafficking issues on the map," continuing confusion and disagreement over the quasi-legal status of the MOU hindered cooperation on anti-trafficking activities at the local level.³ Activists report they have to carry copies of MOUs with them to "prove its official" and assure police will cooperate with new mandates in cases of trafficking.⁴ Many interviewees explained that because the MOU is not legally binding, police and prosecutors tend to disregard the significance of the new operational framework. One speculated that because "'the law' is higher than the MOU, the police are scared of being punished for not upholding old laws" suppressing prostitution and illegal immigration.⁵ Another legal activist who had developed trafficking-awareness curriculum, conferences, and information-sharing mechanisms for Thai legal officials stated that neither police nor prosecutors liked "NGOs waving the MOU under their noses. They complain that 'the MOU is not even a law! Don't tell me what to do!'"⁶

Other interviewees confirmed that many police and prosecutors are resistant to shifting away from the mindset of treating economic migrants as criminals. One migrants' advocate noted that "there is a sense of criminality" in centers where many trafficking victims are detained for legal processing.⁷ Despite sensitivity training sessions and guidelines for treatment of potential victims, detectives often "interrogate women in their big police voice," and are "intimidating, abrupt...and brusque" during questioning and processing of trafficking victims. Three interviewees described scenarios where police taunted or sexually harassed women exploited in sex trafficking. For example, upon hearing the rape claim of one former victim of sex trafficking, one policeman asked her why she wanted to pursue the charge: "You worked as a prostitute for a long time. This is only one more time. Why bother so much?"⁸

Analyzing the points of resistance NGO activists identify in their work to promote new forms of legal consciousness within counter-trafficking agencies is a crucial component to gauging the effectiveness and sustainability of anti-trafficking reforms. Social attitudes regarding gender, sexuality, work, and ethnicity clearly continue to shape the implementation of trafficking measures, despite efforts to raise awareness of harms flowing from gender and ethnic stereotypes. For instance, one interviewee discussed the case of a young migrant woman stopped by a policeman in a shopping mall because she "looked too white" to be Thai. She was detained in a shelter as a migrant "trafficking victim" when she could not sing the Thai national anthem at the policeman's command.⁹

¹ Interview A

² Interview L

³ Interview D

⁴ Interview T. Many activists and police trainers described faxing copies of pertinent MOUs and anti-trafficking guidelines to enforcement officials in order to intervene on behalf of trafficking victims identified as criminals.

⁵ Interview C

⁶ Interview L

⁷ Interview V

⁸ Interview F

⁹ Interview L

Unfortunately, almost every activist who had participated in training sessions warned that the majority of police and judicial actors remain unaware of the significance of recent policy changes, including revision and reform of key Thai laws on prostitution, the trafficking act and the penal code. Activists opined that one reason for the gap between official policy and the lack of awareness among front-line officers was because training programs had targeted mid-level officials who tended to experience more job mobility.¹ As a result, the training did not filter down to junior front-line officers as anticipated. Another official speculated that the “ad-hoc” nature of gender and trafficking awareness trainings undermined their success; to effect substantive change, programs must be integrated into the curriculum from the academy level on.² Yet another reason for the gap included divergent perceptions of criminal procedure and evidence between prosecutors and police detectives.³ This problem led to several misunderstandings, psychological strain on witness-victims, and botched trafficking cases.

Thus, activists identified both successes and failures in regards to their efforts to infuse new meanings about gender, race, and social change into the legal consciousness of police, prosecutors, and judges. Trainings and collaboration with criminal justice and state agencies created space for institutional jockeying, affording NGOs a stake in legal mobilization efforts to combat trafficking. However, there remains a yawning gulf between the legal consciousness of activists, who tend to view law as a vehicle for social change, and that of legal actors, who often see law as a tool for maintaining social order.

NGO activists involved in trainings often attempted to bridge this gap by appealing to a sexualized and racialized victim subject to emphasize the importance of recognizing and respecting victims’ rights. However, appealing to a legal protection model to advance the rights of trafficked persons, particularly those in the sex industry, may provoke backlash and retrenchment without broader support in other social and political arenas. The final section gauges the strategic value of victims’ rights rhetoric against the socio-legal problems activists identify regarding their work in counter-trafficking initiatives and broader social justice campaigns.

Activists Bridging the “Gap” Between Rights and Realities: Strategies and Constraints for Socio-Legal Change

Laws which craft a passive, feminized, and often racialized trafficking victim are problematic in a variety of ways. Adopting a victimist approach under a legal protection model creates both practical and conceptual obstacles to broader social justice movements for women’s-, labor-, and human rights. As discussed above, it is difficult to transform institutional memories and protocol criminalizing irregular migration and prostitution towards new concerns for the rights of migrant women exploited in the commercial sex industry. Thus, efforts to address sex trafficking using a rights-based approach must carefully consider the inadvertent ways legality may co-opt mobilization for substantive change. Several NGO activists were highly critical of official “shop talk” and the “lip service” paid to the rights of sex trafficking victims in light of evidence of “simplistic and punitive” implementation.⁴ Questions of agency, political empowerment, and the unintended consequences of the “war against trafficking” were central to activists’ critiques and reservations about campaigns to eradicate trafficking.

In initial phases of awareness-raising, many anti-trafficking activists mobilized images and political rhetoric emphasizing the extreme and unconscionable nature of forced sexual labor. These

¹ Interview V

² A new strategy under discussion in Thailand is to inject training in how to deal with trafficking victims into the curriculum of police at the academy level, thereby integrating trafficking in broader legal framework from the beginning of police training. This strategy also seeks to “normalize” and “mainstream” gender issues, rather than treating them as a “special unit” added on to existing curriculum.

³ Interview S

⁴ Interviews N, E.

accounts often flattened the complexity of commercial sex markets and the agency of sex workers in order to present a more powerful and coherent political message. As one activist explained, sex trafficking victims continue to be “the easiest to identify” because they are already a common trope in popular accounts of trafficking as “the flesh trade.”¹ Yet while the feminized legal subject of the sex trafficking victim may trigger protection from the state, it also oversimplifies the complicated calculus of structural constraint and individual agency characteristic of many women’s decisions about migration and work.

The rhetorical and symbolic use of “sex slaves” to garner public sympathy and marshal suppression efforts not only conflates trafficking and prostitution, but could operate to further marginalize people working in the sex industry. In addition to fostering highly discretionary assessments of “legitimate” victimhood, a passive legal subject works to buttress existing stereotypes and patterns of discrimination. Several activists expressed frustration at ill-executed raids on brothels for netting far more voluntary sex workers than victims of sex trafficking.² Many women were fined, lost personal possessions, and were jailed and deported without compensation for their months of labor, placing them in vulnerable situations. Zealous anti-sex trafficking initiatives and the resulting human rights violations of “rescued” women often work to compound the persecution and stigmatization of commercial sex workers, particularly by police.³ Such a strategy undermines voluntary sex workers’ efforts to mobilize their rights and does little to change discriminatory attitudes and practices among enforcement officials.

Furthermore, the incitement of an iconic suffering migrant prostitute as a symbol for the dangers and excesses of the new economic order diverts attention away from the systemic exploitation of workers in other informal and domestic sectors. It also disregards the gendered and sexualized inequities women face in non-sex work. The mythic qualities of the passive victim and her benevolent rescuer individualize the phenomena of trafficking, distracting attention from the complicity of public structures. Further, sexualizing the phenomenon of trafficking also depoliticizes it, naturalizing existing subordination. In light of these problems, activists’ critiques of counter-trafficking initiatives underscore several theoretical and jurisprudential concerns related to employing a legal protection model for a raced- and gendered- victim of sex trafficking.

Interviewees from some women’s groups, migrants’ rights organizations, and marginalized minority communities stressed the need for NGO activists to be highly strategic about the way they characterize the legal subject of the trafficking victim. Activists warned that strategies that emphasizing disparities between men and women or racial/ethnic groups may prove to be counterproductive to transforming the legal consciousness of enforcement officials and judicial actors.⁴ Instead, the shift from criminality to victimhood may function to create a “legal victim” supporting expectations for substandard treatment and rights, crafting women and ethnic minorities as “second class citizens.” By providing a socio-legal rationale justifying surveillance and control of “lower status” raced and sexed bodies, policies aiming to prevent trafficking and protect vulnerable groups may inadvertently reproduce socio-legal hierarchies and discrimination.

Although efforts to create gender-neutral amendments to Thailand’s anti-trafficking laws are currently underway, many activists stressed that the explicit focus on suppressing the traffic in women-and-children reinforces gendered beliefs that “men migrate, but women are trafficked.” As

¹ For example, see a recent Bangkok Post article, “No let-up in northern trafficking,” with “*The Flesh Trade*” as its byline. 23 May 2005. The article reports that a senior police official explains that continued human trafficking in northern Thailand is “because of state authorities’ lack of sincerity in enforcing the law.”

² Interviews P and S

³ For an example of sex worker’s critiques of brothel raids during anti-trafficking campaigns, see Empower 2003, “Report by Empower Chiang Mai on the human rights violations women are subjected to when ‘rescued’ by anti-trafficking groups who employ methods using deception, force, and coercion”, Empower Foundation, Chiang Mai, at www.nswp.org.

⁴ Interview W

one interviewee explained, activists' initial strategies focused on shared concerns about the migration of vulnerable women and children to galvanize support to forge regional agreements to address the problem. Although a politically expedient compromise, several activists argued that it is time to move beyond policies that disregard or downplay traffic in men. Such measures not only discriminate on the basis of sex, but further weaken socio-economic vulnerabilities in sending-communities by failing to protect men, particularly in ethnic highland communities.¹ Other gender-selective policies regulating the movement of migrants and the types of work they may legally engage in often "reproduce and intensify existing social, economic, and cultural inequalities between male and female."² This adds more pressure to women's responsibilities and potentially operates as a push factor for ill-prepared migration of other family members.

Other activists contend that "victim politics" do not create a very solid base to catalyze movements for social change and empowerment. Popular political rationales craft the "typical trafficking victim" as one burdened by "intersectional discrimination," or membership in more than one "low-status" category (such as uneducated indigenous woman or migrant sex worker.) When deployed in the context of repressive anti-immigration laws, citizenship policies, and restrictive migrant labor agreements, the intersectional characterization of trafficking victims functions to delimit the boundaries of economic exploitation, sexual agency, and national identity.

As a result, many activists felt that in order to assist those most vulnerable to trafficking, NGOs and advocates must challenge rationales that simplistically link trafficking to sexual exploitation.³ To do so, activists must forge and strengthen alliances with broader worker's rights, anti-discrimination, and anti-subordination platforms, both nationally and regionally.⁴ Because contemporary reforms will frame the contours of regional responses to trafficking in the GMS for the foreseeable future, failure to complicate or examine the intersectional relationship between trafficking and forced or exploitative labor increases the possibility that misdirected application of anti-trafficking measures may create collateral consequences for the vulnerable groups it intends to protect.⁵

Activists identified several strategic drawbacks to current counter-trafficking campaigns. Many interviewees felt that pursuing justice through the legal persona of "the victim" does not always vindicate the harms wrought on the wronged party. For one, this legal identity is retrospective: legal protection only appears for those already harmed. Someone must violate the trafficked victim's rights for them to take effect. This is particularly problematic as it does nothing to protect workers in informal sectors such as domestic or sex work. Secondly, victims must position themselves *as victims* in order to activate and redress their rights.

Particularly in cases of sexual abuse and exploitation, actors to whom rights are more salient may misread the conditions under which individuals can be expected to adopt the victim subjectivity of the "sex slave."⁶ NGO activists coaching trafficking victims for legal cases often expressed frustration that victims "had to be convinced" that they had been sexually abused and needed to go to court to redress their rights.⁷ Activists who attempted to encourage victims to pursue legal claims noted that it was incredibly difficult and emotionally exhausting to repeatedly explain the necessity of formal justice when weighed against the shortcomings and machinations of the Thai legal system

¹ Interview M

² Patrick A. Taran & Gloria Moreno-Fontes, ILO, "Getting at the Roots," *Step by Step* Newsletter, UN Inter-Agency Project (UNIAP), Second Quarter, 2002, Issue 7, at 4.

³ Interviews I, T, P

⁴ Interviews T, M, E, W. See also Jo Doezeema, "Sex worker rights, abolitionism, and the possibilities for a rights-based approach to trafficking," in GAATW, *Alliance News*, Issue 22, December 2004, (15-22).

⁵ Bruch, Elizabeth M. "Models Wanted: The Search for an Effective Response to Human Trafficking." 40 *STJIL* 1, (Winter 2004) at 14.

⁶ Bumiller, K. "Victims in the Shadow of the Law: A Critique of the Model of Legal Protection," 12 *Signs* 2 (1986).

⁷ Interview N

to victims in their care. More than one activist related stories about women and children who experienced “severe psychological and physical distress” as a result of delays in the legal processing of their case.¹

As a result, several activists frequently discussed their work in terms of evaluating the pros and cons of mobilizing anti-trafficking taskforces for individual cases. Interviewees identified a range of issues they considered in advising victims of trafficking, including: the history of local law enforcement practices; victims’ willingness to cooperate with legal action and the likelihood of success; perceptions of formal legal actors’ commitment to the rights and interests of activists’ target populations; shared political affinities; cooperation and receptiveness of prosecutors and other legal officials to activists’ and victims’ input; ability to address victims’ needs using other labor or civil actions; and friendships with key officials willing to leverage pressure in police precincts and courts on behalf of the organization. This broad range of strategies and criticisms illustrates the complex, and often contradictory ways in which activists justify or criticize the role of law in social change.

Some activists also stressed that well-intentioned efforts “rescue and rehabilitate” trafficking victims may inadvertently reinforce “the bonds of victimhood.”² Current policies in Thailand endorsing intensified prosecution and enforcement as a means of combating human trafficking face a paradox. By adopting a legal protection model to fight human trafficking, gauging the success of anti-trafficking policies relies on a corps of victims who are willing to perceive themselves *as victims*. Yet, many women who face severe exploitation and discrimination on a daily basis have adopted an “ethics of survival,” where the capacity to endure hardship and harassment has become a point of pride and identity.³ Mistrust of legal authority, coupled with common wisdom that exploitation and trafficking are merely “facts of life,” means that many women migrants are unlikely to pursue their rights through legal claims against their abusers, particularly in cases of trafficking for sexual exploitation.⁴

One problem this raises for anti-trafficking initiatives is that many women choose not to divulge their experiences of trafficking so as to avoid pursuing lengthy court cases against their exploiters. Many activists stated that victims of sex trafficking said they did not want to cooperate with legal officials because doing so would mean that their villages would find out they had worked in the sex industry.⁵ Other victims are reluctant to pursue claims because it keeps them from working, thereby putting those families who rely on workers’ remittances in an even more vulnerable position.⁶ As a result, some activists expressed frustration at the delay of legal proceedings and its effects on “non-cooperative girls,” who had to be isolated from other women “for their own good” or else they would “change their stories,” “escape from the shelter” and “run back to the brothel.”⁷ In multiple cases, victims serving as key witnesses ran away, and charges had to be dropped because without their testimony the prosecution could not make their case against accused traffickers.⁸ In this context, the fixation on prosecuting cases sex trafficking—to the peril of other, more commonplace forms of labor exploitation—means that trafficking laws may be used “not to provide women with social and sexual independence, but, rather, to reform them and place them within their proper gender roles as wives and mothers.”⁹

¹ Interview L

² Bumiller (1986)

³ Levine, K. & Mellema, V. (2001) “Strategizing the Street: How Law Matters in the Lives of Women in the Street-Level Drug Economy” 26 *Law & Social Inquiry* 169. See also Bumiller’s discussion of a parallel paradox between “ethics of survival” and the failures of the legal protection model to satisfactorily address experiences of race discrimination in the United States.

⁴ Interviews I, H, S

⁵ Interview V

⁶ Interview E

⁷ Interviews F, L

⁸ Interview L

⁹ Jeffrey at 10.

These barriers to formal justice not only weaken migrant women's confidence in the law, but also fail to create the necessary conditions to encourage employers to protect workers' rights. By delinking the wrong and the remedy for trafficking, anti-trafficking prosecutions tend to deflect the scrutiny of the law from the problem of exploitative working conditions to the problem of the individually exploited worker.¹ This approach therefore fails to provide the necessary disincentives for demand- or destination-factors among employers, particularly in the informal sex and domestic sectors where trafficked women tend to be concentrated.

Finally, counter-trafficking policies which rely on women trafficked into commercial sex to adopt a victim-subjectivity are problematic for activists whose goals include the legal and political empowerment of women from marginalized communities. On a strategic level, reforms endeavoring to protect groups vulnerable to trafficking are counterproductive insofar as those who are trafficked can only speak politically from a position of shared victimhood. In effect, this undermines a positive rhetorical platform from which vulnerable or exploited groups can issue subsequent demands for substantive structural, political, and cultural reform.² This paradox illustrates the problem of fostering rights consciousness among victims under a legal protection model. It also identifies a major impediment to activists' efforts to prevent human trafficking through rights-awareness programs attempting to empower target groups or change legal actors' ideas about how to identify and process victims of trafficking.

CONCLUSION

Movements to address sex trafficking in the Greater Mekong Sub-Region offer activists a platform to advance broader political agendas concerning the rights of women and marginalized communities. In so doing, activists employ overlapping and oftentimes contradictory schemas to criticize or justify the use of law for social change. Exploring the different ways activists translate counter-trafficking policies into local goals, training techniques, enforcement guidelines, and organizational cultures demonstrates the complex role legal consciousness plays in the implementation of these initiatives.

While NGO activists working to prevent, protect, or assist in the prosecution of trafficking cases report increased opportunities to infuse new ideas about gender and racial equality into legal institutions, this paper also explored some of the possibilities and limitations of deploying a legal protection model to address the trafficking of women for sexual exploitation. The possibility that misdirected application of anti-trafficking measures may work to reproduce discriminatory attitudes and socio-legal categories about gender and ethnicity suggests that stakeholders in the Greater Mekong Sub-Region would do well to consider the complex intersections between policy making, legal reforms, and social activism in order to more effectively and justly combat human trafficking.

¹ Interview P

² See Wendy Brown's excellent analysis of this quandary in *States of Injury: Power and Freedom in Late Modernity* (1995).

Theme B
: Transboundary Migration

Thai Laborers Working Abroad: A Case Study of Udon Thani

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Introduction

Thai people have been migrating to work abroad for quite a long time. At the beginning, Thai workers processed their own working abroad plans. There were no contacts through agents or employment firms which were not abundant at that time. Therefore, the impact of migration on the family's stability and the changes that were going to take place were not clear. The only impact found was in the medical field, wherein many doctors and nurses worked abroad. This had a negative effect on medical services in Thailand bringing about brain drain, which became a very serious problem.

The business of exporting workers abroad began around 1972 or 1973 B.E. This was marked by private companies firstly sending Thai women to work as AU PAIR (Women who went to study abroad were provided with accommodation with a host family as well as paid work). Later, private companies sent workers in the service sector in the United Kingdom. The middle-east market, which was once the biggest labor market for exporting Thai workers, was triggered by the economic crises and political change in addition to the withdrawal of American troops from Thailand. After the withdrawal of American troops, people who worked at the U.S. military bases became unemployed. Businesses connected to the military bases also went down. Furthermore, the income of countries such as Saudi Arabia, the United Arab Emirates, Bahrain, etc increased from selling oil, which brought about a high demand for labor in development projects. As a result, Thai workers were hired for these projects (Office of Thai Labor Administration, The Labor Department, 1986). Thai workers were first sent to the middle- east in 1973 when Arab employers started coming to contact Thai private companies to provide them with Thai workers. At that time, only a few were interested in working in such countries. Sending Thai workers to the Middle East became more popular in 1987; and it was even more appealing to Thai workers in 1982 when the unemployment rate was expected to rise dramatically up to 20.7%.

Related Literature

In order to better understand this research, and provide complementary evidence, it is necessary to refer to a few research studies that were previously conducted on Thai overseas migration, commencing with Sumalee Pitayanon and Wattana Suwansaengjuncharern (1982). These authors studied the impact of Thai laborers working abroad under short contracts on households and community economies using case studies from villages in the northeast. The sample group was families in Udon Thani and Nakhon Ratchasima Provinces whose members worked in Middle Eastern countries. The results of the study can be concluded as follows.

1. Most of the workers received foreign work permits through private agents located in Bangkok and other provinces. The service charge and related costs were very high. About 61% of the laborers acquired loans from sources other than banks with a 10% per month interest rate. The intended workers had to use all the income they earned to pay for the debt and it took them over a year to pay off the loan and the interest, which was a great burden.
2. All of the wages earned by the laborer working abroad, the family at home spent paying off the debt. Any money left over was spent on buying appliances, both necessary and luxury items.

2. The positive impact on the families whose members worked abroad included higher incomes and a better quality of life. However, it was found that the family members' tended not to want to work in the rice field, particularly laborious work.

There were also some impacts on the community. There was a slight increase in demand for some products, while the price of the land was three times more expensive. Since the labor supply decreased, agricultural machines were used more readily in the field.

Bunjong Trikun (1985) conducted a qualitative study on labor mobilization to foreign countries: a case study in Kogsi village, Nongwuasor district, Udon Thani province. The results are as follows.

1. Workers had to pay a lot of money in order to be able to work abroad; and there were some workers deceived by working agents.
2. Laborers who had worked abroad had more capital investment after coming back. For example, some could own more rice fields and could lend money to other villagers. Moreover, their social status was higher; they were considered rich people. In addition, they were considered experienced persons and were respected by others in the village. These are the reasons why more people wanted to work abroad.

Kanok Tosurat and others (1986) studied the impact of working abroad on workers after returning to Thailand from Middle Eastern countries. The results can be concluded as follows.

1. Most workers borrowed money to pay the service charge and other expenses; 52.5% of the participants had to pay interests on the money borrowed money, only 10.8% did not.
2. 78% of the families with members who worked in Middle Eastern countries had debts of about 45,932 baht each; both from before and after the worker went abroad. 28.7% of the participants who had debts owed about 42, 086 baht.
3. The financial status of families whose members had or were working abroad was considerable better than in the previous five years. The incomes received from the workers were mostly used to pay off the debts and to buy luxurious items.

Samreong Chantrasuwan and Dusadee Kanonsri (1986) studied the impact of the change in social and economic status of Middle East-working laborers on migration, marriage, and child rearing. The results reveal that:

1. Most workers who had worked in the Middle East were male, aged between 40-44 years; 85% were head of families; 91.30% were married and lived with their wives.
2. Most of the participants had worked abroad once (42.50%). The main reasons for working abroad were to increase their income (33.50%) and to escape their poverty (33.50%). They were persuaded to work abroad mostly by their friends and neighbors (40%) and by relatives and work agencies respectively.
3. The most important benefits of working abroad were increased income and savings, higher economic status; the next benefits were receiving more knowledge, being respected, and having an expanded social network. The worst drawbacks were worrying about their families

in Thailand, being homesick, having debts, having nobody to guard their house, causing unhappiness in the family, problems with adapting to a new environment, psychological problems, and receiving low wages. 87.50% of the participants viewed that working in another country was worth the investment, but 12.50% believed it was not. The reasons why some believed that it was not worth the investment included not being able to pay off the debts (60%), low wages (26.6%), and being deceived (6.70).

4. Concerning workers' changing financial and social status, it was found that workers owned more goods compared to before they worked abroad, particularly land and electrical appliance, savings, and money for food and clothes. Their social status was clearly changed. They were considered to be knowledgeable people, had multiple skills, and were respected more by people in their original communities. Moreover, they had more friends and convenient lives. They were more independent; they expressed more opinions in community meetings. However, it was mentioned that their 'morality' as lowered.

Suchat Tritipthikhun and others (1990) conducted a study on the impact of Thai workers on the economy and psycho-sociology of their families and communities after returning from working abroad. They drew from case studies in Donpordaeng village, Koksamran sub-district, Banphai district, Khon Kaen province and Paktop village, Paktop sub-district, Nonghan district, Udon Thani Province. The sample group comprised 500 people. The results can be concluded as follows.

1. Positive impact: Most villagers' economic status was better; most of the income was used to fix their houses so that they looked better. Some money was invested into long-term livelihood strategies such as buying land for rice fields, cattle and tractors. Some money was spent on luxury items to improve their quality of life such as buying refrigerators, stereos, and so on.
2. Positive impacts on psycho-sociology: Villagers could give more financial support to each other; they could help each other more. Worker's attitudes towards their children's education was changed positively; they wanted their children to get a high education, particularly in professional fields, so that their children could support themselves and their families in the future.
3. Negative impacts on the economy: Some workers were still in debts because of various reasons. For example, they were deceived by the recruitment company and received a lower wage than that stated in their contract; they were sent back to Thailand before the contract was completed; and they had to pay high interests rates.
4. Negative impacts on family psycho-sociology: The marriage payment was a lot higher; villagers adopted city-life attitudes; more adultery was committed.

Kritsana Klaphajon (1998) studied problems and living conditions of laborers working abroad using information from secondary sources between 1984 -1998. The results are as follows:

1. The service fee charged by the recruitment agency was very expensive, particular the fee to go to Taiwan which was around 100,000 baht per person. Moreover, some workers were deceived by the recruitment company. The agent had a lot of tricks to deceive workers and take advantage of them. For example, without being informed, some workers were put into someone else's old contract; that means they would have to return home much earlier than their expected time. Therefore, they could not earn enough money to pay off their debts.

2. Some employers in the destination country did not follow the employment contract. For example, they received a lower income than the rate agreed on in the contract. Some companies did not have a work position open and consequently laborers had to find a new job and work for another employer. Their life quality was low because they had no fringe benefits.
3. Some workers had inappropriate behavior such as gambling, fighting, and causing their employers' problems; they, therefore, were put in jail or sent back to Thailand. Some were not skilled enough to work; some did not know how to use advanced technology tools and devices. Moreover, they could not work because they were not able to adapt to the new environment and because they were home sick and were worried about their beloved ones in Thailand (e.g., family members, friends, relatives, and lovers). In addition, having little contact with their beloved ones means they became more worried, depressed, and lonely; these potentially decreased their work abilities.

Nougluk Tungkaburee (1998) examined driving factors for working abroad among laborers who had worked in Taiwan. The sample group comprised 480 workers and 72 recruitment companies. The results were as follows:

1. Most workers were male, between 26-30 years old. Most of them were farmers from the Northeast; they had debts before going to Taiwan.
2. The main reasons for working abroad include desiring more income, to gain more experience and increase their work skills, having low education, being persuaded by others, and having a lot of debts.
3. More than 50% of participants spent more than 100,000 for the service charge which was higher than stated in the law. They borrowed money from neighbors and private organizations. They had to pay high interest rates, higher than the rate of the bank; only a small number of the participants borrowed money from the bank. The reason why they did not loan money from the bank was that they did not know about the bank's loaning system and process.
4. What the workers needed when they were working in another country was authorities' visits for moral support including being informed about current news and issues in Thailand. This would give moral support to workers. They would not feel lonely; moreover, they would be proud of themselves that they could import a lot of money into Thailand to help develop the country.

The above studies related to overseas migration are useful in that they can be applied comparatively to my own study in Udon Thani, which now follows.

Aimimtham and others (2002) studied the socio-economic features of 164 returned migrants and their re-adaptation in four districts of Khon Kaen Province and found that most were married males under the age of 26, with primary level education. These informants are expecting the government to deal with the increased cost of living as well as to organize suitable vocational retraining programs for them so that they can earn a living with new skills. Some of them are wishing for a chance to work in a factory again in urban areas, but to resettle in their place of origin was also seen as an alternative. Small and medium enterprises are requested.

A study that examines how the Economic Crisis in Thailand affected return migration in Khon Kaen Province, Aimimtham (2002) reveals that return migration caused by the economic crisis occurred in proportion to the previous influx of migrants into metropolitan areas and other main cities. Even though returned workers who had formerly migrated in search of additional incomes to send home wanted to be employed under the same conditions as before, most had to adapt to new circumstances and learn how to earn a livelihood in rural areas, as rapid economic growth could no longer be expected again in Thailand in the near future. Even if the countryside is able to absorb the extra labor force, the increasing population in rural areas is likely to intensify the deterioration of natural resources and the environment.

Another study examines the various changes caused by overseas workers in Khon Kaen, particularly in relation to left behind families. Aimimtham et al (2003) found that there were both positive and negative impacts. The negative effects included paying off debts with high interest rates to recruitment companies. Some workers faced problems as a result of broken family plus feeling lonely while in foreign countries because of the distance from their original communities. Health problems were also found. There were also changes in attitudes towards jobs and employment. Because of a growing desire and expectation to earn more money, it was found that people did not want to work in the rice fields anymore. Additional negative impacts are linked to the consumerism phenomena that has brought about materialistic competition which means that people find it difficult to save money for the long term. The positive impacts found were that workers had better living conditions because of higher incomes. Their children or dependants were put in schools and more than half completed compulsory education. Lastly, the return migrants had learnt skills from their firms overseas and were able to apply them to relevant employment sectors, which raised their incomes.

Research Findings

This case study was conducted in Chiang - yuen village, Chiang - yuen sub-district, Muang district, and Sang-kor village, Sang-kor sub-district, Kud - jab district, Udon Thani Province. Seven people, both male and female, had worked abroad. They were aged between 29 – 47. The years they worked in other countries were between 1986 to the present. All participants were farmers before going to work in other countries. The countries of destination included not only Asian countries (Singapore, Brunei, Taiwan, and Japan) but also Middle East countries (i.e., Saudi Arabia and Israel.). The highest amount of money sent back home was 50,000 baht per month from someone who had worked in Japan.

Some informants still had debts whilst others had paid off their debts. They had to pay about 5% in interests for the debts that were borrowed either from financial institutions, local organizations or individuals. However, in recent times, it was likely that the interest rates would go down to 3% per year. The service charge was between 50,000 - 240,000 baht; the charge was more expensive if workers wanted to go to Japan.

When working in Japan, Thai Laborers lived in different cities including Shiba, Itama, Michima, and Nagoya. Those who worked in Israel lived in Gaza, Taipei in Taiwan, and Gaosung and Golden Mind Area in Singapore. About 10 years ago (1994), the service fees were between 50,000-120,000 baht. The informants mentioned that working in another country yielded both benefits and disadvantages.

The monthly wage received was between 7,000 (in Saudi Arabia) and 120,000 baht (in Japan). However, in recent times, workers wanted to go to Taiwan because the salary was higher and there were some condition occurred in Saudi Arabia.

The money sent back home was used to pay off the debt from service charge, to pay household bills, build and fix houses, support children's education, buy more land, support relatives, buy pick-up trucks, pay parent's medical bills, support relatives who wanted to work abroad, open small grocery stores, and sell ice-cream by using a pedicab. The amount of land they bought ranged from 4 to 40 hectares (rai). As a result, when the interviewees came back to Thailand, some had the same career, growing rice and vegetables. Some had the same career but their income was supplemented by doing other things.

It was found that participants had no health problems. Money transfers through banks was deemed most convenient. In the past, some people who worked in Saudi Arabia sent the money back in the form of drafts.

It was found that the main reason why some were not successful in working in other countries was their own behavior (i.e., not being careful with spending money and buying things that were not necessary), besides being deceived by recruitment companies. This is the main reason why they still owed some debts and were not able to send money back home consistently.

Working in Saudi Arabia, Taiwan, Singapore, and Brunei is legal, but it is not in Japan. To work in Japan, workers had to initially arrive bearing a tourist visa. After that they would work illegally by overstaying in the country. There were some cases wherein migrants were helped to enter Japan. Therefore, there was a lot of pressure in their daily life and they endured stressful working conditions.

Generally however, participants had positive attitudes towards working abroad since their life conditions (e.g., money, land, and properties) had dramatically changed for the better. Consequently, problems and obstacles they faced seemed less severe compared to the benefits they accrued.

Discussion

Based on the information from interviews, it could be concluded that:

1. Many groups of people were involved in working abroad, for both formal and informal job-providing networks and agents. Concerning the agencies, there were both legitimate and deceiving. The recruiting agency was a main factor determining successful or unsuccessful work abroad.
2. All the interviewees were poor and most of them were farmers. Their education was lower than a college degree. Most of them were under a contract with private companies. The service charge paid to the agents was quite expensive. Most of them did not borrow money from the bank, but rather through other sources where the process was seen as less complicated and limited conditions. However, they often had to pay a high interest rates. Getting money loans from private organizations or other individuals led to many negative consequences. Firstly, those workers who were deceived, either by agencies or other people, including their wives, accumulated sizable debts for which they had to pay high interest rates. This led to long-term debts. Their situation became worse if their work abroad was not successful.

Being worried and concerned about families in Thailand was a problem commonly found among workers. However, it was not considered a serious problem because they could contact their families conveniently by telephone, even in the case of one participant who

lived in another country for ten years. However, the wife of one participant mentioned that although some children whose parent/s worked abroad did not behave in a bad way, they became irresponsible because they lacked close attention from their family. Some did not help with the family's work at all; moreover, some spent their free time inappropriately. Even though this was not a big problem, it was seen as a waste of a person's life and inefficient use of labor. Moreover, these young people did not learn to take responsibilities over their lives and other people.

4. The main factors of unpaid debts include having to pay money back to many sources, return to Thailand before the end of the contract, pay high interest rates, pay higher family expenses, and being deceived by related people.
5. Successful workers used the money they earned abroad to purchase more land, to grow sugar cane, to build a new home, to put their children through education, or to invest in small grocery stores and to sell ice-cream. They could make enough to support themselves and their families; they did not have to go back to work abroad. However, it was found that many still wanted to go back if they could, particularly the person who sold ice cream. This person, 35, expected to return to Taiwan; his documents were being examined. The only reason he gave to the interviewer was that he earned more money abroad when compared to others with the same level of education working in Thailand. Finally, it was found that those who were older than 45 years old did not want to return to work abroad, but rather stay in Thailand.
6. Those who had worked abroad participated in community activities more. Besides, they could donate more money, which they earned working abroad, to the activities and the temple. There were no severe problems affected by working abroad found in this case study. In general, it was found that working abroad brought many positive impacts to workers' lives. Even a deceived worker still wanted to work abroad, even though he had his own business in the village. This could show that the desire for higher incomes was a clear motivation of people to work abroad.

Final Remarks

The results of this case study show that Thai laborers started to work in Saudi Arabia in 1986. The participant laborers viewed that working overseas brought many positives and few negative elements to their lives. They felt they had a better quality of life and their children had better educational opportunities. Examples of negative consequences include being deceived and paying high interest rates. However, these factors did not diminish their desire to work abroad. Most of them would go back to work abroad if they had opportunity and were not too old. Only a few of them wanted to stay in Thailand. One informant who is the wife of the village head in Ban Sang-kor did not want to go back to work in Japan again because she had no desire to work for others anymore. In addition, her financial status had already been secured since coming back from Japan. Another informant stated that living in his homeland was much better than living in another country; he was satisfied with his financial status, not being rich nor being poor, though this may be because his financial status was not much different from the time before he left to work abroad (Brunei).

Even though the results show that these laborers were satisfied with the consequences of working abroad, it is still seen as important to encourage people to stay and work in their homeland. This can be done by creating more jobs in the community. When people have jobs and earn enough income, they will be able to support themselves and their families. The government should take part

in developing a sustainable community through community business, which is developed from household business. When the community is synergized with its strength, the members will pursue a better quality of life and gathered around each other within their warm families. This will help prevent negative consequences from working abroad, and maintain strong and stable networks within local communities that are key factors for achieving long-term sustainable development.

References:

- Aimimtham, Sukanya *et al* . 2002. *The Socio – Economic Adaptation and Development Trends of Laid off Labors Affected by Economic Crisis in Khon Kaen Province*. Humanities and Social Sciences Journal (Khon Kaen University) Vol. 19. Khon Kaen: Klang Na Na Withaya.
- Aimimtham, Sukanya. 2002. *The Economic Crisis in Thailand that Affected Return Migration: A Case of Khon Kaen*. Regional Views, No. 15, March 2002. Institute for Applied Geography, Komazawa University, Tokyo.
- Aimimtham, Sukanya *et al* 2003. *The Impact Toward Family and Change Caused by Thai Migrant Workers Abroad in Khon Kaen*. *Journal of population and Development*. Nakorn Pathom: Institute for Population and Social Research, Mahidol University.
- Chantavanich, Supang *et al* (editors). 2000. *Thai Migrant Workers in East and Southeast Asia 1996-1997*. Asian Research Center for Migration, Institute for Asian Studies, Chulalongkorn University. Bangkok: Chulalongkorn University Printing House.
- Chantrasuwan, Samroeng and Dusadee Karnonsri. 1986. *Impacts of Socio-economic of Condition Changes of Thai Labor in the Middle East on Migration, Marriage and Fertility*. Faculty of Humanities and Social Sciences, Khon Kaen University, Khon Kaen.
- Klaphajon, Kritsana. 1998. *Panha lae Kuam Penyu Khong Raeng Ngan Thai Nai Tang Daen*. Office of Thai Labor Administration. 1986. Department of Labor. Bangkok.
- Pitayanond, Sumalee and Wattana SuwansaengJanjaroen. 1982. *Pol Krathop Khong Karn Doen Tang Pai Tam Ngan Tang Prates Tam Sanya Jang Raya San Khong Raeng Ngaen Thai Teemee tor Settakit Krur Ruan Lae Chonnabot : Case Study of North East Villages*. Bangkok: Chulalongkorn University.
- Tangkaburee, Nonglak. 1998. *Sahet Khong Karn Pai Tam Ngan Tang Prates: Case Study of Thai Laborers to Taiwan*. Graduate Study Thesis in Economics, Ramkhamhaeng University.
- Treekul, Banchong. 1985. *Karn Kluan Yai Thin Pai Tang Prates Khong Chao Ban Kok Sikaew Amphur Nong Wua Sor Chang Wat Udon Thani*. Independent Study of Volunteer Graduate for Rural Development, Thammasat University.
- Treetipthikul, Suchat. 1990. *Phol Krathop Thang Setakit Lae Sangkom Jittawitthaya Tor Krob Krua Lae Chum Chon Khong Raeng Ngan Thai Lang Glub Jak Karn Tam Ngan Tang Prates*. Department of Medicine, Minister of Public Health.

Migrant Domestic Workers: From Burma to Thailand¹

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Introduction

Millions of people from Burma⁴ have left their country in search of security and safety due to nearly a half-century of conflict, militarization, economic hardship, ethnic uprising and minority persecution.⁵ Over the past fifteen years the number of people leaving Burma has grown to be one of the largest migration flows in Southeast Asia.

As a direct result of the grave political, economic and cultural conflicts in Burma, many millions of people have crossed Burma's borders into neighboring countries without documentation. Fearing persecution, and often without recognition of their rights to receive refugee status and international protection,⁶ the vast majority of those migrating from Burma find themselves desperate to survive, obtaining work in underground and, often, illegal labor markets.

The majority of migrants from Burma who flee their country end up in neighboring Thailand, where an estimated two million people have taken up squalid residence working "3-D jobs" (dangerous, dirty and difficult), for pay well below minimum wage.⁷

There are over one hundred thousand female domestic workers from Burma in Thailand,⁸ though many estimate the numbers to be much higher.⁹ There is little information available on the

¹ The research project was supported by the Rockefeller Foundation and United Nations Inter-Agency Project to Combat Trafficking in Women and Children in the Mekong Sub-region (UNIAP)

² Independent Researchers

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⁴ The authors recognize that the official name for Burma is Myanmar, as changed by the ruling government in 1989. However, the migrants interviewed in this study referred to their country as "Burma," which the authors have acknowledged by using that reference throughout this report. Generally, the phrase "people from Burma" is used in this report rather than "Burmese" since the latter term, in addition to referring to people from Burma is also used to identify a specific minority group in Burma.

⁵ Smith, M. (2002). *Burma (Myanmar): A Time for Change*. London: Minority Rights Group International.

⁶ Caouette, T., Archavanitkul, K. & Pyne, H.H. (2000). *Sexuality, Reproductive Health and Violence: Experiences of Migrants from Burma in Thailand*. Nakhonprathom: Institute for Population and Social Research at Mahidol University.

⁷ Broadmoor, T. (August-September 2001). "Labor Pains: The Thai Government's Latest Resolve to Control the Growing Migrant Worker Population Lacks Resolve." *The Irrawaddy*. Vol. 9, No. 7.

⁸ Over 82,000 female migrants registered as domestic workers with the RTG in 2001, of which over 80 percent were from Burma. Only one third of the estimated migrants in Thailand registered and, therefore, the estimate of over one hundred thousand migrant domestic workers is a conservative estimation.

⁹ The actual number of female migrants workers in Thailand and internationally is not known, though it is documented to be increasing rapidly. The largest sector of employment for female migrants is in domestic work. See for example:

^{9.1} Archanavitkul, K. (2003). *Understanding the Situation of Migrant Workers in Thailand*. Nakhonprathom: Institute for Population and Social Research at Mahidol University.

^{9.2} Paitoonpong, S., Plyweej, J. & Sirikul, W. (2002). *Thailand: Improving Migration Policy Management with Special Focus on Irregular Labour Migration: Case study of Housemaids*. Bangkok: Thailand Development Research Institute (TDR1).

realities faced by these domestic workers, yet a growing awareness exists of their isolation and vulnerability to labor exploitation and violence.¹

Causes of Mass Flight

At independence in 1962, Burma, a country of abundant natural resources and human potential, was deemed to have the brightest future of any of its neighbors. Forty years later, and following roughly a quarter century of General Ne Win's "Burmese Way to Socialism," this nation was designated by the United Nations as one of the world's "least developed countries" in 1987.²

A principal factor in Burma's troubled history of conflict and oppression are ethnic minority issues, which, ever since General Ne Win's policy to "Burmanize" the country's ethnic populations, continue to stand as the central challenge. Not only do ethnic minorities make up more than one-third of the population, but they also reside in areas of the most acute political and humanitarian crises in Burma.³ Furthermore, ethnic minority groups have been the junta's greatest obstacle to domination and national unity. Over the past decade, the minority insurgency groups have been pressured into ceasefire agreements with the State Peace and Development Council- SPDC. To date, only the Shan, Karen and Karenni factions continue to fiercely confront the Burmese authorities.⁴

The SPDC has intensified its mission to eradicate the threat of ethnic minority groups. Forced relocations of minority villages, especially in areas where ethnic opposition groups are active, have become increasingly common. Consequently, there are over one million internally displaced persons within the country.⁵ Individual townships, especially in the Shan and Karen States, have reported forced relocations, forced labor, torture, rape and extrajudicial killings, causing massive refugee flows into neighboring Thailand.⁶

In addition to these atrocities, excessive and arbitrary forms of taxation and agricultural policies have made daily life unbearable. The continuous and dramatic inflation rates in Burma, ranging from 24 percent in 1989 to 38 percent at the beginning of 2000,⁷ have led to escalated commodity prices of basic necessities, which, even according to the Burmese

^{9.3} Ehrenreich, B. & Hochschild, A.R. (2002). *Global Woman: Nannies, Maids and Sex Workers in the New Economy*. New York: Metropolitan Books.

^{10.1} CARAM Asia. (2001). *Consultation on Thai and Migrant Domestic Workers*. Bangkok: Author.

^{10.2} United Nations. (2002). National Tripartite Seminar on the Future of Migration Policy Management in Thailand. Bangkok: Author.

² Zo T. Hmung. (October 25, 2000). *Ethnic Political Crisis in the Union of Burma*. New Haven: Council for Southeast Asia Studies at Yale University.

³ Smith, M. (2002).

⁴ BBC Reporter. (July 17, 2002). "Burma 'Terrorising' Ethnic Minorities," *British Broadcasting Corporation (BBC)*. Retrieved August 11, 2003 from: <http://news.bbc.co.uk/1/hi/world/asia-pacific/2132986.stm>.

^{5 14.1} The Shan Human Rights Foundation. (April 1998). *Dispossessed: Forced Relocation and Extrajudicial Killings in Shan State*. Chiang Mai: Author.

^{14.2} Burma Ethnic Research Group. (April 1998). *Forgotten Victims of a Hidden War: Internally Displaced Karen in Burma*. Chiang Mai: Author and the Friedrich Naumann Foundation.

^{15.1} Human Rights Watch. (2003).

^{15.2} Bangkok Post Reporter. (July 16, 2003). "Foreign Press, NGOs Barred from Border." *The Bangkok Post*.

^{15.3} Freedom House. (June 24, 2002). *Freedom in the World, Political Rights and Civil Liberties: Burma*.

^{15.4} Washington D.C.: Author. Retrieved August 11, 2003 from: <http://www.freedomhouse.org/research/frceworld/2002/countryratings/burma2.htm>.

^{15.5} Amnesty International. (2001). *Amnesty International Report 2001: Myanmar*. London: Author. Retrieved August 11, 2003 from: <http://web.amnesty.org/web/ar2001.nsf/webasacountries/MYANMAR?OpenDocument>.

⁷ Ibid.

authorities, increase by over 20 percent per year.¹ The price of rice, the staple for people across the country, hit 50 cents a kilogram during January 2003, four times the official rate.²

Jobless and financially crippled by the escalating commodity prices, people in Burma find themselves in debt for daily life expenses and forced to comply with unpredictable taxes imposed by the authorities.³ In this context, limited employment opportunities cannot be used to lift individuals out of poverty and ultimately the individual becomes caught in a cycle of debt that continuously pressures those from Burma to look their immediate environment beyond for solutions.

Thai Policy Towards Migrants from Burma

Since the early 1990's, the Thai government has faced the immense task of bringing order to the massive influx of undocumented migrant populations throughout the country. The Thai government addressed the problem by classifying the undocumented population in order to properly integrate them into the worker registration system or temporarily displaced persons camps. This process of classification separated those from Burma into six groups: displaced persons, undocumented migrants, refugees from threats of war, students/intellectuals, visitors who overstayed their Thai visas and illegal migrant workers.⁴

Since Thailand has not ratified the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol, the Thai government is not obliged to recognize anyone from Burma as a refugee. Thus, the Thai government has granted "temporarily displaced persons" status to a select few, in spite of the obvious human rights violations from which so many have fled.

Thai relations with Burma continued to roller coaster as fighting spilt over into Thai soil. Borders closed and negotiations intensified to resolve the conflicts and reestablish trading opportunities. However, efforts to resolve the conflicts and resume trade were soon initiated, including the introduction of the new worker registration process in September/October 2001 and later with the Sixth Joint Cooperation Meeting between Thai and Burmese representatives in January of 2002. The Thai government called on all migrant workers in Thailand to register and obtain work permits valid for one year, pending a six-month health check-up by March 2002. Upon completion of health tests, work permits were renewed for 409,339 migrants (of the original 568,249 registered in 2001), including 63,317 domestic workers (from the original 82,389 domestic workers registered).⁵ Migrants from Burma made up 83% (340,029) of all those re-registered.

In August 2002, the Burma and Thai governments organized bilateral negotiations that would deal with reopening the border and other critical issues, such as drug trafficking, migrant repatriation and trade in the coming months.⁶ At this time, the Thai government also sought to develop a new worker registration policy in an effort to analyze labor needs, budget the costs of migrant worker and

¹ Thien, Win. (February 1999). "New 1,000-Notes a Sign of High Inflation." *The Irrawaddy*. Vol. 7, No. 2.

² Irrawaddy Reporter. (January – February 2003). "Rumor Mill Working Overtime." *The Irrawaddy*, Vol. 11, No. 1.

³ Soe Soe. (July 15, 2002). *Migration Report: Burma: Identifying the Issues and Needs of Migration from Burma into Thailand*. Chiang Mai: Joint Research Project of the Federation of Trade Unions Burma and Asian Migrant Center.

⁴ Ibid.

⁵ Royal Thai Government. (2002). *Result of Registration of Alien Workers Following the Cabinet's Resolution in 2001 and 2002*. Bangkok: Author.

⁶ Yuwadee Tunyasiri. (August 22, 2002). "Talks to Focus on Resolving Disputes Fast." *The Bangkok Post*.

refugee programs, and create more efficient mechanisms for both migrant integration in and deportation from the Thai labor field.¹

Thailand has initiated several migrant worker registration policies since the early 1990s. The first attempt to come to grips with the massive, migrant labor flow into Thailand took place in 1992. This attempt, however, failed due to the extremely high “bail” it imposed on employers who were to register their workers.² Four years later, Thailand’s migrant labor problems had expanded throughout the country with large numbers of migrant workers, mostly from Burma, moving toward Thailand’s inner provinces. Unable to determine needs or adequately assess the impact on the different labor sectors of its economy, the Thai government aimed to gain control and learn from its previous mistakes. In June 1996, the Thai Ministry of Labour and Social Welfare implemented a registration policy open to eight industries that required a much lower registration fee. As workers without proof of registration faced deportation, this resolution compelled larger numbers of migrants to register.³

Following the economic crisis of 1997, the Thai government was faced with the urgent task of restructuring its labor field to make room for the masses of newly unemployed Thai nationals. While this resulted in the deportation of nearly 250,000 illegal migrants in 1998, the RTG was unable to find Thais willing to replace workers in “3-D jobs.” Consequently, by April and May 1998, the Thai Ministry of Labour and Social Welfare found it necessary to reassess the labor force’s employment needs and initiate a new registration phase. Although Thai officials calculated that roughly 231,000 jobs needed to be filled, only 99,974 migrants had registered by December of 1999.⁴ The void required the RTG to readjust its labor policy to facilitate a more effective registration of undocumented migrant workers (from Burma, Cambodia and Laos) from September to October of 2001. This initiative resulted in the registration of persons from ten labor sectors, not including seasonal workers, workers in the service industry or child workers.⁵ During this registration period, 568,249 migrants received work permits of which 451,255 were from Burma.⁶ However, this figure, while large in comparison to those registered in earlier years, is still strikingly low when held against the estimated two million undocumented migrants from Burma.⁷

This great disparity between migrants registered and the total number actually residing in Thailand led to many extensive discussions among RTG officials, NGOs and migrant leaders. Two of the main reasons given for why migrants did not register were the lack of information about the process and the inability to travel and register when employers refused to participate.⁸

For the majority of migrants, factors deterring them from registration were far more complicated. First of all, the efforts by the Thai government to register migrants from Burma reinforced workers’ dependence on their employers. Those who registered with a specific employer were given permits valid for only one year and only with that one employer, after which if their employment with that employer ended, so did their legal status in the country.⁹ Furthermore, employers typically kept the work permit, giving the worker a photocopy, if any documents at all.

¹ Commission on Irregular Immigrant Workers. (August 2002). *Cabinet Resolution on Illegal Migrants*. Bangkok: Thai Ministry of Labour and Social Welfare.

² Caouette, T., Archavanitkul, K. & Pyne, H. (2000).

³ The 1996 migrant worker registration provided 303,088 work permits, of which 87 percent were granted to people from Burma.

⁴ Ibid.

⁵ Caouette, T. & Pack, M. (December 2002).

⁶ Royal Thai Government. (December 6, 2001). *The Result of Registration of Alien Workers*. Bangkok: Author.

⁷ Broadmoor, T. *The Irrawaddy*. (August-September 2001).

⁸ Document for Discussion distributed at the NGO Forum on Migrant Worker Policy on Transnational Worker Protection Mechanism held at Chulalongkorn University on February 21, 2003.

⁹ Caouette, T. & Pack, M. (December 2002).

Without such documentation, even registered migrant workers found themselves threatened by deportation, harassment and arrest as a result of their inability to prove their legal status.¹ Workers also expressed grievances regarding the regulation that prohibits them from changing employment for a period of one year, as this prevented workers whose contracts were terminated from finding a new job.² It is also worth noting that many families have been separated as a result of registration. Children under the age of 18 were not allowed to register and, given the high cost of registration, most families did not register all adult members for fear of incurring large debts.³

However, under the revised registration regulations, in July 2004, there were 1,269,074 migrant workers registered in Thailand.⁴ The new regulations allow migrant workers to change their employers, and their dependents are allowed to register too. The migrant workers receive a one-year work permit.

Vulnerability of Migrant Domestic Workers

There is a growing international awareness of the vulnerability faced by domestic workers worldwide as labor laws fail to recognize their jobs with the protection of regulated employment.⁵ Only recently have some countries made efforts to regularize and protect domestic workers through national policies and labor laws. Thailand's Ministry of Labour and Social Welfare first included "domestic workers" in its mandate when registering migrant workers in 1996,⁶ prior to that Thai labor laws never mentioned domestic work as a category for immigrant work (including Thai domestic labor overseas). In subsequent registrations, domestic work was excluded and only reinstated in the 2001 registration when 568,249 migrants received work permits, with over 82,000⁷ registered as domestic workers.⁸ Although domestic workers received work permits, the labor laws did not protect their work. The only protection provided is the Thai 1998 Labour Protection Law, which covers those who worked in households involved in other economic activities.⁹ Therefore, though migrant domestic work was recognized by the Thai Ministry of Labour and Social Welfare in 1996 and again in the 2001 registration, there are no rights or protections ensured to this labor sector for Thais or migrants.

¹ Ibid.

² Onnucha, H. (January 30, 2002). "Paperless Foreign Workers Facing Police Harassment." *The Bangkok Post*.

³ Federation of Trade Unions/Burma. (2001). *Situation Report: Migrant Workers from Burma in Thailand*. Bangkok: Author.

⁴ Archavanitkul, K. (2004). Unpublished paper for the workshop on "Illegal migrant workers and health dimension with management programme of the Thai government", Royal Rattanakosin hotel, Bangkok. September 10.

⁵ ^{36.1} Human Rights Watch. (2001). *Hidden in the Home: Abuse of Domestic Workers with Special Visas in the United States*. New York: Author.

^{36.2} Rockefeller Foundation. (2002). *Women at Work: A New Framework for Women in a Globalizing World*. New York: Author.

^{36.3} Parrenas, R.S. (2001). *Servants of Globalization: Women, Migration, and Domestic Work*. Stanford: Stanford University Press.

⁶ In 1996, 34,000 migrant domestic workers had registered for work permits in Thailand according to: CARAM Asia. (2001). Presentation by Supmol Tawarnraru of the Overseas Employment Administration Office of the Ministry of Labour and Social Welfare. "Domestic Workers in Thailand and Abroad." Published in *Consultation on Thai and Domestic Workers*. Bangkok: Author.

⁷ Domestic workers accounted for 30 percent of the total number of registered female migrant workers, representing the highest proportion of work engaged by female migrant workers according to Paitoonpong, S., Plywej, J. & Sirikul, W. (2002).

⁸ Ibid.

⁹ CARAM Asia. (2001). Presentation by Charut Neesit of the Lawyers Society. "Protection of Employees in Work Related to Housework." Published in *Consultation on Thai and Domestic Workers*. Bangkok: Author.

Although migrant domestic workers have been allowed to register to work in Thailand, their ability to do so and keep valid their permit depends entirely on their employer. For those unable to obtain work permits, they remain particularly vulnerable to exploitation.¹ Even with work permits migrant domestic workers are unable to claim labor rights and as elsewhere in the world they are seen as 'partial citizens' who are neither fully eligible under home or host country labor laws.² As a result, migrant domestic workers around the world are caught in a web of dependence with employer and face constant fears of reprisal, arrest and possible deportation.³

Researching the Situation of Domestic Workers from Burma in Thailand

This paper aims to analyse the life experiences, perceptions and decision-making considerations of migrant girls and young women from Burma working as domestic workers in Chiang Mai and Tak Provinces. It also aims to build community awareness and response that advocates for laws that formalize their work and protect their basic rights.

Research Methodology

Two research teams, one in Chiang Mai City of Chiang Mai Province and the other in Mae Sot town of Tak Province, implemented the study. All of the researchers were members of the Burmese migrant community in Thailand. Each team had a Research Coordinator, two Field Researchers and a Documenter/Translator. In addition, a Research Advisor who worked with teams throughout the entire research process supported the study.

The research data for this study was collected through direct and participatory observation; 133 in-depth interviews with domestic workers from Burma, - 68 in Mae Sot and 65 in Chiang Mai, - as well as a survey conducted with 528 migrant domestic workers from Burma in Mae Sot and Chiang Mai. The team surveyed 242 domestic workers in Chiang Mai, and 286 in Mae Sot.

Initially, the Field Researchers randomly met domestic workers in the markets or temples and others were introduced to the Field Researchers through various community-based organizations. After initial introductions, the Field Researchers relied on snowball sampling with referrals from domestic workers themselves.

The Field Researchers never tried to interview on the first meeting. The initial meeting was to introduce themselves and the project, request their consent to participate, observe the environment and discuss the best way of meeting again.

In-depth interviews were undertaken over extended periods of time, often necessitating five to six visits over a three-month period. The majority of these interviews were conducted face-to-face, however, in some instances part or all of the interview was conducted over the telephone.

The implementation of the survey often required more than one visit to complete the questionnaire. The majority of the questionnaires were conducted face-to-face with the Field Researcher. However, in attempts to reach domestic workers who were not allowed out of the house or to communicate via

¹ United Nations. (2002). Presentation by Srawooth Paitoonpong from the Thai Development and Research Institute. Published in *Case Studies of Industries Dependent on Migrant Workers*. Bangkok: United Nations.

² Parrenas, R.S. (2001).

³ ^{43.1} Migrant Action Programme. (2001). *Migrant Domestic Workers from Burma in Thai Homes*. Chiang Mai: Author.

^{43.2} Human Rights Watch. (2001).

phone (and, therefore, were not included in the qualitative phase of this study), efforts were made to deliver the questionnaires to domestic workers (either directly by the Field Researchers or through friends), requesting that they fill the survey out themselves. This however, was only effective for those who were literate in the Shan, Karen or Bamar languages.

Finally, nearly 70 percent of the surveyed questionnaires were completed by the Field Researchers in face-to-face sessions with the respondents and 14 percent of the questionnaires were filled out by the respondent in her own time and returned directly to the respective Field Researcher at each site. In an effort to reach domestic workers whose employers would not allow them to contact the field researchers, another 16 percent were given to domestic workers to fill out via their friends (also domestic workers who were surveyed).

The Field Researchers also had informed consent forms explaining the rights of the participants and requesting either written or verbal agreement for involvement in the project. Brochures and cards informing domestic workers of social services operating for migrant women in their area were also made available to participants throughout the project. Field researchers also kept a journal of their work, personal thoughts and experiences, which was used as a supplementary for the data analysis. The Field Researchers received training with the entire team and also ongoing support and feedback from the Research Coordinators.

In addition to the domestic workers who participated in this study, key informants in the community were also interviewed in order to corroborate information and provide their perspectives on the life experiences of women and girls from Burma employed as domestic workers in Thailand. These key informants also helped to develop project guidelines, but they are not included in the sample population or directly quoted anywhere in this paper.

Study Population

The study's population sample primarily included females under the age of 30 who were born in Burma and were currently employed as domestic workers in Tak or Chiang Mai Provinces in Thailand. However, the research teams also agreed to involve women over 30 years old who expressed an interest in participating in the research study.

Most of the participants were between the ages of 15 and 24, were single without children, of Shan or Karen ethnicity and spoke their native language and at least one other language. The majority were born in the Shan, Karen or Mon States (bordering Thailand). Most participants in Chiang Mai could speak some Thai whereas the majority in Mae Sot could not. Approximately one sixth of all the participants had no formal education (with those in Chiang Mai having a slightly higher educational attainment rate). One third of the participants had attended primary school, another third had attended secondary school and the remaining one sixth had passed their 10th standard exam. The majority of the participants came to Thailand between 1996 and 2000, with approximately half having registered for work permits.

Conditions in Burma and Along the Migration Journey

Most of the domestic workers interviewed in this study explained that they left Burma largely as a consequence of war and government policies that fueled a crisis in both the economy and their families. The women and girls in this study spoke at length of how the political and economic conditions in Burma led to the breakdown of their families, leaving many in foster care or to survive on their own.

Given these conditions, Thailand seemed to provide an opportunity to seek refuge and improve working conditions. In weighing their options, the domestic workers in this study believed that migrating to Thailand was worth the risk of possible harassment and/or of being trafficked.

My life disappeared with the sound of bullets and bombs. My family, relatives and everything in the village was destroyed, never to be returned. We lost everything – our relatives, house, land, clothes and food. I lost my future and everything that I had hoped for. Even my hopes to study have been lost along with everything else. . . .

I fled from the war to Thailand. For over a year we hid in the jungle and didn't dare return to our village. However, at night, we would sneak into nearby villages to ask for food. Then, we would go through the jungle until we came to another village and could ask for food and a place to stay for the night. Sometimes, we went for two or three days without coming upon any village. At these times, we ate jungle fruit and thrashed the branches of the banana trees for sap to drink. We were always hungry and cold. It rained very heavily. We didn't have shelter to avoid the rain. We didn't even know where we were going or what would happen to us. Finally, we decided to go to Thailand. It took over three months to get here because we had to flee the fighting. Along the way, we learned that our house had been seized by the Burmese military. They took everything, even our clothes. We have nothing left.

- A 32-year-old single Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

The study participants described the constantly changing political and military situation that impacted the ease of travel, the number of checkpoints encountered, border control policies, crackdowns and other realities that largely dictated the route, means and cost of their journey. Many spoke of the need to use clandestine efforts, often organized by brokers or “carriers”¹ who accompanied them to or across the border. Large sums of money were required and either paid in advance or incurred as debt to the “carriers”.

At the border, we stayed at a Chinese house for two nights. We met about thirty people waiting to go further into Thailand like us. On the third night, a car came to take us to Chiang Mai. The carrier said that we had to go without our belongings and that they would come later. But later, he said that the police seized our possessions on the way because they couldn't find the owners. We were angry but there was nothing we could do. We paid 3,200 baht each. The people who had money just paid the money for the transport to get to Chiang Mai, but those who didn't have any money agreed to work around that area first to pay the costs.

- A 20-year-old single Shan female who first migrated to Thailand a year ago currently working in Chiang Mai

¹ “Carrier” is the term used by study participants to describe the individual(s) who helped to transport them to Thailand and, in some cases, from the Thai border to jobs further towards the interior of the country.

However, only rarely did they know ahead of time the type of work they would be given, where or with whom they would be working, or the terms of their employment. Other participants, rather than using “carriers” to find employment, went to particular areas where employers were known to come to look for migrant labor. Women and girls waiting to be approached for work became particularly vulnerable to exploitation and trafficking. In this context, migrants were hired by employers on the spot and immediately taken to the employer’s household to work.

Employment Conditions

Most of the women and girls in this study reported that they were informed by their employer of what their salary would be upon arriving at their employer’s household, they were not informed of the terms of how their salary would be paid or what deductions would be withheld, what benefits, if any, they would receive such as sick days, holidays, personal days, or what their job responsibilities would entail.

I am always looked down upon by my employer. Many others face the same problems as me. It would be best if before we go into a house and work that we have some agreement with the employer about our monthly wages, including benefits and deductions as well as what jobs they expect us to do. But, this never happens and so there are many problems.

- A 24-year-old single Karen female who first migrated to Thailand two years ago currently working in Mae Sot.

Wage and Working Hours

The majority of study participants earned less than half of the Thai minimum wage.¹ National minimum wage standards in Thailand vary according to geographic location, with urban areas providing higher salaries because of the increased cost of living. The Thai Ministry of Labour issues different minimum wage requirements for each of the country’s seventy-six provinces based upon the cost of living in each area. The daily minimum wage between Chiang Mai and Mae Sot differs by only twenty baht a day. However, among the domestic workers interviewed for this study salary differentials were far greater, with those in Chiang Mai receiving substantially higher salaries. This most likely is due to the equal-distance of the two study sites from the Burmese border. Travel to Chiang Mai is more difficult and expensive and, therefore, the supply of migrant workers not as readily available, so that the pay scale here is higher. Mae Sot’s close proximity to the border means that migrants are able to easily enter the city, so there is a greater pool of potential workers.

¹ Given the arbitrary nature of employment conditions for domestic workers in Thailand, it is not possible to calculate the value of employee benefits, such as room and board, provided to most of the study participants. For some, these benefits when added to the below-minimum-wage salary they received might equal or possibly exceed national wage standards. Nevertheless, as this chapter will illustrate, the “benefit” of room and board tended to contribute to exceedingly long working hours and unfair working conditions.

Table 1 Percentage distribution and number of survey respondents by monthly salary and research site

Monthly salary in baht	Research Site		Total
	Chiang Mai	Mac Sot	
Less than 1,000	2.9 (7)	57.1 (163)	32.2 (170)
1,001-2,000	18.2 (44)	40.1 (115)	30.1 (159)
2,001-3,000	45.5 (110)	2.8 (8)	22.3 (118)
Over 3,000	33.4 (81)	-	15.4 (81)
No. of respondents	242	286	528

Several domestic workers explained that their employers refused to pay them on a monthly basis.

The employer told me I have to work for one year and then they will pay me my salary. They said if I do not work for one year, they cannot give me my money. When my mother was ill I wanted to send money home to her, but they only gave me 1,500 baht to send home even though I have earned much more. When I wanted to go back they gave me only 3,000 baht even though I had worked for nine months.

- An 18-year-old single Shan female who first migrated to Thailand four years ago currently working in Chiang Mai.

I tried to ask for my salary every month, but the employer said she would keep it with her. Some months I really need it and argue with her until she gives it to me. Other months I don't need it and don't argue too much. But, this way it is difficult to keep track of my money.

- A 25-year-old single Karen female, whose first time migrating to Thailand was not disclosed, currently working in Mae Sot.

Approximately half of the domestic workers interviewed reported that once they paid off their debts for traveling to Thailand and for securing employment, they felt fortunate to have their job, despite receiving a salary well below minimum wage.

Now I work as a housekeeper and the salary is 3,100 baht. I get it every month too. Some of it was given back for the car's fare when I came. With the rest, I bought some clothes because people in this country don't wear the same clothes as in our country. I save my money and buy one piece of clothing each month. It is enough for me to use, but there is nothing left to save.

- An 18-year-old single Shan female who first migrated to Thailand four years ago currently working in Chiang Mai.

In addition to receiving below-minimum wages, 98 percent of the surveyed respondents were expected to work more than eight hours a day, with 80 percent working 12 hours or more a day. In fact, only two percent of the study participants reported working a standard eight-hour day (see Table 2).

Many of the domestic workers interviewed for this study noted that their employers expected them to be available to work 24 hours a day, seven days a week. Moreover, the majority of them noted they had little or no rest incorporated into their workday.

I have no time to rest. I have to look after my employer's children and take them with me wherever I go. Moreover, I am responsible for an old paralyzed woman and cannot abandon her.

- A 29-year-old married Mon female who first migrated to Thailand three years ago currently working in Mae Sot.

Table 2 Percentage distribution and number of survey respondents by number of working hours per day and research site

No. of working hours per day	Research Site		Total
	Chiang Mai	Mae Sot	
1-8	2.9 (7)	1.4 (4)	2.1 (11)
9-12	30.0 (72)	8.1 (23)	18.1 (95)
13-14	19.6 (47)	18.7 (53)	19.1 (100)
15-16	22.9 (55)	34.8 (99)	29.4 (154)
17-18	20.8 (50)	33.8 (96)	27.9 (146)
19-20	3.8 (9)	2.8 (8)	3.2 (17)
21-24	-	0.4 (1)	0.2 (1)
No. of respondents	240	284	524

*Note: 4 respondents did not answer of working hours per day.

Almost all of the domestic workers in this study reported having no set working hours or benefits. They explained that everything depended on their employer's decisions on a day-to-day basis. The vast majority of study participants explained that they worked consistently long hours, with no regular days off and no overtime pay.

In addition to not having any standard times for breaks or rests, 62 percent of the domestic workers surveyed for this study reported they had no regular days off and the days off they did receive were randomly decided by their employer (see Table 3).

Table 3 **Percentage distribution and number of survey respondents by number of days permitted off and research site**

Number of days permitted off	Research Site		Total
	C h i a n g Mai	Mae Sot	
None	54.1 (131)	68.8 (196)	61.9 (327)
Weekly	10.7 (26)	4.6 (13)	7.4 (39)
Monthly	18.6 (45)	10.9 (31)	14.4 (76)
Annually	16.6 (40)	15.7 (45)	16.2 (85)
No response	-	0.3 (1)	0.2 (1)
No. of respondents	242	286	528

The women and girls in this study who did not receive days off explained that this was because their employer needed them to work at all times.

As a domestic worker, I have to work from early in the morning until dark without rest. At night I still have to iron the clothes. I have worked here for two years and I remember only two days I was free to go out.

- A 27-year-old married Karen female who first migrated to Thailand twelve years ago currently working in Mae Sot.

Whenever there was a special event at the temple, I didn't go. When the Shan New Year took place, I used to ask to go, but the employer said that, 'If you go, you will get nothing. If you want to go, obviously you don't need any money.' I did not want to lose my job, so I never went anywhere.

- A 32-year-old married Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

Accommodation

The majority of domestic workers were provided accommodation, though only a third were given their own private room or shared a room with a family member, members they were responsible for taking care of, or with other employees. About one fifth were made to sleep in open areas with no privacy (data is not shown here).

At night he [the employer's son] sleeps with me. Then, he cannot be separated from me and cries to see me until his parents let him sleep with me. He really loves me, but it is so tiring.

- A 22-year-old single Tavoyan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

I have a room about five feet by six feet with a mattress on the floor. It is just enough room to sleep and keep my clothes.

- A 15-year-old single Burman female who first migrated to Thailand two years ago currently working in Mae Sot.

I stay in the employer's house and am at home like in my own house. I have my own room and they furnish it with everything, even a TV.

- A 20-year-old single Karen female who first migrated to Thailand four years ago currently working in Mae Sot.

Given the arbitrary and unregulated nature of employment conditions for domestic workers in Thailand, it is not possible to calculate the value of room and board provided to most of the study participants. For some, these benefits when added to the below-minimum-wage salary they received might equal or possibly exceed national minimum wage standards. Nevertheless, the "benefit" of room and board tended to contribute to exceedingly long working hours and exploitative working conditions with no overtime pay or compensation.

Work Expectations

As a result of being a "live-in" worker, job responsibilities, more often than not, consisted of a wide range of duties beyond housework. Over two-thirds of the domestic workers in this study (64.4%) reported having to care for children, the elderly or the infirm. Often employers expected that those domestic workers caring for young children be available to work at all times, with many expected to be on call throughout the night should the children need any attention. Thirty-one percent of those surveyed were expected to help with their employer's business in addition to handling the household chores, and be available to meet their employer's arbitrary demands, such as giving massages to members of the household (see Table 4).

Since employers often did not discuss or clearly outline specific job responsibilities or what was expected, the domestic workers interviewed described feeling obliged to be working at all times.

I have to work the whole day. I don't have any time to rest. When they ask me to do something, I have to stop whatever I am doing at the moment and do what they ask as quickly as possible. There is no regular fixed time to work.

- A 13-year-old single Karen female who first migrated to Thailand a year ago currently working in Mae Sot.

The daughter of the employer is spoiled and can do whatever she wants. I have to pick up after her all day long. I even have to turn the water off after her shower and flush the toilet for her. She is a teenager and it is very demeaning to be treated like her slave.

- A 15-year-old single Shan female who first migrated to Thailand six years ago currently working in Chiang Mai.

Table 4 Percentage distribution and number of survey respondents by household responsibility and research site*

Household responsibility	Research Site		Total
	Chiang Mai	Mae Sot	
House cleaning	97.1 (235)	97.2 (278)	97.2 (513)
Washing and ironing clothes	79.3 (192)	88.1 (252)	84.1 (444)
Cooking	66.9 (162)	66.1 (187)	66.5 (351)
Taking care of children, elderly or sick	60.3 (146)	67.4 (194)	64.4 (371)
Washing cars/bikes	56.6 (137)	38.5 (110)	46.8 (247)
Taking care of animals	41.7 (101)	35.7 (102)	38.4 (203)
Cleaning employer's store	43.8 (106)	27.3 (78)	34.8 (184)
Helping employer in his/her business	45.0 (109)	20.6 (59)	31.8 (168)
Massage	28.5 (69)	33.2 (95)	31.1 (164)
No. of respondents	242	286	528

* **Note:** Respondents were allowed more than one response so the percentage distribution is equal to the number of participants who reported each answer based on the total number of respondents. Therefore, the total percentages do not add up to 100 percent and the numbers in parentheses when combined are greater than the total number of respondents.

The domestic workers interviewed described expectations that they were to serve everyone in the house, including each time the employer's family grew or had visitors.

The relatives of my employer brought over their children for me to look after also. They were always telling me to do things for them. I had not even finished my last task and they would ask me to do something else. They all asked me to do things for them. My mind feels so troubled.

- A 19-year-old single Karen female who first migrated to Thailand five years ago currently working in Mae Sot.

However, there were a few domestic workers reported that they can handle the job.

I do not have to cook and I can use the washing machine. What I have to do is sweep the dirt, clean the house and be home when no one is there. I only have to iron the clothes every three or four days. As there are few people in the house there is no need to wash or clean so much. The employer does not leave her child with me. During the long school holidays, she usually takes her child with her when she goes out.

- A 19-year-old single Karen female who first migrated to Thailand two years ago currently working in Mae Sot.

In the morning, I clean, sweep, wash dishes, cook and cut vegetables. It is like the housework that we do at our house. It is not more than I can handle.

- A 34-year-old married Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

Incidents of withholding or non-payment of wages were frequently reported by the study participants, while others explained that without constant reminders and requests, they would not receive their salary from their employer. By not receiving their wages on a timely basis or having their wages randomly withheld or deducted by their employers, the women and girls in this study noted that they felt vulnerable and violated because of the lack of recourse to confront their employers' fraudulent actions.

My money is with my employer. When I need money to send home, I ask for it from the employer. I worked for that employer for one year, but when I want to go home I have to return secretly because the employer doesn't want me to go. So, I lost 3,000 baht of my salary that was being held by employer.

- A 19-year-old single Karen female who first migrated to Thailand six years ago currently working in Mae Sot.

I got paid as the employer said, but I keep it all with her (the employer). If I keep it with me, I am afraid it won't be safe. Since I do not have a Thai identity card I can't open a bank account. So, it is better she holds on to my earnings.

- A 34-year-old single Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

Access to Outside Contacts

Confinement within the household and limited access to outside contact with friends and family was often imposed by the employer, either through threats or through the lack of free time. Less than fifty percent of those surveyed reported that about two fifth of their employers permitted them to leave the house to meet others or allowed visitors into the house. Less than half of the women and girls surveyed reported that their employers allowed them to go out to meet others (43.2%) or allowed others to visit (41.5%)(see Table 5).

Where I work, I am not allowed to go anywhere at all. They lock the door and unplug the phone and ask me to work inside the house only. After eight months, I tried to go out on my own when the employer was away from the home, but I was not brave enough and didn't know where to go. So, I just keep living like this seeing no one but the employer.

- A 27-year-old single Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

Table 5 Percentage distribution and number of survey respondents by type of contact employer allowed and research site*

Type of Contact Employer Allowed	Research Site		Total
	Chiang Mai	Mae Sot	
Receive mail	41.3 (100)	76.6 (219)	60.4 (319)
Send mail	37.6 (91)	79.4 (227)	60.2 (318)
Receive a phone call	67.3 (163)	37.1 (106)	50.9 (269)
Go out to meet others	41.3 (100)	44.7 (128)	43.2 (228)
Allow visitors in	43.4 (105)	39.9 (114)	41.5 (219)
Telephone to someone	28.1 (68)	15.7 (45)	21.4 (113)
Other	6.2 (16)	-	3.0 (16)
No. of respondents	242	286	528

* Note: Respondents were allowed more than one response so the percentage distribution is equal to the number of participants who reported each answer based on the total number of respondents. Therefore, the total percentages do not add up to 100 percent and the numbers in parentheses when combined are greater than the total number of respondents.

Many others did not leave their workplace even though the employer allowed them to. The domestic workers interviewed explained they were too busy, feared arrest as an undocumented worker, were unfamiliar with the city and/or lacked friends or relatives to visit.

After finishing my work, I stay home and watch TV. I have just come to Thailand and I don't dare to go anywhere. If the employer doesn't take me out, I don't dare to go on my own. I am afraid I won't be able to find my way back.

- A 19-year-old single Shan female who first migrated to Thailand two years ago currently working in Chiang Mai.

Communication and Language Barriers

Language barriers further aggravated the interactions between the domestic workers and their employers as well as the employers' family members. While more than of the women and girls surveyed in this study were able to speak some Thai, about one-fifth could not speak Thai at all. Language proficiency was often a key determinant in the salary provided and treatment of domestic workers by their employers. Those who were unable to speak Thai reported difficulty in finding good jobs as well as conducting and negotiating the jobs they did secure. The women and girls interviewed in this study also recounted occasions in which their inability to speak Thai elicited verbal and physical abuse from their employer.

My employers never beat me, but they scolded me often. As I didn't understand their language, it was easy to make mistakes in my work. For example, when they asked me to get the feeding bottle, I got the child's clothes by mistake. When they asked me to wash the clothes, I thought they asked me to clean the house. What I did was not according to their wish so they yelled or scolded me. I felt a lot of trouble in my mind.

- A 20-year-old single Karen female who first migrated to Thailand two years ago currently working in Mae Sot.

I face a lot of problems because I can't speak Thai. If they ask me to go shopping, they have to give me a sample of what they want me to buy. If they don't find a sample for me I am sure to bring back the wrong thing from the market.

- A 27-year-old single Mon female who first migrated to Thailand six years ago currently working in Mae Sot.

Table 6 **Percentage distribution and number of survey respondents that reported employer abuses by research site***

Type of employer abuse	Research Site		Total
	Chiang Mai	Mae Sot	
Yelled at you	40.0 (96)	65.4 (187)	53.6 (283)
Swore at you	38.8 (94)	36.0 (103)	37.3 (197)
Threatened	45.0 (109)	28.3 (81)	36.0 (190)
Tricked you with a lie	17.4 (42)	7.3 (21)	11.9 (63)
Touched you don't want	14.5 (35)	13.6 (39)	14.0 (74)
Locked up/confined	9.1 (22)	4.5 (13)	6.6 (35)
Cheated/kept your money	7.4 (18)	14.0 (40)	11.0 (58)
Thrown things at you	6.6 (16)	6.6 (19)	6.6 (35)
Punished you	4.1 (10)	0.3 (1)	2.1 (11)
Sexually touched you	4.1 (10)	7.3 (21)	5.9 (31)
Slapped or hit you	2.5 (6)	10.1 (29)	6.6 (35)
Pinched you	1.7 (4)	8.0 (23)	5.1 (27)
Pushed	2.1 (5)	10.8 (31)	6.8 (36)
Raped you	0.8 (2)	1.5 (3)	1.0 (5)
Other	19.0 (46)	1.5 (3)	9.3 (49)
No. of respondents	242	286	528

* Note: Respondents were allowed more than one response so the percentage distribution is equal to the number of participants who reported each answer based on the total number of respondents. Therefore, the total percentages do not add up to 100 percent and the numbers in parentheses when combined are greater than the total number of respondents.

These realities often left the domestic workers extremely vulnerable and frightened. Verbal abuse was the most common violation experienced by the domestic workers in this study, with 54 percent reporting having been yelled at, 37 percent cursed at and 36 percent threatened. Nearly one in ten of the women and girls surveyed for this study reported being subjected to physical abuse (see Table 6).

It is widely known that domestic abuses are under-reported by women throughout the world and what was disclosed to the researchers in this study is most likely a reflection of a more wide-spread reality. The women and girls who were interviewed in depth described incidents of being slapped and, in some cases, severely beaten.

The employer loves her child very much. When the child cries I have to soothe her at once, if she does not stop crying the mother blames and yells at me every time.

- A 16-year-old single Tamel female who first migrated to Thailand three years ago currently working in Mae Sot.

When the employer is in a good mood she is very nice. But, when she is in a bad mood, she has such a bad temper and screams at me calling me all sorts of things as though I am her slave or buffalo.

- A 15-year-old single Shan female who first migrated to Thailand six years ago currently working in Chiang Mai.

The working conditions for the majority of the domestic workers in this study consisted of innumerable abuses for which they had little or no recourse. By arbitrarily setting the conditions and terms of employment regarding salaries, benefits, working hours, accommodations and access to outside contacts (without informing or negotiating such terms with the domestic workers), the employers maintained complete control over the lives of these women and girls.

Many reported incidents of withholding or non-payment of wages, while others explained that without constant reminders and requests, they would not receive their salary from their employer. Job responsibilities, more often than not, included a wide range of duties beyond housework, such as caring for children, the elderly or the infirm; tending animals; gardening; and, in quite a few cases, helping with the employer's business.

Majority of the domestic workers were provided accommodations, though about a third were given their own private room or shared a room with a family member or members they were responsible to care for, or with other employees, while only one-fifth were made to sleep in open areas with no privacy.

Confinement within the household and limited access to outside contact with friends and family was often imposed by the employer, in many cases, either through threats or through the lack of free time. Less than fifty percent of those surveyed reported that their employers permitted them to leave the house to meet others or allowed visitors into the house.

Language barriers further aggravated the interactions between the domestic workers and their employers, often resulting in verbal and physical abuse. Fear of their employers' threats and the inability to seek recourse has kept these girls and women's abuses hidden from the outside world. Their isolation inside private households has also effectively barricaded migrant domestic workers from the cautions of the community, NGOs or government agencies. Wider public awareness and scrutiny into the private households where thousands of domestic workers are employed is urgently needed to help address the abuses faced by these women and girls.

Future Aspirations

A number of the domestic workers expressed plans for their future that entailed returning home permanently to Burma, while others explained they only wanted to visit temporarily. A significant number noted that they would not return until the political and military conflicts in Burma are

resolved. Those considering returning home discussed the physical difficulties in getting back home safely as well as the problems associated with confronting the strong judgments made of those who have been to Thailand, especially of those returning without savings or with a fatherless child.

Others interviewed discussed their aspirations for finding safer working environments or better paying jobs. Several domestic workers interviewed described wanting to further their studies and their unwillingness to marry in their present circumstances, if at all. Some of the women and girls could not imagine their future and expressed how dejected they felt with their life, not being able to see themselves ever overcoming the obstacles they face.

Saving Money

The majority of domestic workers interviewed explained that their focus was on saving money in an attempt to secure their future.

I can't say how long I will stay in Thailand. Now, I already have farmland and a house (back in Burma). I worked in Thailand for four years and it is a long time. But, some people in my village have worked here for more than ten years. When I go home I want to bring money with me. My parents bought rice fields for me with the money I sent. They also use it. When I deduct some for what I will use each month I can save 1,500 baht. It is a good income, so I shouldn't quit this job too soon.

- A 22-year-old married Karen female who first migrated to Thailand four years ago currently working in Mae Sot.

Now, I don't want to go back yet, because I have no money to bring with me. At least I have to have enough money to cover the traveling costs and the gold that I had sold to come to Thailand. My parents are getting older, so I want to go within this year too. If I can save some money and go back this time, I won't come back to Thailand again.

- A 17-year-old single Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

Sending Money Home

As has been noted throughout this report, the majority of domestic workers migrated to Thailand in order to earn money to send home to their families and relatives in Burma. Among the survey respondents, almost 80 percent of the domestic workers reported sending part of their earnings back home. They used a number of different means to send money home. More than half of the respondents sent money through a friend or relative returning to their village in Burma, while another one third sent the money themselves (often by meeting a relative at the border and handing the cash over directly). Approximately 28 percent reported sending money home via a broker, while 15 percent chose to use a money transfer outlet to transmit money to Burma, with 9 percent using a bank to transfer their funds (see Table 7).

Table 7 Percentage distribution and number of survey respondents who sent money home by method of transferring funds and research site*

Method of sending money home	Research Site		Total
	Chiang Mai	Mae Sot	
Send with a friend	72.4 (123)	52.3 (124)	60.7 (247)
Send yourself	39.4 (67)	25.7 (61)	31.4 (128)
Send through a broker	2.9 (5)	46.8 (111)	28.5 (116)
Send through a shop	24.7 (42)	8.4 (20)	15.2 (62)
Send through a bank	10.6 (18)	8.0 (19)	9.1 (37)
Other	1.2 (2)	5.5 (13)	3.7 (15)
No. of respondents	168	237	405

* Note: Respondents were allowed more than one response so the percentage distribution is equal to the number of participants who reported each answer based on the total number of respondents. Therefore, the total percentages do not add up to 100 percent and the numbers in parentheses when combined are greater than the total number of respondents.

The women and girls interviewed described problems finding a safe way to send money home.

My mother comes to the border every month or two to collect the money I have saved. Now, my mother bought a house and is planning to start a business.

- A 15-year-old single Burman female who first migrated to Thailand a year ago currently working in Mae Sot.

I contact the man I came to Thailand with, because he goes back often and knows where my family lives. I am afraid the money will get lost, but I don't know any other way to send it home. The travel costs from my village to Thailand are very high so it is not possible to go or ask my family to come here.

- A 34-year-old single Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai.

The study's survey did not address future aspirations but during the in-depth interviews participants discussed a wide range of perspectives and plans regarding their future. The responses ranged from hoping to go back permanently to Burma to wishing to visit temporarily, to expecting never to return.

Of those who envisioned returning home permanently to Burma, many had children that they left behind there when migrating to Thailand.

I don't want to stay in Thailand any more and intend to go to see my children this year. I will check out the situation and if I can work there, I will stay with them in Shan State. If the situation is still so bad, then I will come back and work in Thailand because I already have a work permit. If it is possible, I want to stay with my children and support them to study as best I can.

- A 29-year-old married Shan female who first migrated to Thailand four years ago currently working in Chiang Mai.

I worked for three years in Thailand and saved enough money. I will go back to my village for the Water Festival and I do not intend to come back. I have to take care of my mother until she gets better. Now, my home in Burma is quite well equipped. While taking care of my mother I will help my brothers and sisters do the farm work. I don't want to open a shop and sell things, because in my village there are too many shops. We don't have electricity in my village but if my brothers want to buy a generator and open a video theatre, I will support them.

- A 20-year-old single Karen female who first migrated to Thailand four years ago currently working in Mae Sot.

Other women and girls interviewed hoped to return home for a temporary visit and spoke of the conditions that determined their ability to do so.

I cannot decide when to go back to my country. When I was single, I could go back anytime I wanted. But, now I am married and have to consult with my husband. I intend to request from the employer to let us go home and pay homage to our parents. But, we haven't decided to go back permanently. When we go back to our village we have to do the farm work, but my husband doesn't want to do farm work anymore.

- A 25-year-old married Karen female who first migrated to Thailand six years ago currently working in Mae Sot.

Others interviewed explained that if they could go home for a visit, they would return to work in Thailand after a short period of time.

I will go back to Burma for the Water Festival. I may return, I cannot say yet because I don't know the situation at home. But, if I am away from here for a long time my employer will find a new person. My employer is very kind and it will not be easy to find another as good as this one.

- A 20-year-old single Karen female who first migrated to Thailand four years ago currently working in Mae Sot.

The majority of girls and women in this study spoke of their wishes to save their earnings so that they could send money home to their families. Many hoped that they could work in Thailand for a specific period of time and then return to Burma with sufficient capital to help provide a decent livelihood for their parents and, of those married, for their own families as well. Yet, they faced enormous difficulties in the simple act of trying to transfer funds home. Some did not know anyone they could trust to carry the money to Burma. Others did not know how to get back home.

Some of the women and girls could not imagine their future and expressed how dejected they felt with their life, not being able to see themselves ever overcoming the obstacles they face. Living in Thailand was far more difficult than most had envisioned. Yet, for many, returning home was not an option.

Conclusion

The root causes of migration from Burma to Thailand were explicitly related to political and economic situations including poverty at the origin. While there is a growing economy in Thailand, it will continue to be regarded as a desirable destination. The push-pull theory can explain the massive flow of migration from Burma to Thailand.

At the national level, Burma's State Peace and Development Council (SPDC) should address the causes of mass migration to Thailand (and elsewhere), including domestic policies that result in extensive unemployment, inflation of basic commodities and forced relocation. The SPDC should also recognize that in order to solve the fundamental problems in Burma, a national reconciliation process must take place and political reforms must be promoted. If people from Burma want to seek employment in neighboring countries, the SPDC should permit them to do so legally, take responsibility to ensure their protection abroad and allow them to return home without harassment. SPDC must also strive to incorporate and enforce labor laws and rights for all people.

Similarly, the Thai government should acknowledge domestic work as labor protected by Thai labor laws and ensure that domestic workers' rights are upheld, including the right to a written contract that defines work expectations, guarantees a minimum wage, fixed working hours with optional overtime, holidays and benefits. In honoring and protecting domestic workers' rights. The Thai government should include efforts to educate employers about the rights of domestic workers, establish channels for reporting complaints, prosecutes and abusive employers. In this last respect, the Thai government should provide translators to facilitate reporting of complaints by migrant workers as well as provide referrals to legal assistance and protection.

The Thai government should also provide educational opportunities for migrant workers, such as Thai language classes and other special adult education programs that could be held on the weekends or evenings. Thai education law provides equal education opportunities for all and efforts should be enhanced to see that migrants are included.

Non-Government Organisations (NGOs) and Community-Based Organisations (CBOs) play a critical role in reaching out to and communicating with migrants. They must continually strive to work with local community networks to make contact with migrant domestic workers, raise awareness of their hidden and isolated realities, identify their critical issues and recommend action strategies. Finally, all organizations and government institutions should seek the inclusion of the migrant community in developing policies, practices and responses should be considered to help establish appropriate interventions to reduce the abuse, exploitation and trafficking of migrant domestic workers.]

Bluntness of Tentacles: Localization of State Agencies in a Border Town in the Thai-Burmese Borderland

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Introduction

The scenes of Mae Sot, a border town in the Thai-Burmese borderlands problematize conventional images about nation-states and refugees. In that town, Burmese people outnumber local Thai people presumably by two times¹. It is often heard that the town is not a Thai one but a Burmese one. Many of Burmese people are staying illegally, which has become a normal phenomenon in the town. In the central place of the town, the paradoxical presence of the police and these illegal migrants at the same time is also observed. Some illegal migrants are checked, arrested, and deported by the police, while some people appear to ignore threats from the police.

If one goes to the border checkpoint in the vicinity of the town, one can find the contrasting pictures of people's border-crossing. While a number of people cross the border through official check points which are based in two sides of the Thai-Myanmar Friendship Bridge, however, under the bridge, many people just do crossings by boat, by swimming or by walking through the current of the Moei River which flows along the Thai-Burmese borderline without passing through the check points.

Should one go out of the town and reach to a refugee camp with just one hour of drive, one can also observe the ironical pictures of people's movement along the camp. On the way to the camp right before getting into it, one has to pass a couple of check points where heavy-armed Thai soldiers investigate the holding of proper identification cards. One would be terrified by this passage ritual. This scary encounter is intensified by a barbed wire fence stretched along the camp, physically and sharply dividing the place of refugees from the "normal" world. However, this naïve or genuine feeling is dramatically overturned if one goes five minutes more along the road beside the camp. Quite a few refugees get out of the barbed wire and take a walk along the road. Some of them are bicycling, while some of them are awaited by Thai motorbike taxi drivers. Some of them get on a local bus with several bags of grain to sell them in the markets of other towns. It is easily seen that through a gate in the middle of the camp, a number of refugees are continuously flowing out and in.

Why are these phenomena taking place in the town and its vicinity? Why is it that someone lives in the fear of intimidation by the Thai authorities, while someone appears not to care about the forces of the state power? How could we explain the somehow stable coexistence of the migrant-searching police and police-avoiding migrants? The paper seeks to answer these questions.

The basic theoretical location of the paper is state-society theory mainly developed by Migdal (1988). The question that he raises is quite relevant to this paper: why can the state not control the

¹ In Mae Sot, the number of the Burmese is estimated to be over 100,000 and that of the Thai is around 50,000. However, the population of the Burmese has not been exactly counted. Some people even say that 200,000 Burmese are living in Mae Sot.

society? In answering this question, Migdal draws attention to the struggle between the state and the society in implementing the interests of each one. However, what he is missing is the ramification of the state agencies in a particular area. He assumes that local state agencies follow and conduct the policies and regulations of the central government. However, my findings reveal that the reason why the state aspiration of full-scale controlling is not achieved is due to the localization of the local state agencies adapted to the environment of the specific area. This paper suggests that because of this localization of the state agencies the illegal presence of alien people and the unofficial domain of the society in the border down continue to exist.

In the following sections, first, I will describe the complexity of Mae Sot. In doing that, I will search for operating systems in the town. In the second section, I will deal with the aspiration of the state in controlling the area. I will reveal why the state strives to control the border town and what kind of means it uses for establishing social control in the town. In the third section, I will delve into the localization of the state agencies to the situations of the town in explaining the continuing presence of illegal aliens despite the aspiration of the state. I will analyze the steps, the factors and the patterns of localization of the state agencies.

Complexity of the Border Town: In Search of Operating Systems

An old-aged man of my informants recollected that several decades ago Mae Sot was just a small village. When the Burmese military took power and conducted the Burmese way of socialism, closing its door to neighboring countries from the early 60s to the late 80s, Mae Sot was an entry point to a black market which was controlled by the ethnic rebels, the Karen National Union (KNU). Many of current local businessmen in Mae Sot grew from this trade with Burma. Originally they came from other areas, mainly Bangkok during the 60s and the 70s. At that time, the trend of migration to Mae Sot was within domestic people. The size of the black market was so huge that thousands of Burmese people, mostly ethnic people, engaged in the trade, primarily working as porters. As they were able to find jobs inside Burma and the trade route was stably secured by the KNU, they did not have to come to Thailand to work. Therefore, the ethnic composition of Mae Sot was relatively simple at that time, though inter-ethnic marriages between two sides of the border area such as between Myawaddy and Mae Sot sometimes took place.

However, the situations changed dramatically in the late 80s. The newly shaped Burmese military junta came to the power and began to open its long secluded doors to outside countries, while in domestic political arenas it harshly trampled the democratic uprising and penetrated into the liberated areas of ethnic rebels. In the series of assaults from the military regime, the black market was rendered out of date, and the trade trend between two countries was becoming official and formal, though still certain items of goods are traded unofficially¹.

It is that time when the multitude of Burmese migrants came to Mae Sot in search of livelihoods. Coincidentally, not only economic migrants but also political activists and refugees flew into the town and its vicinity. As a result, since the late 80s, Mae Sot has expanded demographically. Now the number of alien people is more than that of local people.

To make the picture more complex, the influx of the refugees brought quite a few of international agencies into the town. In the 90s, dozens of INGOs opened their offices in Mae Sot to deliver

¹ Such items as Coca Cola, chemical flavors, and chewing gums are traded unofficially by boat, not passing through the custom office of Burma.

humanitarian assistances and the United Nations High Commissioner for Refugees (UNHCR) ended up opening its field office here in 1998.

Demographic expansion by alien people changed the economic pattern of the town consequently. As there are full of available cheap labors, so many factories mostly from other areas have been entering into the town and almost every shop hires Burmese people. The Burmese people are not just labor force but also major consumers of the town. In a central Market, every shop is heavily dependent on the buying power of the Burmese. Many of commercial signboards are written in Burmese together with Thai and Burmese is widely spoken in the market.

As I mentioned earlier, political dissidents base this town for political activities. It is estimated that 1,000 Burmese political activities run dozens of offices representing exile interests¹. For example, the National League for Democracy (NLD) and the All Burma Students' Democratic Front (ABSDF) operate their branches here. Other than the groups of democratic movement, many ethnic political organizations engage in their own activities, basing in the town. Among them, the activities of the KNU and its related-organizations stand out, as several of their remaining liberated-areas inside Karen State are located near this town and the refugees in three camps around the town are mostly Karen.

The composition of religion also reveals the diversity of Mae Sot. One can see quite a few of mosques in the town. Many of them are run by Burmese Muslims. The major religion of Burmese migrants is Buddhism, and therefore, as I will mention later, it is one of factors that promote cultural mix-up between local Thai people and them. Christianity also takes certain portion among ethnic groups such as the Chin and the Karen. Especially those who engage in the activities of the KNU are mostly Christian. Apart from the religions mentioned above, many of migrants still retain animistic belief system.

Throughout the years, a so-called migrant system has been developed as migrant people can rely on their own education and healthcare service. There are over thirty migrant schools encompassing around 3,000 migrant students in the town. When they have health problems, they usually go to the Mae Tao Clinic which was founded and is run by Dr. Cynthia. The clinic treats over average 200-250 migrant patients per day (Interview with Dr. Cynthia). Also they have their own residential compounds which are the bases for their community-based lifestyle. Interestingly, most of migrant schools are located in the residential compounds of the migrants. Though the migrants do not have an administrative apparatus representing all of them, these migrant schools are leading migrant communities, promoting relationships among them.

Although the political exiles seem to take on different lifestyles from the general migrants, they are subsumed to the migrant system in the sense that they mainly rely on educational and health facilities that other migrants use. Above all, many of the political activists are leading the migrant system, actively involved in the affairs of migrant education and health issues. Also many of them came up with NGOs to uphold the human rights of the migrants. Among the political exiles, the members of the ABSDF are playing great roles in these activities. They are working as headmasters of migrant school, running NGOs for labor rights, and assisting health care activities in the Clinic apart from involved in democratic movements for Burma.

The organizations of ethnic minorities are also dependent on the migrant system. Though inside refugee camps the Karen are the most conspicuous figure and therefore they have their own exclusive system such as education, health care, and administration, once they are out of the camps

¹ See <http://www.irrawaddy.org/aviewer.asp?a=4425&z=104>

and come over to the town, they are considered as just one group of many Burmese people. Despite the presence of several of their own education facilities which play the role of higher education and therefore produce the future leaders in the town and its vicinity, their children are attending migrant schools and they rely on the Mae Tao Clinic for health care. Above all, those who are involved in the KNU-related activities only take a small portion in terms of demographic figures among general Karen people who mostly came from inside Burma. The KNU does not strive to awaken them to the political consciousness. Majority of the migrant Karen are living a similar life with other Burmese migrants. Here I do not mean to disregard the political engagement of the KNU. As I wrote elsewhere (2004), Mae Sot is a very strategic place for them to maintain their nationalistic movement. Great political figures such as current president and former president are staying in this town. From this town, political activities for remaining liberated-areas inside Burma are generated. Even the treatment of Thai authorities for them is relatively cordial in reflection of long-existing relationships for several decades. However, if we compare the size of their own political system operating in the town with the migrant system, the former does not emulate with the latter, and rather, the former is incorporated into the latter as similarly as Burmese political groups are.

My elaboration into explaining the presence of the migrants with the concept of “system” is applicable to the case of international relief agencies. Though the sizable presence of the Burmese people is observed in other parts of Thailand such as Mae Sai and Ranong, the existence of quite a number of international relief agencies in Mae Sot, especially including the UNHCR, is a very characteristic phenomenon in comparison with those areas.

They have their own operating system in engaging in relief activities for the refugees. Under the Coordinating Committee for Services to Displaced Persons in Thailand (CCSDPT), planning, action, and evaluation of their activities are carried out. It has three sub-committees: the primary health and sanitation sub-committee, the education sub-committee, and the food, shelter, and relief sub-committee (Burmese Border Consortium, 2004: 46). Though the CCSDPT is based in Bangkok, due to the sizable presence of the refugees around Mae Sot, actual cooperation among the NGOs takes place in the town. Apart from their systematic working pattern, their everyday lives seem to be rooted in the boundary of this system. They mainly socialize with foreign people (mostly Westerners) working in the NGOs, including those local people and refugees who they cooperate with.

How do these systems (the migrant system and the international system) mix with the Thai system? Before going on to it, it is necessary to deal with the Thai system first. It can be divided into two sub-systems: state system and social system. The state system is composed of state agencies such as central government agencies, local (province and district) government agencies, the police, the military, and so on. In the Thai political system, regulations and acts for immigration affairs are devised by the central government and carried out by local-level governments and other local-based central government agencies such as the police and the military. The social system is mainly operated by many independent local groups. To take some examples, the Tak Chamber of Commerce¹ (in the sector of business), the Chinese community (in the sector of local ethnic groups), and the Mae Sot Civil Society (in the sector of local NGOs) can be singled out.

First, let me look at the interaction between the migrant system and the Thai system. The two systems are inter-dependent in terms of the economy of the town. As I mentioned, the migrants play

¹ The main office of the organization is in Mae Sot. Among 350 members in total, 250 members are based in Mae Sot. It shows the economic importance of Mae Sot in Tak Province (Interview with the chairman of the Tak Chamber of Commerce, November 30, 2004).

the roles of both labor force and consumers in operating the town's economy. In terms of education, the degree of interaction is minimal as the Thai system differentiates its nationals from non-nationals through the means of education, and on the other hand, the migrants have their equivalent education facilities. With regard to the matters of health care, the level of relationships is observed to some degree as those who hold "Work Permit" can have access to the public health facilities of the Thai system. However, in reality, due to the presence of the Mae Tao Clinic, they do not so much rely on these facilities.

Second, regarding interaction between the Thai system and the international system, it would be said that the pattern of the interaction is official and formal, only taking place in the sector of humanitarian activities and its coordination. In general, their influence into the sectors of economy and education is negligible, compared to the effect of the migrants on the town's economy.

Third, with regard to interaction between the international system and the migrant system, so far the former has heavily engaged in the matters revolving around the "genuine" refugees who stay inside the refugee camps. Though many of the INGOs recognized the necessity of extending their activities to the migrants in the town, it has not culminated in tangible engagement. However, on the informal and individual level, especially in an education sector, interaction between the two systems is growing as many foreigners volunteer as English teacher or support financially.

There are some cases that cooperation of these three systems takes place. Regarding the affairs of health, the Thai health authorities, the Mae Tao Clinic and some international NGOs such as the Médecins Sans Frontières (MSF) cooperate to enhance the conditions of migrant health. In the individual level, some Thai locals learn English from foreigners teaching in migrant schools.

The situations mentioned above are the circumstances in which the state is located. How does the state aspire to control the *mélange*-like society of the town, dominate the interactions with the other systems, and achieve the interests of the state? In the following section, I will deal with this state aspiration.

Aspiration of the State and Controlling Practices

Why does the Thai state attempt to control the border town? What does it want to achieve by doing that? Here my argument is very much inspired by Barry Buzan (1991). According to him, the state has three components: idea, institution, and physical base. The Thai state judges that the considerable presence of alien people endangers its ontological foundations. The issue of the security is the very clue for it to engage in the trials of controlling the town. As the idea of the state which establishes its legitimacy in the minds of its people is shaken (Ibid: 66), it can appear to be viewed by its citizens that it is not capable of controlling the situations of the town. Nationalism, the ideological base of the state, which exclusively differentiates its citizens from alien people, became problematic due to the outnumbering presence of the Burmese migrants. In terms of the security of institution, the Thai state could be administratively disarrayed by the uncontrolled immigrants, or, to say extreme, its institutions could be overturned and controlled by these people. Meanwhile, the physical bases of the Thai state, which are population and territory, was encroached by the Burmese. The porous borderline between Thailand and Burma stimulated this encroachment. In the town of the Thai state, the sovereignty-less alien state with the physical bases of its own population and its residential areas competed with and overwhelmed the "authentic" state. These problematic situations led the state to strongly engage in controlling the town in order to protect and secure *raison d'être* of the state.

In concrete, the threats that the state faces are divided into five types, according to Buzan (Ibid: 112-145): military, political, societal, economic, and ecological. Though the Thai state does not have any

tangible threat from the presence of the migrants in the sector of military, it is concerned that the existence of the armed force of political exiles and ethnic minority might be in danger for the security. Therefore, also in the political arena of the town, institutions implementing regulations and policies could be seriously in crisis with the possible consequence of the military activities. With regard to the societal sector, more often than not the Thai government mentions that the Burmese people bring incurable diseases into Thailand, causing sanitary problems. Also it claims that the migrants are involved in criminal activities such as drug dealings and human trafficking. All in all, the state accuses the migrants of hurting the integrity of the Thai society. The economic problem in the economic sector is, according to the claim of the state, that the Burmese take economic opportunities from local Thai people. It was the excuse of expelling the migrant people especially during the economic crisis in 1997. However, nowadays the attitude of the government in dealing with the threat in the economic sector is ambivalent as in reality they contribute to operating the economy of the town, rather than economic threats. In terms of the ecological sector, it is claimed that the overpopulation of the town caused the running out of water supply; air is being polluted by the migrant-hiring factories; and mountains are deforested by the migrants haphazardly cutting trees.

While the issue of security is a passive reason of the state's engagement in the town, geo-political issue is a positive factor that explains the aspiration of the state into controlling the area. In contrast to previous approaches to the border area, that is, leaving that area as a buffer, and therefore not seriously stepping into that area, since the late 80s, the Thai state has tried to transform the place from "battle fields" into "trading market" in building up cordial relationships with Burma (Grundy-Warr *et al.*, 1997: 99). In so doing, it was imperative for the state to establish the firmly controlling system in that area. Especially the state considered Mae Sot as a strategic point to achieve this goal. Therefore, the government seeks to regulate the town economically under the auspices of the central government.

How and what kinds of means does the state use in controlling the area? In ideological and psychological level, the state produces and disseminates the specific discourse of problematizing the alien people. Here we can refer to what Foucault persistently did in understanding the means of the state: the practices of power in dividing and labeling "normal" and "abnormal", and "true" and "false" (1979). The state has the means of rendering the migrants problematic such as newspaper and TV. Through them, it amplifies and circulates the abnormal images of the aliens. Especially the criminal activities of them in the border areas such as drug and human trafficking have spotlights throughout the whole country. Sometimes the aliens are scapegoated by the state in escaping the consequences of its mismanagement such as the economic crisis.

Practically the state has many agencies whereby it tries to take control in a particular place. In Mae Sot and its vicinity, for example, the military, the police, the immigration office, local (province and district) governments, and so on, are playing roles of carrying out the orders from the central government directly and indirectly. As local governments are not empowered yet in terms of immigration and labor issues, they are under the influence of the central government in these matters which are very crucial in managing their administrative areas of their own (Interview with the chief officer of the Tak Immigration office). Among those government agencies, the military and the police are the most prominent figures in shouldering the burden of the state and conducting its mission. In the sense that the two agencies can use physical force, it can press and regulate people to follow the principles of the state. Migdal, following Weber, includes the usage of force in implementing rules for the people (Migdal, 1988: 19).

In a legal aspect, the Thai government has tried to register the migrants since the early 90s. In 1992, the government made its first attempt to legally organize and control the migrant labor force. This

policy was implemented in Tak as well as other Thai-Burmese border provinces such as Ranong and Kanchanaburi. However, this was unsuccessful because the registration fee was set as high as five thousand baht and the employers did not find it necessary to register their workers (Koetsawang, 2001: 161). In 1996, the government proposed more tangible policy in an attempt not only to resolve the labor shortage problem, but also to enforce controls on the illegal migrant workers, including the prevention of news arrivals. Registration was conducted through provincial authorities. The Ministry of Labor, through the Center for the Control of Foreign Workers, acted as a central authority, with immigration officers facilitating the processes of “self-supporting”. However, many employers and migrant workers did not take part in the process as they saw no significance in it and believed that the work permit offered no benefits to them (Ibid: 162). The policies of registering or regulating the migrant workers have been changed nearly every year to tune into the real situations and promote the higher rate of migrant turn-up. For example, the processes were divided into issuing a residence permit and applying for work permit which has three kinds of duration – three months, six months, and one year, while the registration fee has been decreased¹. In 2004, In Tak province, around 120,000 migrants were registered, and among them, around 56,000 migrants were registered in Mae Sot (Interview with the chief officer of the Tak Immigration office)². Given the assumption that the population of the Burmese in Mae Sot is over 100,000, still many people are not registered yet, let alone holding work permit.

The state more often than not uses coercive means to control the town and its vicinity by the use of state agencies - the police and the military. To the vulnerable people, the presence of these agencies is the most fearful factor in their everyday lives. The police often raided the residential compounds of the migrants. Whenever it happened, the migrants ran away to other places and hid themselves until the police left. In the case of encounter with the police without time of hide, they were often kicked, bruised and extorted by the police. Their livelihoods were so fragile and vulnerable for the force of the state.

A news report shows an example of the treatment of the migrants by the state agencies,

Security forces stormed a temple in Mae Sot district yesterday and arrested 320 Burmese workers at a garment factory who had been on strike since last Thursday. All lost their work permits, became illegal immigrants and were deported to Burma. About 50 labor officials, border patrol and local police were involved in the raid (Bangkok Post, December 18, 2003).

A statement also describes the adverse circumstance that the migrants face³,

Murders, rapes, abductions, torture and other abuses of Burmese migrant workers in Thailand have occurred with alarming regularity for many years, particularly in the

¹ In the process of registration, the initial check up costs 600 baht and 1,300 baht for health insurance. The total paid in fees is 2,450 baht for a three month work permit, 2,900 baht for a six month one, and 3,800 baht for a one year one. Under the old registration scheme the yearly fee was 4,450 baht (Arnold, 2004: 17)

² In the whole Thailand, in 2004, 1,141,392 alien workers – 810,285 Burmese, 173,775 Lao and 157,332 Cambodians – were registered. Bangkok ranked first in the number of registrants with 190,000, followed by Tak, Samut Sakhon, Chiang Mai, Ranong and Chon Buri (Bangkok Post, August 1, 2004). It is estimated that still 840,000 migrant workers are not registered (Arnold, ibid: 17). Among the registered, as of late 2004, roughly 500,000 workers have registered for work permits (<http://www.amrc.org.hk/5306.htm>). In Tak Province, as of March, 2004, there had been 35,000 work permit applications (<http://www.irrawaddy.org/news/2004/mar20.html>). It means that majority of the Burmese people illegally engage economic activities in the Province, mostly in Mae Sot without work permit.

³ It was a written statement that the Asian Legal Resource Centre (ALRC) sent to the United Nations Secretary-General on 29 January 2004 (Arnold, ibid: 29).

Mae Sot district of Tak Province, but for a long time only cases of extreme brutality were ever made public. In January 2002, for instance, the bodies of at least 21 persons were found in the Mae Lamao stream. No one has ever been brought to account for that atrocity...In the past year, abuses have increased, as impunity has spread in Thailand with new government policies favoring extra-judicial killing [in the war on drugs..], and because migrant worker's rights have been further curtailed.

The first full-scale deportation of the Burmese migrants was conducted during the economic crisis on the grounds of settling down the rising unemployment among Thai workers, which gave legitimacy for the arrest and repatriation of migrant workers (Koetsawang, *ibid*: 163). Since then, regularly or intermittently, massive and small-scale deportations have been taking place. In June 2003, Thailand and Burma signed the Memorandum of Agreement (MOU) under the terms of which every month Thailand is required to deport 400 Burmese nationals to a holding center in Myawaddy, Burma through the Thai-Myanmar Friendship Bridge. While formally the Thai government sends back 400 Burmese every month to Burma through the check point, however, informally approximately 10,000 Burmese people who are arrested in other parts of Thailand such as Bangkok are deported monthly by boat from unofficial border-crossing points along the Moei River (Interview with the chief officer of the Tak Immigration office).

The everyday lives of individual migrant people are heavily influenced by this deportation practice of the government. Most of my interviewees have been checked by the police and deported to Burma. One of them sarcastically called the police "the migrant-haunting ghost". In their day-to-day lives, the migrants have to survive the chasing of the ghost.

Given the fragile and venerable condition elaborated above, still a question remains to be answered. Why is it that even though the state practices the migrant-expelling policies, the migrant system explained earlier is still operating, not dismantled by the state? Why can the state not fully control the border town? How should we explain the pictures described in the first part of the paper?

Bluntness of Tentacles: Localization of State Agencies

The state does not directly engage in establishing its regulation into a particular area. It needs the agencies through which it carries out its vision in the place. In the process of implementing its policies from the central to the local, inevitably the certain degree of deflection from its original intention takes place. As long as the political system of the state is centralized and therefore, regulations and acts are devised and ordered by the central, the difference between the initial aspiration of the state and the actual performance in the local continues to exist.

The agencies of the state, including the local government sectors, are located in the middle between the central and the local. While on the one hand, they have duty to fulfill as the representatives of the state what it commands, on the other hand, their everyday lives are rooted in the conditions of the particular place, and therefore, they cannot help but mingling with the local people whether they are citizens or illegal aliens. The agencies cannot transparently complete the policies of the state because they have already established relationships with the local people and in turn themselves are influenced by these policies. It is here that the tentacles of the state lose sharpness.

Steps of Localization

This localization does not come into existence within the period of short time. Time duration of its process is long and it goes through various incidents with trials and errors. The process of localization of the state agencies can be divided into three steps. The first step is the period of actively carrying out their missions ordered by the state. Either when those agencies that are already positioned in the particular area get new commandments from the state or when new agencies are posted in that area in replacement of previous ones, their expectation of accomplishing their job is very high. Therefore, they strive to strictly enforce control in that area with uncompromising attitude to the exceptional and specific conditions of the local. I saw a newly positioned security guard of a refugee camp in the vicinity of Mae Sot rigidly control a gate, which previously was open even to outside people, with thorough investigation of people passing through it. Due to his strict enforcement of the rule, many activities were delayed or cancelled.

The second step is the period of conflicting, negotiating, and compromising with the situations of the local. In carrying out their duty, they more often than not confront obstacles which reflect the very local condition. When they deported massively Burmese illegal migrants during the economic crisis, local businessmen complained about the shortage of labor force, resulting from the deportation. Local shopkeepers in the central market of the town are strongly opposed to the police checkup toward the Burmese around the market because whenever it happens, their income level plummets. So many webs of relationships and the thickness of them overwhelm and hinder them from transparently conducting their mission. There are such cases that they happen to arrest migrants who work at a shop of one of their friends or relatives. If they deport the migrants, their close people would be in trouble. Even as the agencies benefit from the hiring of the migrants at their home or private business sectors, the deportation of the Burmese migrants definitely affects themselves.

Even if they determinedly keep trying to accomplish the policies of the state, the fruitless outcomes of their practices discourage them to continue their duty. It is obvious in the circumstance of the town. Though they send the migrants back to Burma today, tomorrow they cross the river and get into Mae Sot again. A Thai soldier acknowledges that the deportation of the Burmese is meaningless. Many of the state agencies in the town share the same opinion about the real outcomes of the state policies.

The third step is the period of stabilization. After experiencing the series of their unfruitful consequences, they have adapted themselves to the reality of the particular local. To their eyes, the presence of the illegal migrants is not abnormal any longer, but normal. They recognize that the migrants are one of important elements that consist of the structure of the border town. Though still they have orders from the state, they just carry out those duties without genuine alignment to the intention of the state. The activities of checkups and deportations become rituals that the police seasonally conduct in the absence of original meaning of them. Only minimal or reluctant activities to meet the quota that the state allocated or the MOU stipulates are conducted. The ideological rhetoric that the state imposes is not consonant with the local agencies in the remote border town. Their realistic perception overpowers the patriotic or nationalistic ambition of the state.

Factors of Localization

First, above all, the geographical peculiarities of the town's vicinity need to be mentioned. The borderline between Thailand and Burma is so porous that people's movement across the two countries easily takes place. People do not necessarily cross the border by officially recognized ways. The Thai-Myanmar Friendship Bridge is just one of many border-crossing points along the borderline, though the Bridge officializes the movement of people to certain extent. Still many

Burmese people make unofficial or unauthorized border-crossings by boat along the Moei River. Especially during the dry season, people just walk through the river or swim to cross the border. Under the circumstance, even though they are deported, it is not very difficult to cross back the border. The deportation has only the effect of deterring or discouraging the crossing-back to minimal degree, but cannot totally block them from re-entering.

Second, culture is also an important factor. Mae Sot has had long-existing relationships with Myawaddy. From the far past, the mingling of people and culture has been taking place. One of my Thai informants mentioned, "Burmese people are our neighbors. Families, relatives, and friends are living across the two sides. How dare and unreasonable it is for the government to make them apart in an attempt to divide the border!" In the town, it is often observed that similar culture between two countries nullifies the police checkups. For example, during such festivals as Songkran¹ and Loy Kratong², the Burmese get together with the local Thai people, enjoying the exhilarating events of the festivals, while the police just let them celebrate them, even safely guarding them not to be injured by the packed crowd. This ironical picture is also seen in other festivals such as the King's birthday and the Queen's birthday, though they are not Buddhist ones. Festivals play the role of mixing the aliens with the locals and furthermore they turn the role of the police and other state agencies from searching for the migrants to safeguarding them.

Third, in terms of social relationships, some of local agencies are under the influence of local big men. As the agencies do social activities apart from their job-related ones, they are involved in many informal and social organizations according to ethnicity, hobbies and interests such as Chinese community and sports clubs. It is not a rare case that local tycoons are in charge of expenses spent in the activities of those social organizations and tend to promote the well-being of the members by their money power. In doing so, local agencies are obliged to the big men and trapped in so-called "patron-client" relationships. This attitude affects their job performance. Therefore, even though they see their big men hire illegal migrants, they do not or cannot engage in this illegal employing. To do that would damage their social network and cause them difficulties living in the society. The patron-client relationships deter them to carry out the mission of the state.

Last but not least, economy is also an important factor for the localization of the state agencies. Already the economic system of the town is heavily dependent on the migrants. Overall 160 factories in the vicinity of Mae Sot are hiring over 30,000 Burmese workers with small number of Thai people. Besides, almost every shop in the town employs the Burmese migrants. Even at the houses of the local, Burmese people are working as domestic workers. They are not just workers but also considerable consumers that contribute to the income of local shop owners. Though most of factories hire legal workers, the portion of illegal labor in the town's economy is much greater than that of legal labor. It is not exaggerating to say that illegal or undocumented labor is normal and common in the context of the town. Given the above situation, to expel all illegal migrants from the town would definitely cause the collapse of the economic system of the town.

Patterns of Localization: Condoning, Cooperation, and Corruption

The localization of the state agencies can be categorized into three patterns: condoning, cooperation, and corruption. First, let me deal with condoning. As shown earlier, the state agencies went through

¹ It is held in April. It is the Buddhist New Year festival. It is also called Water Festival.

² It is held on the full moon night of the twelfth of lunar month (usually in November). During this festival, people float a lotus-shaped receptacle on the water. It has also Buddhist origin (http://www.thailand.com/travel/festival/festivals_loykratong.htm).

the naturalizing steps of the specific conditions of the town. Now, to the eyes of them, the presence of the illegal aliens is rather normal phenomena. They do not rush to catch the migrants. They just let them wander around the town, shop at the market, drink tea at Burmese coffee shops, and play football and sepak takraw at vacant lots of the town. The agencies know very well that many shops and houses are employing illegal migrants, but they condone these illegal activities. Also they know very well that Burmese people are crossing the border by illegal ways, but they condone these unauthorized border-crossings.

Second, it is often observed that certain level of the cooperation of the state agencies with the migrants in some sectors takes place. For example, local health authorities cooperate with the Mae Tao Clinic, sharing information and providing medical treatment for special migrant patients (Interview with Dr. Cynthia). Local administrative authorities allow the Karen to have their New Year ceremony at a monastery in the town¹. As I mentioned earlier, during the festivals, the police secure them not to be hurt by crowd people. The migrants are not discriminated in local sports competitions. Rather they are encouraged to participate in those events even though they do not prove their legal stay in the town.

Third, while condoning is a neutral attitude to the migrants and cooperation is a positive one to them, corruption is the negative pattern of localization. Some of the agencies extract material gains from the local people and the migrants in return for letting the migrant system operate. Many of those arrested by the police were released after bribing at least 500 baht the amount of which is quite considerable in consideration of the general income level of the migrants². There are some cases that notorious agencies extort all that migrants have. If we consider the condition of the border that unofficial and informal sectors comprise large parts of the town, it is easily expected that bribes are one of ways of keeping those sectors existing.

Conclusion

In foregoing sections, I have dealt with why the state cannot control the border town and how state agencies have adapted to the particular conditions of the town. I drew attention to the localization of the state agencies in doing that.

I have analyzed the coexisting systems in the border town where the state has special interests in establishing its rule against illegal aliens who appear to hurt the national integrity. Then, I have dealt with the approaches of the state to the town, elaborating various controlling means of the state. I have revealed that the state cannot fully control the town because, as time went on, its edge lost sharpness and became blunt in facing the hardly-breaking conditions of the town such as geographical, cultural, relational, and economic traits. Also this study has dealt with the patterns of localization; condoning, cooperation, and corruption.

This study contends that localization explains the paradoxical juxtaposition of the Thai system and the migrant system that illegal people constitute. It is localization that sheds lights on understanding of difference between state aspiration and actual performance.

Existing state-society approaches assume that the state directly wage battles against the society to establish and enforce control in the society. In doing that, the role of the state agencies and

¹ It was held in January 10, 2005. Many people involved in the KNU organized the ceremony. Year 2005 is year 2744 in Karen catalogue.

² Male workers in construction sites get 90 baht to 100 baht a day, while female workers in same sites get 50 baht to 60 baht. Factory workers make 120 baht to 130 baht a day.

their adaptation to the situations of the particular society has not drawn attention much. Unlike that, this study focused on the modification of the state agencies into the conditions of the society in carrying out the missions of the state. My approach would be influential into dealing with state-society relationships as it situates the agencies in-between state and society, linking two of them. Only when we focus on the role of the state agencies, we can be aware of various modes of ramification of the initial state aspiration.

References

- Arnold, Dennis. 2004. "The Situation of Burmese Migrant Workers in Mae Sot, Thailand." Southeast Asia Research Centre Working Papers Series No. 71. City University of Hong Kong.
- Burmese Border Consortium. 2004. *Burmese Border Consortium Relief Programme: Programme Report January to June 2004*.
- Buzan, Barry. 1991. *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era*, 2nd edn. London: Harvester Wheatsheaf.
- Foucault, Michel. 1979. *Discipline and Punish: The Birth of the Prison*. Trans. Alan Sheridan. 1975. Reprint, New York: Vintage
- Grundy-Warr, Carl, Ananda Rajah, Wong Siew Yin Elaine and Zulkifli Ali. 1997. "Power, Territoriality and Cross-Border Insecurity: Regime Security as an Aspect of Burma's Refugee Crisis." *Geopolitics and International Boundaries* 2 (2): 70-115.
- Koetsawang, Pim. 2001. *In Search of Sunlight: Burmese Migrant Workers in Thailand*. Bangkok: Orchid Press.
- Lee, Sang Kook. 2004. "Connected People and Linked Places: The Karen Refugees, the Refugee Camps, and Connection." Paper presented at International Conference on Impact of Globalization, Regionalism and Nationalism on Minority Peoples in Southeast Asia, 15-17 November, Chiang Mai University, Thailand.
- Migdal, Joel S. 1988. *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*. Princeton: Princeton University Press.

Consequences of migration for Lao Migrant workers in Thailand and their left behind families in Laos

A Case Study: Vientiane City, Khammoune and Savanaknet Province

Draft, March 2005

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Introduction

The phenomenon of population migration is as old as the history of mankind. People and whole societies have moved across continents regions and within a nation, in search for resources such as food, consumption, clothes etc. Migration is also a multidimensional problem. First as a demographic problem, it influences size and composition of population of origin and destination. Socioeconomic problems is one of the main causes of population shift is due to socioeconomic development imbalances between areas and regions (Goldscheider, 1969). The different economic growth in the region is the cause of population movement such as in China, where the population moved from island areas toward the east and from rural toward urban areas and open zones because those areas had industrialization, employment, and higher income (Cindy,1999). Lee (1985) mention that intention to migrate, not migration itself, all contextual characteristic, especially those related to socioeconomic development, affect the role in migration of individual and household attributes. The most commonly cited caused underlying population movement are: low income at the place of origin and expectation of higher earnings at the place of destination, unemployment, underemployment or dissatisfaction with present job at place of origin and expectation of better employment opportunities at the place of destination, search for fertile land and relative poverty of rural areas in the hill and on mountains. (N.C.P. 1997)

Lao PDR is located in the Center of the Mekong Sub-Region and shares borders with five countries which have different political regimes, culture and levels of economic development. Because of the specific location of the country, the Lao PDR has become the Transfer Point Center from one country to other countries in this region. Therefore, the Lao PDR could be an original and destination country for migrant workers from neighboring countries.

The main portion of Lao migrant workers has gone to work to neighboring countries, especially to Thailand, because it has similar culture, custom and language. The specific geographical location has facilitated migrants to cross borders from one to another country. Generally, there are different types of Lao migrant workers abroad. These people may have various consequences which can be identified in to two categories: advantages and disadvantages. Therefore this study focused on consequences of migration especially for living and working condition of Lao migrant workers working in Thailand and their families at home.

Case study: In the Lao PDR, the provinces where there are more migrations to Thailand are: Bokeo, Xayabouly, Vientiane, Vientiane Capital, Borikhamxay, Khammoune, Savannakhet, Saravanh and Champassack¹. However, this study has selected only three villages in three districts and three provinces namely: NongBeukTay Village, Sikhottabong District in Vientiane Capital City; DonKhouang and Nakham village, Nongbok District in Khammoune Province; and NateuyNeua and Phai Village, Champhone District in Savannakhet Province. The reason why we had selected these districts is because the number of villagers from those villages who had gone to work in Thailand is much more than from others villages.

The research examined the following questions. What are the main factors influencing Lao migrant workers to go to Thailand? What are the living and working conditions of Lao migrant workers in Thailand? What are the consequences of migration for Lao migrant workers in Thailand and their families at home?

Data and Method: The study was conducted using a combination of literature/reports review, participatory field visits which applied the questionnaire form for semi-structured interviews to interview the local authorities including the head and deputy head of villages, village police, head of the Lao Women's Union, Lao Youth Union and key informants. For household interview we selected 30 head of households, and those who have the family members working in Thailand (migrant's parents). For the interviewing terms, we use household questionnaire. The focus groups discussion (FGD) In each village we selected 6 interviewees per group (five villages/five FGDs) and used guided questions to interview and these were tape recorded.. For analysis we used the data from semi-structured interviews, household interviews and focus group discussion to describe and analyze.

The main outcomes of interest in the study are: (1) the statistic of foreign migration in Laos and Lao migrant workers working in Thailand 2004; (2) group of Lao migrant workers going to Thailand; (3) the main factors influencing Lao migrant worker going to;(4) Occupation of Lao migrant workers in Thailand;(5) working situation and consequences of Lao migrant workers in case study (three villages) ;(6) the situation of their families in the left behind in Laos;(7) the positive and negative consequences of migration on their families.

The General information of Migration in Lao PDR

In 1986, the Lao PDR government adopted the New Economic Mechanism, which opened up the country for international economic cooperation. Economic activity shifted from a central command system towards a market-oriented based approach allowing the private sector to play an increased role in socio-economic development. The government promoted commercial production for export and substitute importation and others. The implementation of this government policy increased foreign investment which provided a number of job opportunities for Lao people. At present, there are foreigners who have migrated to work in the Lao PDR , but we do not have clear data on these foreign workers. For example foreign labours married to Lao people and who stay permanently in Lao (do no return home). The number of migrant workers who are registered at the Ministry of Laborand Social Welfare in the Lao PDR are showed in table 1 bellow:

¹ Report on Lao illegal migration in Thailand. NO 909/2003.

Table 1: Number of Foreign Migrant Workers in Lao PDR

Countries	2004	2003	2002	2001	2000	1999	1998
China	-	685	899	539	855	533	709
Vietnam	-	319	581	885	1676	740	667
Thailand	-	367	520	410	641	667	529
Malaysia	-	42	33	14	16	32	23
French	-	50	37	48	55	53	62
India	-	33	24	29	27	90	23
Singapore	-	4	6	5	6	6	6
Others	-	213	295	325	248	278	445
Total	-	1731	2383	2207	3524	2399	2464

Source: Annual Report 2004, Department of Labor, Ministry of Labor and Social Welfare

The foreign labor in the Lao PDR mostly work for a number of capacities such as: experts, businessmen, accountants, workers and others. These foreigners have entry visas for their business activities in Lao, for short and long term. At the same time, Lao people also travel abroad, for example as tourists, visitors, on business missions and for other purposes, and this trend seems to be increasing.

Table 2: Number of Foreigners with Lao Visas and Lao Holding Passports

Countries	2004	2003
Business Lao (BL) to Foreign Countries	1,645 pieces	3,428 pieces
Business Foreigner in Lao PDR	5,412 pieces	8,143 pieces
New Passports and Visa to Foreign Countries	100,406 pieces	40,504 pieces

Sources: Department of Consular, Ministry of Foreign Affairs (2004)

The new economic mechanism continuously increased the economy of the country, and the level of living has been improving step by step. The big cities have been developing in many fields, especially infrastructure facilities such as: hospitals, schools, electricity, water supply, entertainment and tourism resources. Nevertheless, there are developments in many sectors but only in the urban areas that differ from the rural such as: government education, private education, higher level education, universities, and factories. The factories are located mainly in the larger towns. The issues mentioned above are pulling factors for migration labor from rural to urban areas and the capital city Vientiane. According to data given from migration department, Ministry of Interior from 1995-2000, the number of migrants to Vientiane were 95,332 persons (migration authority control unit 1995)¹. One of the reasons for migration is to look for jobs, for skilled labor, capacity building, to discover modernization of other foreign countries, and in some cases migrants follow their families and relatives.

The information is very limited so that we could not estimate the actual number of migrants. According to the population census in 1985 and 1995 (data survey for study 1995)², and from estimations of the province where there are more migrations for example: Phongsaly, Luangphrabang, Huaphanh, Xiengkhuang, Champassack and Attapeu.

¹ The Migration Authority Control Unit (1995)

² data for study research (1995)

The data information of migrations between country to country and the Lao legal emigrants are not quite clear. For example how many Lao migrants are there and which country do they go to? And how many immigrants are there in Lao? Therefore we do not have data for comparison. Currently, there are some Lao migrants married to foreigners, and married to migrants themselves. Most of them work in neighboring countries like Thailand because Thailand has similar language, similar culture, and life style. Those workers are legal and illegal. The number of illegal migrants is greater than legal migrants. The Ministry of Labor and Social Welfare of Thailand reported that the numbers of Lao laborers is about 200,000 persons, but the numbers of registered workers are approximately 181,641 persons in 2004¹.

The reasons for Lao migration to Thailand are: economic, they need to earn more money after harvesting of their productions; some were propaganda/persuaded by those whose have gone already; some are voluntary and involuntary; and some are persuaded by their parents, and others².

As we know migration results in the social differentiation of lives, for example labor migration from rural areas to the city (Vientiane capital), labor from the big cities migrate overseas for work and labor from destination countries go to others countries.

Lao workers in Thailand perform the work that Thai people don't like to do. For this reason Thai employers are lacking local labor on the other hand Thai employers are also looking for low salary workers from abroad such as labor from Lao, Cambodia and Myanmar, because their wages are rather cheaper than those of Thailand³.

For more than two decade, Lao migrant workers have been working in Thailand. In general those workers come from each province of the Lao PDR, particularly from the border provinces of Lao-Thai which are easy for them to cross the border

A Review of Lao migrant workers working in Thailand

At present, the trend of Lao migrant workers seems to be increasing. The majority of migrants are from the provinces located along the Mekong border. Referring to the Statistic Research Center of Thailand in 1998 there were 12,000 persons, and the first registration of migrant workers who were working in Thailand, they found that in 2004 Lao migrants workers increased to 59,358 persons out of which there were 33,587 females. In the same year the second time there were 42,186 persons, female 24,960 persons. Third time, there were 32,009 persons and the last time at the end of 2004 we found that the total number of Lao migrant worker were 181,614 persons including 80,981 females⁴. All totals mentioned above are referring to the migrants who were registered since the government of Thailand approval for legal working.

Lao illegal labor in Thailand is hard to control because migrants have gone by themselves (undocumentation). A number of them used tourist visas to enter into to Thailand and worked there illegally. Many of them don't have any document or have fraudulent documents. On the other hand the Lao PDR is located along the Mekong River, around 1,100 km, on the other side the river is bordered by forest and mountains and is why this way would be the main route for Lao migrant workers going to Thailand. All of these issues cause difficulty for migration control. In conclusion, we could say that Lao illegal workers use these ways for crossing the border. There are many Lao laborers who have steady relationships with Thai people by blood relations for example, or through

¹ Minutes of Meeting on Consultative Meeting between Lao and Thai Authority on Identify Nationality of Illegal Migrant Workers on 13 September 2004

² interviewed Mr.Boutha, village head of Nongbok, Khammuane Province, dated 16/10/2004.

³ The speech of representative from the Department of Employment. Ministry of Labor and Social Welfare of Thailand at the meeting on 01-03 October 2004 in Chiangmai.

⁷ From Thai authorities, Ministry of Labor of Thailand....

marriage. In some cases migrants are using unofficial transactions to cross the border to Thailand for job opportunities. The majority of them are not aware of the official documents, or lack knowledge about travelling documents owing to fact they are too young and inexperienced.

According to the interviews made with village heads, and with the head of the families of illegal workers we could divide the migrants into 3 groups:

First Group:

This group have had relatives who are living in northeast Thailand since the pre-colonial period. These people will cross the border to Thailand after they have just finished their harvests in the rice field. They also return home during the productive season (always going back and forth). Generally, people have nothing to do while waiting for the productive season of harvesting rice and after harvesting. At the same time, in the village there are fewer jobs available for villagers. Many families had gone with their entire family to work; some of them had gone by themselves¹.

These people have legal or illegal documents, namely: passport, border pass or simple traveling papers made by the brokers or agencies for traveling, in addition they have gotten information before they leave to Thailand, or they have known where they should go to work before traveling. In other words, they usually received information in advance. In some cases they have to pay for a traveling fee and for other expenses to the broker with different prices, depending on the nature of the work and the place where they will go, for example: if someone would like to go to Southern Thailand they have to pay 6,000 Baht to broker; if they would like to go to Bangkok or XiengMai they have to pay 3,000 Baht; and to work in Isane (Northwestern Thailand) they have to pay 2,000 Baht per person. Informal networks have evolved in some areas but in some cases job recruitment through the illegal network is still not a guarantee of good pay and good working conditions. In many aspects the relatives remain silent when illegal workers are staying with them in the family.²

People who have gone to work mainly used the border pass as a travel document or have crossed the border with no permit. On arrival they have relatives or friends come to pick them up and guarantee them or hide them from migration authorities' control.

Second Group:

They have friends, or relatives who are working there before, and persuade them to migrate. This group uses passports with tourist visas for 3 months or border passes to enter into Thailand legally. In addition, they are looking for jobs and they have gone to work without legal registrations or permission, but are working and living illegally for 3 to 4 years³.

Third Group:

This group have been persuaded by brokers with the cooperation of some local people to process the travel documents, border passes or passports. They have to pay the broker, for travel and other expenses. This group and their families do not have any information about work in Thailand.

¹ The Key informant from Department of Labor, Ministry of Labor and Social Welfare of Lao PDR, and Lao employees of the cookie factory, garment factory and plastic factory at the Bangkok, Thailand on 16-21 June 2004

² Ministry of Labor and Social welfare, book ..., 2004.

³ The Key informant from Department of Labor, Ministry of Labor and Social Welfare of Lao PDR, and Lao employees of the cookie factory, garment factory and plastic factory at the Bangkok, Thailand on 16-21 June 2004

With the exception of the three groups mentioned above there were some people who voluntarily go, because of the need of their families, and have the comparison with their neighbors who had came back home, and have money to buy necessary goods for their family¹.

1. The main factors influencing Lao migrant workers going to Thailand.

According to Lee (1966), there are two main factors (push and pull) influencing migration from origin to destination areas. People decide to move for many reasons such as looking for work, to study, to work and so on. In Laos, two factors attractive to people moving from one place to others places in the country and cross border migration are as follow. Referring to the information from the case study we concluded that

Pushing factor: The fact of this situation occurs from the need of the family, and their poverty, unemployment, missing surplus income for their consumption, some families have a lot of children; for family survival children have to leave school and go to work in Thailand.

Pulling factor: Factors that attract or pull factor are because people have seen their relatives, friends, neighbors in the community who have gone to work in Thailand and brought money back home which could buy any [necessary?] goods like buying the motorcycle, small tractor, TV, mobile phone, build a new house or repair a house and so on. In other words, people have got information every day from TV, radio together with the propaganda of their friends; many of them know the owner of the factory and know the factory owner need the labor for their companies. All of these issues could push or pull them to work in Thailand.

According to the above mentioned issues we can define into 2 causes:

- **First cause** is the culture effect like: cultural festival, wedding ceremony, party and relative visit and so on.
- **Second cause** is the economy like: looking for a job to earn more money, to save money for the family life. This is perhaps another cause why potential migrants are willing to take the risk of traveling to Thailand for job opportunities since labor conditions in big towns of Lao are still low by comparison and not enough developed.

Therefore the economic reason is one of the most important reasons for migrants². However, at present in the Lao PDR there are many factories: small and middle size factories but most of those factories are situated in Vientiane which is becoming an attractive factor for people in the country side to migrate to Vientiane and to other big towns of Lao. This situation could increase the migration rate. The main groups of people are from Xiengkhouang and Huaphanh. People are not guaranteed find good jobs if they go to the big towns; the condition of the work may not be suitable for them; it is not like in Thailand. For these reasons people think that they rather go to Thailand than to Vientiane. However even though they already know about the disadvantages and high risk in Thailand, they still like to go there.³

¹ source from Mr.Bounpheng, village head of BanePhai, head of family of BanPhai, Champone District, Savannakhet Province, 17/10/2004.

² Ministry of Labor and Social Welfare, Lao PDR, respond from official, and respond from Plastic, garments factories authorities Bangkok, Thailand.

³ Ministry of Labor and Social welfare, Lao PDR, 2004, book.

In the Lao PDR, the provinces where there are more migrations to Thailand are: Bokeo, Xayabouly, Vientiane, Vientiane Capital, Borikhamxay, Khammoune, Savannakhet, Saravanh and Champassack¹.

Table 3: Occupation of Lao worker in Thailand

Activities	Number of Person	Females
Agriculture	3,993	1,363
Livestock	22,39	600
Minerals	16	9
Ceramic	160	38
Construction	1,389	144
Rice mill	100	31
Fishing in the sea	1,307	324
Deliver good in and from the stock	656	160
Housekeeper	12,676	11,647
Others sectors	19599	10,347

(Source: registration, 2002, Thailand).

The information given from many Lao migrant workers in Thailand gives quiet a similar view, for example: before registration to be a migrant worker in Thailand, workers do not have the right to go out from the factories, because they are afraid of getting arrested and can be fined by Thai authorities. Furthermore there are many Thai employers who take this opportunity to force Lao workers by different ways such as: threatening, hitting, exploiting labor, forcing them to work more, otherwise the factories owners will inform the police officials to arrest them. In the past until now, Lao workers are still faced with this situation and can be found in many case like: Lao laborers have been oppressed, arrested, drug abused, die, and have lost limbs. Fortunately, some of them have been assisted by the community to survive and were sent back to their home town².

After the Thai government launched the policy for migrant workers in Thailand, they have allowed migrant workers to register legally including Lao workers, at Thai Ministry of Labor. These policies provide the right for migrant workers to work in Thailand as laborers; and the right to be protected while faced with trouble, disaster and other matters. Migrant worker could also get social welfare from Thai authorities such as helping them when necessary. Migrant workers could work on time in accordance with the rules and regulations of Thailand. It means that after work they could go any where, like going out to have dinner with friend at the restaurants, or could travel around the city and they have the right to do any thing with out the fear of being arrested. Furthermore, this policy will provide the right of migrant workers as Thai worker³.

Lao migrant worker who are registered will receive payment of at least 113 baht per day or more than that. On average they will get payment for their wages about 3,000 baht per month, and not more than 10,000 baht per month. In conclusion we could see that the salary or wages of Lao labor in Thailand is lower than the lowest rate of Thai labor, it is not the same as the declaration of Thai government.⁴

¹ Report on Lao illegal migration in Thailand. NO 909/2003.
² Human trafficking, Ministry of Labor and Social welfare, Lao PDR, 2004, book
³ ASEAN meting, discussion between Lao and Thai Ministry Labor, dated 10/05/2002
⁴ ASEAN Ministry Meeting, 10/05/2004, Ministers of Ministry of Labor

Additionally, registered laborers can be given time for work and relaxation according to the Labor Law of Thailand. For Lao laborers who are registered will receive protection from the Thai Ministry of Labor and Social welfare. They could be protected by law of Thailand; they have the right to rent a house, or could have private accommodation; some of them have social welfare, for example, while they are sick they could be looked after by their employers, or in some places while they go to the hospital the work unit will look after them, but for the charge of the hospital they have to pay for themselves. In some factories, companies or places workers could receive a treatment policy (30 baht for all disease). In many places employers assisted their workers due to the condition and the contract between employers and employees.

The employment in Thailand for Lao labor has some advantages as below: increase in the living condition, gaining labor skills, and generate income for the family, for themselves and for the country as well.

Contrarily, most Lao migrant workers in Thailand have made serious problems that have affected Lao communities. For example after they come back home they bring unpleasant customs and culture to the communities like the way of talking, dressing, bad behavior and brought contagious diseases to society such as: HIV/AIDS, etc.. Some families miss their main labor for rice production, some are divorced or separated, and some families have gone with their entire members (to work in Thailand). In conclusion, Lao migrant workers in Thailand have more disadvantages than advantages.¹

There are many aspects and conditions for Lao workers who wish to work in Thailand particularly for whom limited information and knowledge on principles or regulations of the labor workers; therefore they should pay attention to the complications for Lao illegal workers. These conditions make them very confused, anguished and always afraid of being arrested and so on.²

Even though, the Thai and Lao governments have signed an agreement on the cooperation of labor exchange between the two countries, Lao laborers are not yet protected as they should be. On the other hand, Lao workers don't have permit documents for working in Thailand. That situation could also confuse Thai authorities to control the living situation of Lao workers.

According to the policy of Thailand, to solve the problem of Lao illegal labor the process of the implementation should be taken under the umbrella of the rule and regulation of Thailand; for the security of the job and to secure the social and living conditions of Lao people along the Mekong river border. To guarantee Lao labour to work in Thailand legally in the future the government of Lao PDR and Thailand will develop effectively bilateral corroboration on labour forces to change the states of labourers before sending by improving the capacities and labor skills of Lao workers, helping them to work legally. In order to protect and secure Lao workers in Thailand by law for example: to secure the right, the benefit, health, and security of Lao workers as well. Both sides should increase understanding and good relationship to implement the agreement on Thai-Lao labour which had been signed.

In the future, Lao-Thai government will cooperate to improve labor for both Lao and Thai. Lao authorities will arrange registration for Lao labor in Thailand, and will cooperate with the Ministry of Labor and Social welfare of Thailand to transform illegal labor in to legal labor for those who have registered and worked in Thailand already.; to identify Lao labor in Thailand before issuing temporary cards by looking at travel documents namely boarder passes, and passports. If some of

¹ Interviewed Mr.Bounpheng, village head Naphei, Champhone District, Savannakhet Province, dated 17/10/2004.).

² Source from officers of the Ministry of Labor and Social welfare of Lao, and workers at Desert Factory, Gartment Factoris, Plastic Factories in Bangkok Thailand, dated 16-21/2004.

them lose their travel documents, local authorities from the provinces, districts or villages where they are from in Laos will confirm details of these people by communicating with the team identifying nationality in Thailand. If some of them are holding Lao passports or legal travel documents, these people will receive temporary cards. If some of them are not holding legal travel documents or living in Thailand for a long time, but have no confirmation about their staying in Laos before they went to Thailand from provinces, districts or villages, they will be considered later. The team doing national identification consists of representatives from various ministries namely: Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Labour and Social Welfare. The team working on issuing passports or border passes for temporary use by Lao illegal migration workers in Thailand, it is necessary to get help from concerned authorities to implement and help them in the collection of Lao migration data in Thailand.¹

1. Village Level

The village committee must collect data in their own area of responsibilities in order to report to the district authority. Data collection should include the number of laborers, female, male, children, number of returned workers, checking surnames or nicknames of returned workers, names of parents, and how many returned workers are registered in the village's family registration book. The village authorities have to issue the documents for their own villagers to identify their villagers who are living in the village and for the returned workers from Thailand. Returned workers show their identification to the head of the village. The head of the village will control and declare identification of returned workers that were issued during their stay in Thailand), then report to the district authority. After checking and identifying the workers village authorities could issue certification for them and report to district level.

2. District Level

District authorities have to check the documents reported from the village level to identify the documents. If information is suspected or unclear the authority must check the family registration book of the village to make sure. After that district authorities could sign that document and report to provincial level.

3. Provincial Level

The provincial authorities should verify the reported documents submitted from district level and save that in the computer to send that data to central level: Ministry of Labor and Social welfare, Ministry of Foreign Affairs, Ministry of Interior, Lao Embassy in Bangkok or give to the mission team who will go to identify the nationality of workers, then the mission will issue temporary passports for Lao workers.

2. Study on Working situation and consequences of Lao migrant workers in Thailand

2.1 Case Study of NongBeukTay Village, Sikhottabong District, Capital of Vientiane

Village Background (general situation).

a. Land area: Nong BeukTay village has a total land area of about 173 ha.

b. Population: The original people of NongBeuk village are from Isan (Northwestern), part of Thailand. At present there are 242 families and 232 households wherein the total population is 1195 persons, including 600 women. All of them are Lao Loum and they respect Buddhism. The most popular festival of the village are BounPhavet, BounKaophansa and the rocket festival. The number of young people is 341 persons of which there are 168 women. The main occupations of

¹ Minute of the meeting concern about the implementation of Memorandum of Understanding on the Cooperation of Employment by senior officer from Lao and Thai First time at the Ministry of Labor and Social welfare of Thailand, dated 22/4/2004, at Saam District, Province Sarabouly, Thailand.

people are farmers (194 families), and other occupations such as retail traders (19 families), public worker (20 families). There is a handicraft sector such as blacksmiths, who make materials and equipment for agriculture production work and others. With reference to the statistic in 2003, NongBeuk village had 6 rich families, 222 economically sufficient families and 4 poor families.

Basic Infrastructure of the village:

1. There is one road through the village which was co-funded by villagers and government: villagers 30% and government 70%. In addition there is a main road through the village in the north.
2. In this village there has been electricity since 1987.
3. 80% of the villagers have their own well water ...
4. There is a small market located in the north of the village about 500 m.
5. One primary school and one secondary school (G¹ and G²).

Working Situation in Thailand.

NongBeuktay village is one of the most popular villages of Sikottabong district, have been working in Thailand. [UNCLEAR]The numbers of villagers working in Thailand are 26 persons including 23 women. Of which 19 persons work legally and 7 persons are illegally working, including 2 men. The average age of the workers is 16-17 years old, and there are also some 40 years old persons who are the least educated. Their main jobs are as housekeepers, and agricultural workers such as rice cultivation, factory workers, and pagoda services.

Remittance: Migrant workers in this village have sent remittance to their families depending on their income, the average is 1000 B/ month, in some cases 3000/3 months, 7000 B/ 6 months or year

The reasons why villagers of NongBeuktay village go to work in Thailand are:

1. They have had relatives living there for a long time.
2. Difficulty in getting a job in Vientiane.
3. The wages are higher than in Vientiane.
4. Similar language and culture, and easy to communicate. Moreover, this village has a long Mekong border and it is easy to cross to Thailand.

The problems of migrant workers (NongBeuktay village) are:

1. Villagers don't have enough money to pay (for registration fee) to process the documentation fee or passport both on the Lao and Thailand side. The registration fee is for those who have the documents for visit or tourist (visa+passport), this is not the registration for working, but when they arrived there, they have the chance or ability to get a job.

2. Villagers have a high risk for illegal working in Thailand; they could be fined by Thai or Lao authority (they were fined by the lao authority: if they stayed up to 6 months = 200,000 kips, and below 3 months = 100,000 kips)

Therefore, the difficulties mentioned above are the factors of the labor development market. On the other hand, the relationship between villagers of NongBeuktay village and their relatives have decreased day by day because, their grandparents are getting older and dying. Consequently, the trend of worker migration to Thailand will gradually decline¹ because the wage is gradually increasing and there are more job opportunities, the education has been developed and the relationship between the relative of each others have declined since the older generation has passed away.

¹ Interviewed Mr.Khonesavanh Thongdy, village head, NongBeuk village, Mr.Khampheng Sengmany, Deputy village head NongBeukTay village, Mr.Phoulatsamy, Head of Group village Security, date 5/9/2004.

2.2 Case Study of DonKhouang Village, NongBok District, Khammouane Province

Village Background (general situation)

a). Land Area: DonKhounag village has a total land area of about 120 ha

b). Population: Original villagers total approximately 1301 persons, (643 females in 2004; there are 237 families and 230 households. Most people respect Buddhism. The most popular annual festival is Bounbeukphanek, usually organized after Lao New Year (during May every year). These villagers are composed of various mass organizations namely: Elderly Unit, Party Organization Unit, Youth Organization Union and Lao Woman Union. The main occupations of people are farmers (90% of the total population), in addition people have surplus jobs such as weaving, gardening (growing vegetables) and raising livestock etc .

Basic Infrastructure of the Village

1). Four school buildings which are comprised of a primary schools, secondary school and Upper secondary school. These schools were funded by government and the villagers.

2). Electricity since 1991

3). All villagers use well water and water pumps

4). There is one main road past the village which is co-funded by villagers and District Administration.

Working Situation in Thailand

The numbers of villagers working in Thailand is 96 persons which covers 7.3% of total population including 35 women, of which some people are under 15 years old and went to Thailand with their families or parents. The main jobs of Lao migrant workers in Thailand are: construction workers, agriculture workers (Durian and Rambutan fruit gardens) in Chanttabury Province in the East of Thailand.

The reasons why villagers of DoneKhouang village go to work in Thailand are because after finishing their harvest in the rice fields they are free, therefore they need to have the surplus income. On the other hand it is easy to cross the Mekong River, easy to communicate because of similar culture and language, lifestyle and the surrounding environment as well. These migrant workers cross the Mekong to Thailand by small boat and most of them are not officially permitted by Lao and Thai authorities. Because the process of legal documentation is quite complicated, expensive and takes time, for that reason the migrant workers are illegal. They go by groups but there are a few families who go by themselves. The period of time they stay there, is only three months per year.

The Consequences of Lao migrant workers in Thailand (DonKhouang villagers)

Since the past until now, Lao migrant workers have been increasing in Thailand, however in the future the trend of migrants would decline, because the policy of our government is to promote income activities as well as providing more job opportunities at the local levels. Nevertheless, migrants could earn some money for the livelihood of their families for instance building new houses or repairing houses, buying agricultural equipment as well as consumer goods for the household and others. Besides that, the worst effects from migration to the migrants themselves and also to the society are: drug abuse, unpleasant culture (unneat dressing, red hair, etc.). Although, the migrant workers have faced serious problems for example were exploited and oppressed by employers (unpaid wages, forced to be arrested, overwork but low wages). In addition, they could be fined by Thai and Lao authorities during travelling back and forth because both authorities don't promote illegal workers.

The rule of the village authority is to fine illegal workers: the first mistake can be fined 20,000 kips per person per time; the second time 50,000 kips; the third time 100,000 kips and the fourth 450, 000 kips.

Finally, the interviewees said that the trend of migrants to Thailand will be continuing for a while. Given that the job supply in Lao is increasing then DonKhouang villagers would not go to work in Thailand again.

Additionally, the groups of interviewees have raised the following suggestions:

- a. Promote the micro finance (credit) to villagers for commercial production.
- b. provide more job opportunity
- c. Campaign and educate illegal migrants who don't have any benefits for themselves and others.
- d. Reduce the risk of migrants, and have a legal process for their traveling and working.

2.3 Case Study of Nakham village, NongBok District, Khammouane Province

Village Background (general situation)

a). **Land Area:** Nakham village has a total land area of about 200 ha.

b). **Population:** The total population is approximately 1,779 persons, (911 females). The number of household are 316.. The main occupation of people is farming which covers 100% of the total population. They also grow vegetables, and raise livestock. Besides that many of them are retail traders, about 30 families. In the village people respect Buddhism and there is one pagoda. The annual festival is Bounphaveth. These villagers participate in different mass organizations namely: Elderly Unit, Party Organization Unit, Youth Organization Union and Lao Woman Union.

Basic Infrastructure of the Village:

This village is composed of:

- 1). One primary school (G1 to G5) which was co-funded by government (province 13 million kips) and villagers and some amounts contributed from Lao people abroad.
- 2). One Health Center and Traditional Medical Herb Centre.
- 3). Electricity since 1991
- 4). All villagers use well water and pump water
- 5). One main road passes the village

Working Situation in Thailand

The numbers of these villagers who have worked in Thailand are not regular, because in some years the number of workers increased and in some years decreased. Those migrants have gone to work repeatedly. Therefore, the authorities don't know the exact number of migrant workers. For the year 2004, the numbers of migrant workers were 231 persons which covered 12.9% of the total population of the village, wherein the age group 15-45 years old covered 90%, and for the age lower than 15 years old covered 10%.

Villagers of Nakham village worked in Thailand because they are unemployed after harvesting in the rice field (during the non productive period). Of the other reasons it is easy to cross the Mekong River, easy to communicate, similar culture and language, similar lifestyle and surrounding environment as well. On the other hand, villagers couldn't sell their products; people need the surplus income to spend for their families. Their main jobs are: construction workers, and housekeepers for women. The areas where they work are: Rayong Province, Chanthabouly Province, Samui Island and Phouketh Province. Mostly they had gone to Thailand by small boat illegally, in which only 2 % have official permits (permit for visit and short stay but not permit for working). They had gone by group for a period of more than five months, every time. While working they have faced serious problems for example were oppressed by employers (unpaid wages, forced them to be arrested, gave them a lot of work to do but paid low wages). In addition, they could be fined by Thai authorities before they travel back home.

The Consequences of Lao migrant workers in Thailand (for Nakham villagers)

The interviewees had reported that working in Thailand has some benefits for themselves and for society for example: After work they have money for building or repairing houses, buying some motorbikes, or equipments including consumer goods for households, some time they could contribute to social activities. Furthermore, they can gain labor skills e.g. can build the school; construct the houses and others to their village. Anyway, they have the worst effects from migration to themselves and also to the society for example: drug abuse, unpleasant culture (unneat dressing, hair coloring, etc.).

To reduce the number of illegal migrant workers to Thailand, the groups of interviewees have emphasized and suggested following:

- a). Provide education to improve villagers, particularly for the young people, because most of them finished only upper secondary school.
- b). Provide more job opportunities to villagers.
- c). Reduce the risk of migrants by issuing legal documents for their traveling and working.

2.4 Case Study of Nateuynuea Village, Champhone District, Savannakhet Province

Village Background (general situation)

Nateuynuea village originally had the name Nolphapao village. This village was established by Grand Father Kousapho Phophan who came from Isan, Northwestern of Thailand. Nateuynuea Village is under the supervision of Champhon District, Savannakhet Province, which shares the border with Xiengbang village to the North, Nateuyntai to the East, Hommala village to the South and road number 13 south to the West.

a). **Land Area:** Nateuynuea Village has a total land area of about 500 ha.

b). **Population:** In fact, those villagers are native people, with a total population of around 1,493 persons, wherein 745 persons are female, and there are 235 households. The main occupations of the people are farmers which covers 100% of the total population. The second occupation is growing vegetables particularly chilly, handicraft (making sweeper). This village has one pagoda and most people respect Buddhism. Bounphaveth is an annual festival for the villagers. In the village people are involved in different mass organizations namely: Elderly Unit, Party Organization Unit, Youth Organization Union and Lao Woman Union.

Basic Infrastructure of the Village

In the village there are:

- 1). Three Primary schools (G1 to G5), (in the academic year 2003-2004 there are 500 students)
- 2). One Health Center.
- 3). Electricity since 2000
- 4). All villagers use pumped water
- 5). There is one main road passing through the village

Working Situation in Thailand

The numbers of Nateuynuea villagers who are employed in Thailand are 200 persons which covers 13.3% of the total population. The main employment is working in the conserve factory, garment factory worker, cookie factory worker, plastic factory workers and others. Those workers are working in Bangkok. The reasons why villagers of Nateuynuea village go to work in Thailand is because they were persuaded by those who had gone before. Villagers cross the Mekong River by small boat, and use tourist passports for traveling which are valid for one year and can be extended two or three times. Each working period is two to three months.

The Consequences of Lao migrant workers in Thailand (Nateuynuea villagers)

The group of the interviewees gave the following views: there are some advantages for themselves, for families and for society for example: building or repairing houses, buying some

motorbikes, small tractor, and equipments including consumer goods for households, contributing to social activities. At the same time there are disadvantages, for instance broken families, drug abuse, unpleasant culture (style of dressing, hair color, etc.). In some case they worked for only entertainment, consequently families have more debts. In addition they have had accidents for example the machine cut their hands (it happened in 1994, a worker become handicapped). They also can be fined by the police officers during their travels¹.

Finally, the interviewees said that at present NateuyNeua villagers are not needed to go to work in Thailand because the villagers have enough production areas; particularly they can grow chilly for the market. In order to generate income for families, therefore, the groups of interviewees have highlighted and proposed the following:

- a). to reduce the number of illegal migrant workers going to Thailand we should promote villagers to grow the chilly for commercial purposes.
- b). to promote handicrafts appropriate to the potential of the village.
- c). to promote agricultural production by rehabilitation of small scale and irrigation systems.

2.5 Case Study of Phai Village, Champhone District, Savannakhet Province.

Village Background (general situation)

Phoumlamnao village was the original name of Phai village. The name of Phai village is from the location of the village which has a small stream passing through it and is surrounded by bamboo trees. This village was established by Grand Father Kousapho Phophan who came from Isan, Northwestern of Thailand. Phai Village is managed by Champhon District, Savannakhet Province, which shares the border with Nakhoo village to the North, Khouakad village to the East, Nateuy village to the West, and Nasanh to the South.

a). **Land Area:** Phai Village has a total land area of about 900 ha.

b). **Population:** These villagers are the original inhabitants, with a total population of approximately 2,075 persons, (1,056 females), 335 households and 406 families. Actually, this village has a self-sufficient economy, only 5 families are not yet self-sufficient which covers 1.2% of the total population. The main occupations of these people are farmers which covers 100% of the population. Their second occupation is growing vegetables particularly chilly, watermelon, and livestock rising. This village has one pagoda which is called "Rerouvanh" and most people respect Buddhism. Bounphaveth is an annual festival for the villagers. These villages are involved in different mass organizations namely: Elderly Unit, Party Organization Unit, Youth Organization and Lao Woman Union. Educational achievement of the village is that this village had eradicated illiteracy since 1993.

Basic Infrastructure of the Village

In the village have:

- 1). Primary school, class 5 only (this school was funded by Phai villagers living in the USA).
- 2.) One Health Center and Traditional Medical Herb Center.
- 3). Use electricity since 1999
- 4). All villagers use well water and pump water
- 5). There is one main road passing through the village

Working Situation in Thailand

Phai villagers working in Thailand is about 250 persons. Female labor are working as housekeepers, for males occupations are: construction workers, factories workers, iron factory. The reason why people in Phei village had gone to work in Thailand is they have been persuaded by their

¹ Interviewed Mr.Bounlam village head NateuiNua village, Mr.Bounhang First Deputy village head, Mr.Soukhane Second Deputy village head , Mr.Ouane,Head of Elderly Unit, Mr.Phouang village security NateuiNeua village, date 17/10/2004.

friends in the same village. Especially they have gone since 1975 to Bangkok (in the area of Yaovarath, Bangphakeo, Bangbone, Hualanphong.). They used tourist passports for traveling. When the police control they show their labor card that employers issued for them. The trend of Lao workers migrating is practically increasing (on average 1 person per family).

The consequences of Lao migrant workers in Thailand (for Phai villagers)

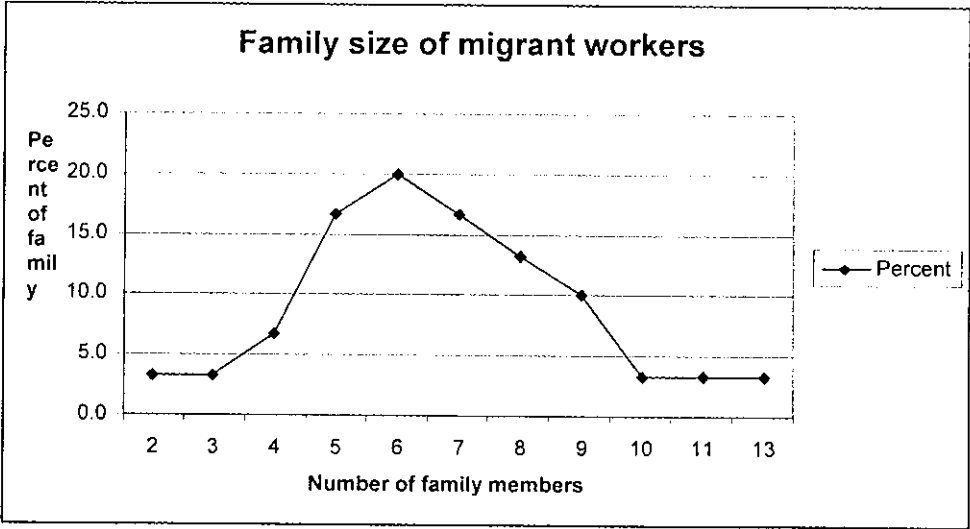
The interviewees: there are some advantages for example they could have money for repairing a house, and have gained the labor skills (this group has some little skill). Some of them could read and write the Thai language. However, there are some disadvantages for example drug abuse, contagious diseases, and the death of 2 persons (father and son), some families have broken (married with new wife in Thailand), the style of living of the family had changed in to the worst way. In addition villagers have had accidents and 1 person died (Mr. Khaoune), in some cases Lao brokers brought them to the factory and took forward their wages, so that workers could not get a salary for the first month. Their work and their salary is not fair. That is why some workers have to escape from the factory, and also while they cross the border the Thai broker are also took money from them¹.

Finally, the interviewees said that they don't want villagers go to work in Thailand any more, because the profit they had got is less than the loss or disadvantages. On the other hand the living condition in Laos is better now than before. Once again the interviewees propose that the village should promote more job opportunities for villagers.

3. The Situation of the families left behind in Laos

According to interviews in five villages, there are 30 heads of households who have family members or children working in Thailand or who returned home. The total population is 205 people. Most of them are agriculture families 100%, LaoLum and Buddhist. The maximum number of family members is 13, the minimum is 2 and the mean is 6-7 persons. The family size of migrant workers containing 5-6-7 persons has a higher rate of migration than those with 2 and 13 members. According to the observation, the small family size does not like to move out of family because they may have enough consumption for living (for a few persons) they do not want to leave their house and members to live and work alone. And it is very interesting, the outcome of big families migrants also moves less than others, the reason is those families have enough land for their agriculture and all members have an occupation. Therefore, percent of big families there have a member moved very low. And the other words, there are only a very few family have a member move to work in Thailand as show on the chart below.

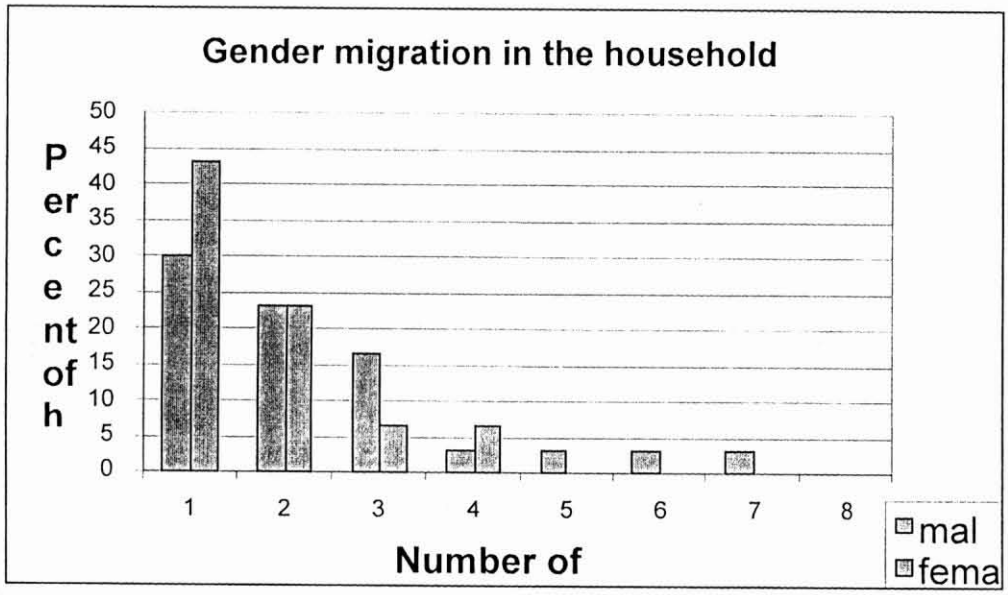
¹ Interviewed at Bane Phai, date 17/10/2004, Mr.Bounpheng , village Head of Phai village,and Mr.Sisavanh, Deputy village Head.



Refer to the household interview, the total number of population is 203 there are 101 migrant workers working in Thailand (50 % of family members), 60% are male and 40% are female. They are documented migrants 13,3% and undocumented migrants 86,7%. In the case study, at the present Lao migrant workers working in Thailand for more than five months are 93% and less than five months are 6,6%. Those who migrated to Thailand by group is 50% of migrant households, those who went alone 36,7% and migrated all family member and seasonal migration 13,3% as below.

<u>Type of migration</u>	<u>Percent (%)</u>
Go alone	36,7
Go by group	50
All family member	6,7
Seasonal migration	6,6
<u>Total</u>	<u>100</u>

Percent of household who has family member migrated one person is quite high in which female migration rate is higher than male. Follow by households have two migrants, the migration rate of male and female are the same. However, the male migration rate of households have three migrants is high double of female. Conversely the female migration rate of households have four migrants is high double of male. And percent of households who have five, six and seven migrants is low and have only male migrants



The reason for moving, we can conclude that the involuntary migration is about 33,33%, due to the culture and language is quite similar so that migrants can communicate and go easily is 26,66%, unemployment 13,33% and 10% lack of agriculture land.

<u>Reason of moving</u>	<u>Percent (%)</u>
Lack of agriculture land (farm land)	10.00
Not enough productive land (garden)	6.67
Unemployment (no job)	13.33
Be persuaded and propaganda by brokers	6.67
Be encouraged by parents	3.33
Involuntary migration (go unwillingly)	33.33
Easy to Communicate and go (due to the culture and language is quite similar)	26.66
<u>Total</u>	<u>100.00</u>

Positive consequences

The fact and process of leaving are usually products of conditions and exigencies in the source communities and the impact of migration on source communities are linked to the experiences of those who have left. Furthermore, the purpose of migration- and of staying away often evolves and changes over time. In order to understand the impacts of migration on those left behind we need not only to consider the process of leaving, but also the process of returning

Family improvement: While Lao migrant workers are working in Thailand they have sent remittances to their parents each year or 2-3 time per year for family living, this is to improve the family condition. Percent of families have been improved better condition is 76,7% and they use amount of money from remittance to:

- build new houses or repaired houses 46,7%
- save money for family living and sister or brother education 6,7%
- reduce the remaining debt 6,7%
- buy domestic materials, small tractor or motorbike 26,7%
- buy new land (building land or farm land) 6,7%

- improve family relationships and have better living condition 10%

In addition, when they come to visit home they bought electricity material (appliances), clothes, and automobiles for their families.

Remittance: Remittance is an important factor leading to an increase in living standards and directly affects household income and indirectly affects health and modifies health of the left behind. Mediators that connect remittances to improved health of people in the communities left behind include “improvement in food habits, nutritional status and health seeking behavior” (Hadi 1999:2), Despite the usually found positive impacts of remittances, some studies found only little, no impact, or even negative impacts of remittances on ‘the left behind’ and sending communities.

According to interviews 80% of families have received remittances from their family members working in Thailand and 20 % have never received the remittance from their children. The detailed information is as follow:

<u>Unit in Baht / per year</u>	<u>Percent (%)</u>
<5000	10.0
5000-10000	13.3
10000-20000	13.3
20000-30000	20.0
30000-40000	6.7
>40000	16.7
Total	<u>80.0</u>
No remittance	20.0
Total	100.0

Income: The deficiencies of seeing migration as a straight product of economic differentials are clear. At its most simple, the poorest villages in Laos do not have the highest level of mobility and the poorest households are not more likely to engage in migration than the less poor. Looking at the household income classification of migrants it seems to be poor households 13,3%, those have incomes low than 100000. And families have high income from 1000000 to more than 3000000 kip is quite high 53,34% of households. It means that more than half of migrant’s families in the case study are not poor, they may have a source income from their agriculture production or livestock, remittance and so on. Some of household income has been improved after their children or a family member has gone to work in Thailand because they sent money to help their families for investment in their own business and agriculture work. The percentage of income classification is not a big difference and is as follows:

<u>Household income (kip)</u>	<u>Percent</u>
<100000	13.33
100000-500000	16.67
500000-1000000	16.67
1000000-1500000	16.67
1500000-2000000	6.67
2500000-3000000	13.33
>3000000	16.67
Total	100.00

Compare with Thai Baht (265 kip = 1 Baht)

Negative Consequences

Referring to the household interview and 5 focus group discussion interviews in five villages, we conclude that there are 20% of parents who do not know of any problem which is happening with their children in Thailand at the present. The following households, 40% their family members have no problem while they are working in Thailand and 40% have many problems, the details of the problems are shown in the table below.

<u>Current Problems of migrant workers in Thailand</u>	Percent
Do not know what happened with the children	20.00
Seem to have no problem with their children	40.00
Their children work hard and get low salary	6.67
Almost 10 years, did not get any information	3.33
Hired work and illegal work, they are unhappy	10.00
Married with Thai men (sometimes has problem)	3.33
Be afraid to be arrested (no registration)	3.33
Employer didn't pay salary, inform to the polices	6.67
Complicated registration	3.33
Sometimes be sick, can not work, Emp. scold them	3.33
Total	100

The Consequences of migration for their families

As mention above, there are not all migrants could earn some money for the livelihood of their families for instance building new houses or repairing houses, buying agricultural equipment as well as consumer goods for the household and others. Some of them could earn money only for themselves. These make their family condition have some negative consequences as follow:

- Families shortage labour for agriculture sectors
- Husband and wife separated or divorced after returning
- Left their children with parents
- Only the old people stayed at home and work hard in the farm

Besides that, the worst effects from migration to the migrants themselves and also to the society are: drug abuse, unpleasant culture (unneat dressing, red hair, etc.)

4. Response

4.1 At the Central Level

The source of revenue of people would be the most important issue for the government, especially the resettlement of Lao workers who have been working abroad. At present, there are more Lao workers in Thailand than in other countries. In the past, the government has made the effort to negotiate with the Thai government in order to resolve the problems that occurred with Lao workers in Thailand, and has made the effort to foster the quality of life of all people.

- Presently, the government has been implementing the socio economic development program in rural areas for example: building up the infrastructures like schools, providing teachers,

promoting local people to be able to access information, public services, health services (establish village health care service), construct roads, extend electricity networks, install water and sanitation facilities, birth spacing project, family planning and others. (that can slow down the increase of population and lead to a better quality of life)

- The Foreign investment promotion policy of the government helps to improve the socio economic situation and generates income for people and provides more job opportunities to young people. Promote commercial production for export [incomplete sentence]. In addition the government has provided educational services on health care services; the use of new technology in production; environmental protection and natural resource conservation.
- The Government has the project to promote culture and tradition of villagers, for example project of village culture.
- At the ministry level such as the Ministry of Foreign Affairs, the Ministry of Labor and Social Welfare and the Ministry of Interior all together have negotiated and discussed with the Thai government many times to solve the problem of Lao migrant workers in Thailand.

4.2 Local Level

Local authorities have responded with implementation of the party policy on socio- economic development. In the past local authorities at the provincial level, district level and village level have shown their responsibilities on enhancing the quality of life of people at their own scope, including the migrant workers' family. The main tasks are:

- Realize the plan of action of the government on fostering the quality of life of people from the centre to local level and
- Report the achievement process concerning the living of people and the circumstances of Lao migrant workers to the government at the central level to help solve the problems that occur.
- Set up the mission to local areas and awareness of people to know the disadvantages of migrant workers in Thailand.
- Educate villagers and enforce migrant workers who have brought unpleasant culture to local people.
- Security protection to facilitate local people in term of development and spend lives peacefully and securely.

4.3 Mass Organizations

The mass organizations such as youth organization, women union, and syndicate organization have also responded to help government on the implementation of the party policy: educate people to know the advantages and disadvantages of migration in Thailand. Their activities are as below:

- Educate members of the youth organization and the public to understand the best things and worst things of migration. Help stabilize society and jointly develop the country together with government organizations.
- Look for funding resources and establish income generation for villagers. For example help people to plant vegetables, animal farming and handicraft production.
- Develop skilled labor, set up sport associations, culture and others social activities.

4.4 International Agencies and Non Governmental Organizations

The government budget normally is not adequate for the socio economic development program. NGOs come to have a role to help the government on development. The tasks of NGOs are as follows: help government to build infrastructure such as build schools, provide education, promote in preserving culture, provide health services, technical support, training, workshops, constructing roads, and help Lao migrant workers who are seriously exploited from employers abroad.

5. Recommendations

5.1 To central level:

- As we know that the Lao PDR is located in the middle of the Mekong sub-region and has become the transfer point of migrant workers. Due to this situation we would propose to the government to implement measurements, methods, rules and regulations concerning migration in order to protect the effect from migration in the short and long term.
- The Lao PDR is a member of ASEAN, in the future Laos will open free trade with ASEAN and there will be no visa requirements for entering and departure among ASEAN countries . At this time Lao skilled workers might go out of the country for higher wages. At the same time Laos could be faced with a lack of skilled labor. For these reasons, the government should have a plan to collaborate with ASEAN countries within the ASEAN framework on labor or adopt /accept the convention on migrants' labor protection.
- To prevent the problems of Lao migrant workers in Thailand, Lao authorities should cooperate and negotiate with Thai authorities again at all levels to help solve the problems occurring with Lao migrant workers, for example:
 - Thai employers exploitation of the labor force of Lao migrant workers.
 - Workers have been oppressed and abused (physically, mentally, and sexually) in many aspects.
 - Illegal migrant workers and so on.
- The socio-economic development programme of the Lao PDR should make achievements especially in rural areas namely providing education, improve technical knowledge; educate villagers and build up income generation for rural persons in order to have a better quality of life. It is the way to reduce the number of migrant workers to Thailand.
- Migrant worker identification and issuing work permit to them to send them to work with agreement made between the Lao and Thai governments.

5.2 To local level

- Local authorities should train and educate villagers to know the advantages and disadvantages of migrant workers in Thailand by collaborating with mass organizations.
- Provide suitable infrastructure for rural people such as: public services, education, health care, support for local people and provide sustainable livelihood.
- Restrict the behavior and punish the persons who entice migrants, particularly young people and girls, into forced labour and sex work with lies and false promises.

5.3 To mass organizations

- Mass organizations especially the Lao youth organization should educate their members and all youth to be aware of the social injustices that have occurred to them.
- Increasing the job opportunities for young people and public services to generate job opportunities by supporting many vocational training methods.
- Find ways to attract young people by promoting domestic products, advertising, awareness campaign and encourage them to be proud of their own culture in order to reduce mistreatment by persons who would take advantage of them and put them at risk.
- Provide educational services to young people to escape from HIV/AIDS, drug addiction and also educate them to know how to protect themselves from these problems.

5.4 For International agencies and NGOs:

- Increasing assistance to the Lao government for socio-economic development particularly in remote areas, supporting the needs for socio-economic development such as materials and equipment, provide grant aid for villagers in order to raise the living conditions of people in the country side, and improve the quality of life of the rural villagers.

- The neighboring countries, developed countries, international organizations and NGOs should continue to assist and cooperate with the Lao government to solve the problems occurring with Lao migrant workers in Thailand.

6. Conclusions

The geographical situation of Lao People's Democratic Republic provides the context for migrant workers to both immigrate and emigrate and is a transfer point. Therefore, in the past the Lao PDR was faced with the problem of migration. The main issues of Lao migrant workers are as below:

1. The majority of Lao migrant workers are in Thailand. They have low labor skills and therefore their wages are very low. They mainly work in the agricultural sector, service sector, and some work in the small industry sector. Moreover, they don't have official documents; just a few numbers of persons have official permits to work.
2. The main factors that forced/push migrants to go to work are: similarity of culture and language, low income, low education, smuggling, propaganda and their innocence or vulnerability. On the one hand, they need to earn the surplus money after working in the rice field; the demand of consumer goods has increased, and they would like to try their luck to know modernization abroad.
3. The factors that attracted/pulled them are: high wages and salary in Thailand; there a lot of job opportunities, and they are made curious by his propaganda, and the advertisements.
4. The fate of Lao migrant workers is not the same for everyone, some of them could be successful but they are less in number, some fail with bad fortune and become desperate, some have died or gone missing.
5. Local authorities and families are not promoting them to go to work but some families think that it is necessary to work for the families' survival or some want the experience.
6. The consequences of migration are both positive and negative. The positive consequences are that migrant workers may bring money to their families; some of them may gain labor skills which they could use in their village when they return home, and make family life better (especially for those who have relatives in Thailand who give them some security when they are working in Thailand). The negative consequences are caused by lack of labor force at home, some have got contagious diseases, some families have broken down and divorced and some of them have brought unpleasant style of life in to their home town.
7. The Lao and Thai governments and concerned agencies have made the great effort to resolve the problems of migrant workers in many ways. The result of this effort could reduce the trouble of migrants step by step.
8. The number of the migrant workers at present is stable but in the future the number of legal migrants could increase because of the policy of cooperation between both governments who should work together to reduce the number of illegal workers.
9. In terms of these issues above, all parties in the society including government, public and private sectors, local authorities, mass organizations, and NGOs etc... should have responsibility to solve these issues in the short term as well as the long term.

References:

1. Annex 1, Economic Indicators for 2003-2004 and Plan 2004-2005, Department of Planning, Committee for Planning and Co-operation
2. Book Common Country Assessment, UN December 2004

3. UNDAF (July, 2002), United Nations Development Assistance Framework for Lao PDR 2002-2006. Vientiane Lao PDR
4. NGPES (January, 2004), National Growth and Poverty Eradication Strategy. Vientiane Lao PDR
5. National Statistic Centre (May 2004), Statistical Year Book 2003 . Vientiane Lao PDR.
6. Committee for Planning and Co-operation, Department Foreign Investment 2004 Document
7. Ministry of Foreign Affairs, Department of consular.
8. Ministry of Labour and Social Welfare, Department of Labour(Annually report 2004).
9. Department of Research , Bank of the Lao PDR , (Report 2003)
10. Mittaphab Bridge Check Point, Vientiane Prefecture Migration Office
11. United Nations (December, 2000), Common Country Assessment CCA , The Lao People's Democratic Republic. Vientiane Lao PDR
12. Country Presentation for Lao People's Democratic Republic, Third United National Conference on the Least Developed Country.
13. The National Poverty Eradication Programme (NPEP) "Comprehensive Approach to Growth and Development, Eight Round Table Meeting, 2003.
14. National Committee on HIV/AIDS Control " Annual Report on HIV/AIDS, 2004"
15. Basic Statistic 2002, Statistic Child Labour in the Lao PDR Factory, Agriculture and Entertainment and Industry, 2001 ILO, IPEC.
16. Millennium Development Goals Progress Report Lao PDR, Jointly prepared by the Government of the Lao PDR and the United Nations, January 2004.
17. Social Economic Development Plan, General Department of Planning, 2004.
18. Annual Report of Labour, The Department of Labour, Ministry of Labour and Social Welfare of Lao PDR, 2004.
19. The Migration Authority Control Unit 1995
20. Data for Study Research 1995.
21. Minutes of Meeting on Consultative Meeting between Lao and Thai Authority on Identify Nationality of Illegal Migrant Workers on 13 September 2004
22. The speech of representative from the Department of Employment, Ministry of Labour and Social Welfare of Thailand at the meeting on 01-03 October 2004.

23. Summary of the Human Trafficking in Lao PDR, Ministry of Labour and Social Welfare “.....”
24. The Key informant from Department of Labour, Ministry of Labour and Social Welfare of Lao PDR, and Lao employees of the cookie factory, garment factory and plastic factory at the Bangkok, Thailand on 16-21 June 2004
25. Lao Labour Registration List in 2002 from Department of Employment, Ministry of Labour and Social Welfare of Thailand
26. The Data from Consultative Conference between Lao Minister and Thai Minister about ASEAN Labour on 10 May 2004.
27. Minutes of Meeting of the Implementation of MOU on Employment Co-operation of the Senior level Officer of the Second Bilateral Meeting between Ministry of Labour and Social Welfare of Lao PDR and Ministry of Labour and Social Welfare of Thailand.
28. Report on Lao Illegal Migrant Workers in Thailand, No. 909/Lao Consular in Bangkok Thailand
29. Interviewed at the office of group village NongBeuktay, dated 5 September 2004: 1). Mr.Khonesavanh Thongdy (Village head of NongBeuktay Village), 2). Mr.Khampheng Senemany (Deputy Village Head of NongBeuktay Village), 3). Mr.Phou Latsamy (Head of Village Security).
30. Interviewed at the DonKhouang Village, dated 16 October 2004: 1). Mr. Khammoun (Village Head of DonKhouang Village), 2). Mr. Thitsungsa (Head of Elderly Unit of the Village), 3). Mr. Neung (Association of Parents Pupil of the Village), 4). Mr. Pheng (Association of Parents Pupil of the Village), 5). Mr. Temp (Deputy Head of Lao Youth Union of the Village), 6). Mrs. Mai (Deputy Head of Lao Women Union of the Village).
31. Interviewed at Nakham Village, dated 16 October 2004: 1). Mr. Bouda (Village Head of Nakham), 2). Mr. Bounhong (First Deputy Village Head of Nakham), 3). Mr. Mongsy (Second Deputy Village Head of Nakham), 4). Mr. Douang (Head of Elderly Unit of the Village) 5). Mr. Komta (Head of Village Security).
32. Interviewed at NateuyNeua Village, dated 17 October 2004: 1). Mr. Bounlam (Village Head of NateuyNeua), 2). Mr. Bounhung (First Deputy Village Head of NateuyNeua), 3). Mr. Soukun (Second Deputy Village Head of NateuyNeua), 4). Mr. Oune (Head of Elderly Unit of the NateuyNeua Village), 5). Mr. Phouang (Head of NateuyNeua Village Security).
33. Interviewed at NateuyNeua Village, dated 17 October 2004: 1). Mr. Bounpheng (Village Head of Phai Village), 2). Mr. Sisavanh (First Deputy Village Head of Phai Village), 3). Mr. Inthong (Second Deputy Village Head of Phai Village), 4). Mr. Kongpheng (Head of Elderly Unit of the Phai Village), 5). Mr. Phoun (Deputy Head of Elderly Unit of the Phai Village), 6). Mr. Kaisone (Head of Phai Village Security), 7). Mr. Khamven (Officer from Labor and Social welfare Unit of Champon District).
34. Hadi, A.(1999). “Overseas migration and the well-being of those left behind in rural communities of Bangladesh” Asia-Pacific Population Journal, Vol. 14(1), pp.43-58.

Labor Migration and Rights-based Issues in the Greater Mekong Sub-region: Documented and Undocumented Women Migrant Labor from Burma, Cambodia, and Lao PDR in Thailand

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Abstract:

The paper examines numbers of documented migrants from the three countries and provides estimates the actual numbers of migrants, with the ultimate goal to identify rights-based issues faced by them and how to mitigate violations of their rights. It focuses on women migrant labor in domestic work. The methods used are literature review and interview with a number of women migrants. The Burmese are the majority of migrants, followed by the Cambodian and the Laotian. They usually entered Thailand by means of smuggling ring. Some women migrants were physically and/or sexually abused by either Thai smugglers or smugglers of their own national and have no means to file complaints. Despite their work permits, some Thai officers have exploited them through extortion and confiscation of their documents. Most employers of foreign domestic workers pay them lower wages than their Thai counterpart, and abuse them in various manners. Some female domestic workers get married to the male from their own country of origin, but lack contraceptive knowledge, leading to unwanted pregnancy, illegal abortion or unwanted births. Language barrier discourages both documented and undocumented female migrants from accessing public health services. Domestic workers are in the informal sector and are “invisible workers”. Foreign domestic workers are not only unseen but also subjected to potentially higher level of abuses. Attempts to legalize migrants, including women migrants in domestic work, have not been very successful. As human beings and as women, they should know and be able to exercise their human rights, women’s rights and rights of migrant workers. Multi-sectoral, multi-stakeholders approach, keeping in mind rights-based framework, should be taken to devise some effective legal mechanisms to protect and promote their rights.

1. Background

In the rapid process of globalization, transborder migration becomes a common phenomenon. Before the 1980s, Thailand was a labor sending country, but since then, it has become both sending and receiving country. Just before the economic crisis in 1997, the Royal Thai Government (RTG) became concerned about the large illegal inflow of migrants from neighboring countries and from some South Asia, who were illegally employed.

The first attempt to regulate and control the illegal migration and employment was made in September 1996. The RTG, through the Ministry of Labor (MOL), allowed illegal migrant workers from Myanmar, Cambodia, and Lao PDR to temporarily stay and work by means of registering them and provide them with work permits. There have been registrations in subsequent years, the latest one of which was in 2004. The registration fees are to be borne by the migrants. The wide economic disparity between Thailand and the neighboring countries makes it inevitable that migrants consider the registration fees to be very high and are disinclined to register. No one knows for certain the number of undocumented migrant workers.

The Department of Employment of the Ministry of Labor (MOL) reported that 288,780 transborder illegal migrants registered and were granted temporary stay and work permits in Thailand in 2003. An MOL official estimated that there were another 800,000 unregistered immigrants from the three countries, resulting in the estimate total of 1,088,780.¹

The official primary data as of May 2005 on documented migrants after the July 2004 registration are in Appendix 1 (Demand, Quota and Work Permits Issued to Migrants from Myanmar, Lao, PDR and

¹ Sontisakyothin, Sakdina 2004 “Labor Movements in Thailand: Principle Challenges and the Three Pillars Management Solution.” Paper presented at the Regional Workshop on Managing Public Goods: Health, Labor Mobility, Water, and the Environment. June 28- July 2. Jointly organized by Singapore’ Ministry of Foreign Affairs and the ADB. Singapore

Cambodia).² The total demand was for 1,598,752 migrant labor, and the given total quota was for 1,512,587 laborers. However, the actual work permits issued totaled 846,568. Of the total, 631,386 (75%) were Burmese, 105,156 (12%) were Laotian and 110,026 (13%) were Cambodian. In the category 10 “Household Domestic Workers”, the total demand was 178,588, the quota given was 169,754 and the total actual permits issued were 126,325. Of the category 10 permits, 85,954 (68%) were issued to the Burmese, 32,113 (25%) to the Laotians and 8,258 (7%) to the Cambodians. It should be noted that these figures are primary, not yet finalized. The total demand and the work permits issued differs by only 52,263, but through interviews with migrants, actual number of all domestic workers is here believed to at least double the number of work permits. In 2001, 14.5 percent of all work permits were issued to domestic workers³, which amounts to around 82,400 under the assumption that most domestic workers are female. Punpuing, et. al.⁴ believe that the 82,400 registered migrants represented only one-third of the total domestic workers and provide a conservative estimate of over one hundred thousand migrant domestic workers. When applied their estimate and the interviewed migrants’ estimate to the 126,325 registered domestic workers, the estimate is between 250,000-380,000 total migrant domestic workers by the end of 2004.

2. The Status of Domestic Work in Thailand

The RTG considers domestic work as informal sector employment. As such, domestic workers are deprived of the labor rights and protection as stipulated in the Thai labor law.⁵ Women migrants in domestic work have quadruple status as human being, women, workers and migrants. Rights-based framework of gender sensitive analysis requires that relevant international treaties be used as the standards whereby violations of rights are identified and rectified. Before examining relevant international treaties, the number of women migrant workers and of migrant workers in domestic work will be provided, followed by instances of rights violations of women migrants in domestic work.

3. Number of Sex-desegregated Migrant Workers

Dr. Kritaya Archavanitkul⁶ provided estimates of sex desegregated data up to the year 2001 and the Office of Foreign Labor Administration⁷ provided the data from 2002 to 2004, as follows:

Table 1 Sex desegregation estimates by country of origin, 1998-2004

Year	Burmese		Cambodians		Laotians		Total	
	Male	Female	Male	Female	Male	Female	Male	Female
1998	53,387 (68%)	25,670 (32%)	9,716 (92%)	877 (8%)	1,029 (82%)	232 (18%)	64,132 (71%)	26,779 (29%)
1999	59,968 (67%)	29,350 (33%)	8,418 (89%)	1,074 (11%)	849 (73%)	315 (27%)	69,235 (69%)	30,739 (31%)
2000	58,701 (65%)	32,023 (35%)	6,898 (87%)	1,023 (13%)	749 (74%)	262 (26%)	66,348 (67%)	33,308 (33%)
2001	257,354 (57%)	193,981 (43%)	43,216 (75%)	14,340 (25%)	25,771 (43%)	33,587 (57%)	326,341 (57%)	241,908 (43%)

² Office of Foreign Workers Administration, Department of Employment, Ministry of Labor

³ Archavanitkul, Kritaya. 2003 Status of Knowledge on Immigrant Labor in Thailand and Research Directions to be Considered. (in Thai) p.32, Table 6, footnote F. NakornPrathom: Population and Social Research Institute, Mahidol University

⁴ Punpuing, Sureeporn., Caouette, Therese., Pasam, Awatsaya and Khaing Mar Kyaw Zaw “Migrant Domestic Workers: From Burma to Thailand, p.2 Footnote 9

⁵ c.f. Korsieporn, K. 2005 “Women’s Rights in Relation to Employment in the Context of Thailand’s Open Market Economy.” Paper presented at the Regional Consultation on Economic Rights of Women (CEDAW Article 11 & 14), organized by the International Women’s Rights Action Watch Asia Pacific (IWRAP Asia-Pacific) and Lao Women’s Union. Vientiane, Lao PDR. May 15-18

⁶ Op.cit. Archavanitkul, Table 7, p. 33

⁷ I would like to thank Dr. Prakai Kithikun and her assistant, who kindly contacted the Office of Foreign Workers Administration, Department of Employment, Ministry of Labor, on my behalf.

2002	192,169 (57%)	147,860 (43%)	28,149 (76%)	8,669 (24%)	13,166 (40%)	19,326 (60%)	233,484 (57%)	175,855 (43%)
2003	134,812 (54%)	112,979 (46%)	13,976 (71%)	5,699 (29%)	8,611 (40%)	12,703 (60%)	157,399 (55%)	131,381 (45%)
2004	350,401 (55%)	282,053 (45%)	77,238 (70%)	32,804 (30%)	47,315 (45%)	57,819 (55%)	474,954 (56%)	372,676 (44%)

Source: 1. Archavanitkul, K. Status of Knowledge on Immigrant Labor in Thailand and Research Direction to be Considered. (in Thai) March B.E. 2546 (2003)
Population and Social Research Institute, Mahidol University:
NakornPrathom p. 33
2. Office of Foreign Workers Administration, Department of Employment,
Ministry of Labor (Mimeo.)

There is a perceptible trend toward annual fluctuation in the percentage of female migrants by nationality. For example, from 2000 to 2004, Burmese women migrant workers with work permits comprise the great majority of all documented women migrant workers, namely, 96%, 80%, 84%, 86% and 76%, respectively. These percentage declines are undoubtedly due to the increase in women migrants from the other two nationalities. However, it is strongly believed here that the Burmese are more visible and more likely to be abused, even if they have work permits. Thus, Burmese women migrants, especially those in domestic work, are less likely to have work permits for the reasons, which would become obvious in later Section of this paper.

Most Thai people would assume that Thai domestic workers are female. Statistics from the Office of Foreign Workers Administration show that in the case of migrant workers in domestic work, there are both women and men, though migrant men engaged in this occupation in much lower proportion than the women counterpart. Table 2 shows the number and percentage of male and female migrants in domestic work from the year 2001 to 2004.

Table 2 Sex desegregation estimates of domestic workers by country of origin, 2001-2004

Year	Burmese		Cambodians		Laotians		Total	
	Male	Female	Male	Female	Male	Female	Male	Female
2001	6,786 (11%)	54,595 (89%)	1,076 (26%)	3,104 (74%)	1,521 (9%)	15,307 (91%)	9,383 (11%)	73,006 (89%)
2002	6,761 (14%)	43,282 (86%)	530 (16%)	2,725 (84%)	1,128 (9%)	10,935 (91%)	8,419 (13%)	56,942 (87%)
2003	6,730 (16%)	34,179 (84%)	459 (18%)	2,052 (82%)	1,156 (12%)	8,109 (88%)	8,345 (16%)	44,340 (84%)
2004	12,898 (15%)	73,073 (85%)	1,860 (23%)	6,398 (77%)	4,046 (13%)	28,068 (87%)	18,804 (15%)	107,539 (85%)

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labor

It is noticeable that the registration rates of all migrant workers in the years 2003 and 2003 are low and are reflected in the subset "domestic workers". It would be useful to delve into factors accounting for this phenomenon, if the RTG's goal is to reduce the number of undocumented migrant workers.

To examine the proportion of documented women migrant workers who are in domestic work, Table 3 is here presented.

Table 3 Women migrants in domestic work compared to all registered women migrants, 2001-2004

Year	Burmese		Cambodian		Laotian		Total	
	DW*	Total	DW*	Total	DW*	Total	DW*	Total
2001	54,595 (28%)	193,981 (100%)	3,104 (22%)	14,340 (100%)	15,307 (46%)	33,587 (100%)	73,006 (30%)	241,908 (100%)
2002	43,282 (29%)	147,860 (100%)	2,725 (31%)	8,669 (100%)	10,935 (57%)	19,326 (100%)	56,942 (32%)	175,855 (100%)
2003	34,179 (30%)	112,979 (100%)	2,052 (36%)	5,699 (100%)	8,109 (64%)	12,703 (100%)	44,340 (34%)	131,381 (100%)
2004	73,073 (26%)	282,053 (100%)	6,398 (20%)	32,804 (100%)	28,068 (49%)	57,819 (100%)	107,539 (29%)	372,676 (100%)

Note: 1) * DW = Domestic Workers 2) This table is calculated from Table 1 and 2.

The percentages in Table 3 can be interpreted in a number of ways:

1. Women migrants in domestic work comprise roughly one third of all women migrant workers because by nature, it is demeaning and demanding, though not so dirty and dangerous.
2. On average, over 50 percent of Laotian women migrants are domestic workers most likely because there is hardly any language barrier or any cultural barriers compared to the Burmese and the Cambodian counterparts.
3. The decreasing percentages of domestic workers from the 2001-2003 period compared to the year 2004 may be due to the fact that, through social networks developed over the years in Thailand, they change to other occupations where their rights are less likely to be violated.
4. Pertaining to the Burmese, they have a public park as their meeting place where women and men from the same tribe meet on their New Year Day (Thai's Songkran Day). Many but not exactly known number of women domestic workers form serious relationship with men from the same or similar tribes (e.g. Pa-o tribe and Karen tribe), get de facto married and move out of domestic work.

4. Violations of Women Migrants as Migrants and as Domestic Workers

4.1 Recruitment and Immediate Pre-departure

1. Exorbitant fee demanded by recruiters

Burmese recruiters at present demand about 10,000- 20,000 baht (about USD 250-500, Kyat 210,000-420,000 ⁸, or Kyat 222,000-444,000 at Mae Sot in May 2005 ⁹).

Ma Khin May (aged 18, interviewed in 2005): "My family is very poor because my father deserted us to have a new wife and never sends us money. We don't have any paddy land; only the land where the house is. In 2001, my mother had to borrow 800,000 kyat from a local moneylender to pay the recruiter to take my younger sister and me to Bangkok. Just after our New Year, my mother called me up and asked me to send money home to pay the moneylender. Now, the debt has accumulated so much because of the high interest rates. As I cannot save any money, I told my younger sister who is a domestic worker to send it instead."

4.2 In Transit

1. Physical abuses

Tida (aged 23, interviewed in 2004): "In 2000, about 20 of us from my village were put in a pick-up truck. The truck was rebuilt such that 10 could lay cramped on the truck floor and the rest on the above

⁸ www.dft.moc.go.th. Calculated from USD 1=Kyat 850 as of March 2004 (black market rate).

⁹ Actual rate is Kyat 100 = 4.50 baht as of May 2005, at Mae Sot and Myawaddy.

floorboard. The recruiters did not divide one floor for girls and another for boys; we somehow had to squeeze in the available space. Then the truck was covered by canvas and it was very hot and difficult to breathe. We traveled the whole night and were close to the Mae Sot border. We were put in a small shelter house and were given some food and water. There was no privacy, but a lot of mosquitoes. After two days, we traveled cross the Thai border with a Burmese and a Thai recruiter. We stayed in a house in Mae Sot and waited to be taken to employers.”

4.3 On Site

1. No information by smugglers/recruiters on actual occupation and destination

Tida (aged 23, interviewed in 2004): “I told the recruiters in 2000 that I want to work in Bangkok, but they drove me and several other girls from Mae Sot to a place I didn’t know. I found out later that it is a province called Loburi. I worked with two other Burmese girls in a bakery shop and then a friend of the shop owner, who was looking for a domestic worker, asked the shop owner to find her one. She and her husband picked me up in a car and this was how I became a domestic worker in Bangkok.”

2. Lack of sufficiently detail information from the RTG

This situation of men migrants exemplifies that faced by women migrants.

Ma Mek (38, 2005): “I didn’t know that we were prohibited to leave our provincial areas; registration officers did not inform us. They just told us that if we change job, we had to notify the district officers. I was just going to see my wife. I was so worried about her and the baby.”¹⁰

3. Extortion by both Thai smugglers and police officers

Thai TV Channel 9 reported on 29th May 2005 that a group of about 15 Burmese were being smuggled into Bangkok. The smugglers’ pick-up truck had an accident. The investigation revealed that the smugglers demand 800 baht from each Burmese woman and 1,500 baht from each Burmese man to smuggle them from Nakornsawan to Bangkok. According to Sangsit Piriyaangsan (May 2005), Thai police officers’ earnings from the non-formal sector of the economy includes that from the migrant labor. The estimate amounts to 1,800 million baht in 2004.¹¹

Da Moh (16, 2005): “It was about a year ago, during April 2004, my brother, his girl friend and I went to Central PhraRam 3. While I was waiting for them, a policeman asked to see my work permit. He was going to take me away someplace, but my brother came back in time and gave him 200 baht. That policeman gave me back my work permit.”

Ma Aye (20, 2004): “One afternoon I was going to a bank to transfer 6,000 baht to my middleman to have it sent to my family back in Myawaddy, a policeman stopped me and asked to see my work permit. He then inspected my shoulder bag and took away the 6,000 baht. It was my three months’ wages as a domestic worker.”

4. Low wages, overwork and no holiday

Wages of domestic workers range from about 500 baht/month in Mae Sot to about 2,000-3,500 baht/month in Bangkok. Thai national who are willing to do domestic work demand about 5,000 baht/month. Despite the wage difference for the same type of work, both foreign and Thai domestic workers have to work long hours without fixed period of work and no holiday. Some fortunate ones are allowed to go out for a day to celebrate Songkran holiday.

5. Employers’ refusal to registration

Aye (15, 2005): “My employer is a prosecuting attorney and his wife is a housewife who sometimes goes away to sell jewelry. They have two young children. They employ a Burmese as a domestic worker and me as children caretaker. They registered the domestic worker, but do not register me. I don’t really know why.”

6. Bad working conditions

TidaTue (16, 2005): “I worked in a Chinese shop-house. There were two other domestic workers from Lao. They slept in a double-decked bed, because they were hired before me. I had to sleep on cold cement floor and was very cold and uncomfortable. I asked the lady employer for a mat, but she never got around to give me one.”

7. Lack of freedom of association and movement

¹⁰ www.jrs.net/reports/report.php?lang=es&repld=th050214en

¹¹ “Estimate of Informal Sector Economy: Illegal Income of Policemen in B.E. 2546 (2003)” in *Matichon Weekly*. 20-26 May B.E. 2548, p.80. Reproduced from “Policemen, Corruption and Thailand” in *Thai Post*, 13 May B.E. 2548

Aye (15, 2005): "My employer locks me, the other Burmese and his two children in the house all day during his work days, maybe because my employer doesn't register me and because he works for the Thai government, he doesn't want anybody to know that he employs me illegally."

Ma Kyi Oo (25, 1999): "Akhin and I worked for a family consisting of six adults and four children. They didn't like us to have any contacts with outsiders including our agent. We were so tired of not having Burmese friends and felt so very isolated that we contacted a Burmese student who visited us at our workplace. It was unfortunate that the male employer came back to the house at that time and found out. Everyday after that, they got a member of the family to come home to check us out and by the end of that month, we were paid our wages and told to leave the house immediately."¹²

8. Appropriation of Work Permits

Ma Aa Cham (16, 2005): "Both of my employers are civil servants and have to be away all work days. They are afraid that I would run away to get a better job if I have my work permit. They took away my work permit and gave me a photocopy to carry with me when I run errands for them. When they let me go to the Park to celebrate our New Year, my friends who also are domestic workers told me their employers did the same thing. A friend who has been in Bangkok for over ten years told us that photocopied work permits are not recognized as legal documents, but I don't dare to ask my employers for my real work permit."

9. Physical, sexual and psychological abuses

Ma Shwe (28, 1999): "There were four members in the family of my employer, but the first son was in the U.S. The female employer was very cruel. Whenever we did some work incorrectly, she would punish us. Sometimes when we didn't understand the Thai language she spoke, she would hurt us anywhere in the house with anything close at hand. Sometimes, she hit us with a broom and she often scraped my throat with a cutter. My left eyebrow had a swollen cut because she hit me with a broom. I decided to run away from the house after she slapped my face with a slipper."¹³

Mu Mu (16, 2004): "My agent was an Indian Burmese. He took other Burmese and me from Mae Sot to a house in Bangkok and promised to take me to work in a restaurant. One day, I thought he was taking me to a restaurant, but he took me to a hotel. He raped me for three nights and locked me up in the hotel room while he worked during the day. After that he bought me a blouse and a pair of pants and took me to work in a snooker club. There were a lot of men there, to whom I had to serve food. There was a small space in the kitchen for me to sleep, but I was so afraid and sad that I ran away to seek help from a Burmese nearby. She managed to get me two jobs as domestic worker with good employers, but I couldn't stay and kept crying when I thought about what the Indian agent did to me."

Michu (19, 2004): When she was 14, Michu got a job through an agent to work as a domestic worker for a family that ran a small restaurant in Northern Thailand. The wife managed the restaurant while the husband had a job elsewhere. He later lost his job and often stayed at home playing with their child. At around the age of 16, the husband bought her clothes and Michu understood that she faced implicit sexual demands from him. She did not dare to stop him and had to have sexual relationship with him. He later became ill and the wife asked her to look after him, who eventually died. Michu was informed at his funeral that he died of AIDS. She was afraid neither to go for an HIV test nor to tell the wife. She was healthy up to that point, but found out that she was HIV+ and died a year later.¹⁴

ILO News (Released 4 May 2005): ... 17-year-old Burmese Karen girl was working in the home of her Thai employer at the time of the attack. She received severe injuries, including a fractured skull and a shattered ribcage. The girl remained in hospital for two months and needed several operations including one to insert a metal plate in her skull. Her employer, a 32-year-old Thai woman, has been charged with the assault. She has denied all charges and has been released on bail.¹⁵

10. Economic exploitation

¹² Excerpt from Kertmongkon, Adisorn (editor) June 2003 Life Story of Burmese Labor: From Slave Labor to Illegal Labor. Fuangfah Printing, Ltd.: Thai Action Committee for Democracy in Burma (TACDB), pp. 108-110

¹³ Ibid., pp.105-106

¹⁴ Toyata, Mika. "Health Concerns of 'Invisible' Foreign Domestic Maids in Thailand.", p.10 in www.populationasia.org/Publications/RP/AMCRP19.pdf

¹⁵ www.ilo/public/english/region/ASRO/bangkok/child/trafficking/downloads/ilocdwstatement.pdf

Ma Shwe (28, 1999): “An agent named Ashar took Chit Bu and me to Bangkok since 1995. The employer took us to his house in Samrong Tai. I didn’t know how much money the agent took from the employer, but we were never paid during the four years we worked there.”¹⁶

Mu Mu (16, 2004): “I worked in the snooker club for 15 days, with the employer’s promise of 3,000 baht per month. As I didn’t have enough clothes, he bought me some that cost 700 baht. I thought he gave it to me for free, but when I left and asked for part of my wage, he refused to pay me, saying that he already advanced my wage in buying me the clothes. I think even with the 700 baht’s deduction, I should be paid 800 baht.”

ILO News (Released 4 May 2005): “The teenage victim told a news conference in Bangkok that her family had paid 12,000 baht (USD 300) to an employment broker who found her the job. She alleged she had been confined to a residence, suffered systematic physical abuse and had not received any of her agreed 4,000 baht monthly salary (USD 100)”¹⁷

11. No reproductive health right

A case study by Toyota¹⁸ related a story of a Burmese girl named “*Mio*”, who worked as a domestic worker for 18 years. She was brought to a family that involved in border trade when she was nine years’ old. She helped with the household chores and keeping the inventories of the stock of goods in exchange for food, shelter and some occasional money. When she was 16, she was brought to Chiangmai to work as a shopkeeper for another family that is related to the first family. She was wooed by a Burmese and later became pregnant by him. The employers were displeased and offered to take her for an abortion. Being 27 years’ old by then, Mio decided not to undergo an abortion out of fear and of the fact that it might be her last chance to have a baby. Not taking the offer, she had to leave the employment.

12. Dismissal without due payment

Michu (19, 2004): After the female employer’s husband died of AIDS, she gave Michu 50,000 baht (USD 1,204) as the accumulated five-year’s wages.¹⁹

13. Racial and ethnic discrimination

“Kim”²⁰ (22, 2005): “Most employers of Burmese domestic workers believe that they are selfish, disloyal, stealthy and untrustworthy. For example, they would ask for their wage and sometimes borrow an amount of money and promised to return to work after visiting their family in Myanmar. Most of them never return. My friend’s mother in Mae Sot doesn’t have a domestic worker, but declined to hire a Burmese for fear that she might steal or hurt her and her family.”

4.4 Return

1. Appropriation of cash and belongings

Ma Kye (20, 2005): “When I visit my mother to give her money and other things, I have to be smart enough not to get them confiscated by the Burmese soldiers. Last time, I wanted to take her a tiffin carrier, I had to fill each container with cooked rice and food. When the soldiers saw that the rice and food had gone sour, they wouldn’t take the tiffin carrier.”

2. Ridicules and discrimination by fellow villagers

Dao (16, 2005): “My friends who came to Bangkok at the same time as I did can save money to send home, have their houses built and have gold earrings and necklace. I was stolen 2,100 baht and my brother keeps asking me for some money and never returns them. I can save any money. Now that I am a domestic worker and don’t have to pay for room and food, I will save every baht until I have enough to get the things my friends have already had before I dare to return home. I will be too ashamed to return now.”

She Hare (17, 2004): “I met my husband to be at a New Year celebration day and got married to him six months after. When I told him I was pregnant, he left me. I had an illegal abortion for 2000 baht or I would be gossiped about as a bad girl, as I would have a baby without any husband.”

5. Relevant Major International Treaties

¹⁶ op.cit. Kertmongkon, Adisorn, p.105

¹⁷ Ibid.

¹⁸ op.cit., Toyota, Mika., P.13 (excerpt)

¹⁹ Ibid.

²⁰ A reliable Thai informant, whose family has a business in Mae Sot.

There are several international treaties pertinent to women migrants as domestic workers. Some articles in each treaty are more relevant than other ones. This paper refers only to the most relevant treaties and articles. Though each treaty gives different emphasis to certain rights, several treaties can be applied to protect an individual's rights. The treaty most directed toward migrant workers is the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. UNESCO's summary of issues with the identification of articles is in this text, but the details of the mentioned articles are in www.ohchr.org.

5.1 UN Universal Declaration of Human Rights (1948)

Article 23

- (1) Everyone has the rights to work, to free choice of employment, to just and favorable conditions of work and to protection against employment.
- (2) Everyone, without any discrimination, has the right for equal pay for equal work.
- (3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holiday with pay.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

5.2 Convention on the Discrimination of All Forms of Discrimination against

Women (CEDAW)

Article 11 (1, f) and (2, a, d)

1. State Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on the basis of equality of men and women, the same rights, in particular:

- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discriminations in dismissals on the basis of marital status;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

Article 12

1. State Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on the basis of equality of men and women, access to health care services, including those related to family planning;

2. Notwithstanding the provisions of paragraph 1 of this article, State Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

5.3 ILO International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

According to UNESCO, the Convention aims at guaranteeing equality of treatment and the same working conditions for migrants and nationals. UNESCO provides a summary of the issues and articles as follows:

- Preventing inhumane living and working conditions, physical and sexual abuse and degrading treatments (articles 10-11, 25, 54),
- Guaranteeing migrants' rights to freedom of thought, expression and religion (articles 12, 13),
- Guaranteeing migrants' access to information on their rights (articles 33, 37),
- Ensuring their right to legal equality, which implies that migrant workers are subjected to correct procedures, have access to interpreting services and are not sentenced to disproportionate penalties such as expulsion (articles 16-20, 22),
- Guaranteeing migrants' equal access to educational and social services (articles 27, 28, 30, 43-45, 54)
- Ensuring that migrants have the right to participate in trade unions (articles 26, 40).

Other Articles pertinent to women migrants as domestic workers are:

- Article 14 (arbitrary interference with correspondence or other communications, or to unlawful attacks on his or her honor and reputation)
- Article 15 (expropriation of the assets of migrant workers)

5.4 Convention on the Right of the Child

Due to economic and/or political hardship in the countries of origin, many migrant workers had to register by giving the ages that are more than their actual ages. Women migrants in domestic work usually report that they are 18, when they might be 15. Thus for domestic workers who are actually younger than 18, this convention is in force. Many articles are relevant, the simplified version of which are here presented.²¹

- Article 6 The right to life;
- Article 15 The right to be with friends;
- Article 16 The right to a private life;
- Article 19 The right to be protected from being hurt or badly treated;
- Article 24 The right to good health and to medical care and to health care information;
- Article 34 The right to be protected from sexual abuse;
- Article 35 The right not to be kidnapped or sold;
- Article 36 The right to protection from any other kind of exploitation;
- Article 39 The right to help when having been hurt, neglected or badly treated.

6. Gender Sensitive Rights-based Framework

Women and men migrants are faced with different treatments. Considered as the weaker sex, they are more likely to face more problems and abuses. Their rights are more likely to be violated. To be gender sensitive, rights-based framework has to take into account the differences between gender roles, gender role expectations and differential treatments due to different gender roles. For examples, women migrants are seen as preferable choice as domestic workers. They, not men, are potentially faced with such problems as unwanted pregnancy, unsafe abortion, and sexual abuse by male employers.

7. Efforts to Mitigate the Violations

1. At international level

UNESCO advocates ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by all states and disseminates information about this convention and other legal instruments concerning migrants through its website.

UNIFEM (Bangkok) runs a migration program that seeks to inform migrant women about their rights and help create legal, policy and institutional changes to the migration process in both sending and receiving countries. It also attempts to make "women in migration" another issue in the Beijing Platform of Action for women in development. This effort has resulted in the Working Meeting to Discuss the Content of CEDAW General Recommendations on Migration at Siam City Hotel, Bangkok during April 15th-16th, 2005. The CEDAW Committee Migration Task Force and UNIFEM were the organizers.

International Women's Rights Action Watch Asia Pacific (IWRAP Asia-Pacific) and Lao Women's Union of Lao, PDR jointly organized a Regional Consultation on Economic Rights of Women (CEDAW Article 11 & 14), one theme of which was international women migrant labor in the informal sector.

²¹ www.savethechildren.ca/resources/pdf/crc/pdf

2. At national level

2.1 By the RTG

The RTG really does not have any policy on international migration of labor from Myanmar, Cambodia and Lao PDR, but has been attempting to rectify this by:

2.1.1 The RTG signed an MOU with each of the three countries of origin. The MOU with Myanmar was signed on 21 June 2003, with Cambodia on 31 May 2003 and with Lao, PDR on 18 October 2002.

2.1.2 The Department of Labor Administration under the auspice of the MOL set up the “Sub-committee on Systematization and Standard Setting for Employment of Foreign Migrant Workers”. It comprises all relevant government agencies (about 15 agencies), two academic institutions, and three employer organizations (Fishery Association of Thailand, the Thai Chamber of Commerce and the Federation of Thai Industry). In the Thai labor context, the tri-partite system is used, having the government representatives, the employers’ representatives and the employees’ representatives. In the foreign labor context, the question is whether or not the foreign employees should be included and why.

2.2 By the NGOs in Thailand

Many NGOs in Thailand are concerned with the plights of migrant labor in Thailand, not very many are active due to the rather unfavorable attitude of the RTG toward NGOs. Here are some NGOs’ activities in assisting migrant labor.

Rakthai Foundation has been helping migrant workers in corporation with Ban Paew Hospital to educate Burmese fishermen on HIV/AIDS and its prevention, The Foundation has a clinic as well as mobile clinic to provide reproductive health services to Burmese women migrants.

Asia Pacific Forum on Women, Law and Development (APWLD) has the Labor and Migration Programme (L&M) that focuses on addressing the lack of legal protection and human rights standards for women migrant workers and those employed under sub-standard working conditions.²² Pertaining to domestic work, APWLD members and partners attempt to develop an acceptable working definition of “domestic work” with the goal that the RTG recognize domestic work as formal sector employment.

Migration Assistant Programme (MAP) has several programs: Since September 1997

Health Project, Crisis Support project, Media Kit Project (Radio program and Material Production Program), Community Education Project, Women Project called “Women Exchange” (WE), Violence against Women Project

Coalition to Fight Against Child Exploitation (FACE), among other activities, attempts to get back wages for victims of trafficking and labor abuse.

8. Constraints to the Efforts to Reduce Rights Violations

- 8.1 The RTG’s inability to hasten the process of setting an explicit policy on migrant labor, which accounts for political, legal, economic and humanitarian considerations to benefit the country in the long run;
- 8.2 The RTG’s reluctance to sign the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, despite of the fact that Thai emigrant workers need protection and to have the rights in terms of remuneration, social welfare and other basic human rights;
- 8.3 In the case of women migrants in domestic work, the RTG does not recognize domestic work as work in the formal sector. It has critically negative impacts on domestic workers, particularly foreign domestic workers, because their rights are seriously and systematically abused without or with little outside help.
- 8.4 The RTG fails in its “war against corruption”; bribes to and extortion by border police and police extortion are common and widespread.
- 8.5 Law enforcement is lenient toward employers and punishment of offenders is even more lenient if they are in the police force or Immigration Bureau.
- 8.6 The RTG’s relevant agencies fail to inform migrant labor of their rights and duties as well as failing to break the language barrier.

9. Recommendations to Alleviate Violation of Rights

1. Set up right-based immigration policy to deal with the issue of migrant workers.

²² www.apwld.org

2. Carefully consider if migrant workers have the right to be in the Sub-committee, as they are also a stakeholder. If not, should there be more representatives from academic institutions as they have no vested interests.
3. Improve the registration process in the mean time and reduce the fee to motivate undocumented migrant workers to register.
4. Ensure strategic policy planning and efficient and effective implementation.
5. Establish monitoring and evaluation system to check on implementation.
6. Devise and implement effective and impartial means to stop extortion and bribery.
7. Recognize domestic work as formal sector employment.
8. Provide more support to NGOs in their efforts to help migrant workers whose rights are abused.
9. Sign the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, with reservation as seen necessary.

Appendix 1 Demand, Quota and Work Permits Issued to Migrants from Myanmar, Lao, PDR and Cambodia, 2004

15 May 2004

Occupation	Activity											
	Demand for Labor Migrants					Quota					Work permits Issued	
	Total	Burmese	Laotian	Cambodian	Total	Burmese	Laotian	Cambodian	Total	Burmese	Laotian	Cambodian
Total	1,598,752	1,136,485	216,823	245,444	1,512,587	1,086,653	198,659	227,275	846,568	631,386	105,156	110,026
1. Fishery	127,796	75,162	4,767	47,867	124,210	72,795	4,604	46,811	60,598	34,653	2,702	23,243
1.1 Coastal	120,409	70,265	3,745	46,399	117,085	68,010	3,655	45,420	56,258	31,337	2,100	22,821
1.2 Freshwater	7,387	4,897	1,022	1,468	7,125	4,785	949	1,391	4,340	3,316	602	422
2. Occupations in consequence of fishery	130,935	119,372	3,549	8,014	129,765	118,399	3,473	7,893	74,234	68,588	1,062	4,584
3. Agriculture and livestock	380,488	269,344	44,636	66,508	361,318	263,298	39,114	58,906	182,698	145,047	17,107	20,544
3.1 Agriculture	330,978	233,291	35,662	62,025	316,536	228,474	33,463	54,599	156,472	125,274	13,473	17,725
3.2 Livestock	49,510	36,053	8,974	4,483	44,782	34,824	5,651	4,307	26,226	19,773	3,634	2,819
4. Rice mills	12,692	11,469	645	578	12,261	11,068	635	558	7,107	6,568	295	244
5. Brick-making factories	9,440	8,143	869	428	9,136	7,878	833	425	5,114	4,479	412	223
6. Ice factories	7,626	5,892	981	753	7,267	5,680	903	684	4,450	3,614	529	307
7. Water transport of goods	7,764	3,009	583	4,172	6,961	2,805	146	4,010	4,312	1,789	109	2,414
8. Construction	259,884	173,909	27,959	58,016	250,253	167,002	26,763	56,488	124,533	87,562	9,325	27,646
9. Mineral and stone mining	2,770	2,385	215	170	2,705	2,351	184	170	1,548	1,394	56	98
10. Household domestic work	178,588	120,991	45,357	12,240	169,754	114,292	44,099	11,363	126,325	85,954	32,113	8,258
11. Others (specify)	480,769	346,809	87,262	46,698	438,957	321,085	77,905	39,967	255,649	191,738	41,446	22,465

Note: The total number of demand includes the additional number that employers requested, according to the Cabinet's resolution of 14 September 2004

Theme C
: Health and HIV/AIDS

Borders and Health

: A Study of Lao Patients Seeking Health Care in Thailand

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The research study presented is realized and financed within the framework of an International Volunteer in IRD (Institute of Research for Development) and more precisely in research unit 178 "Conditions and territories of emergence of diseases" directed by Jean Paul Gonzalez. The study is also part of a global research program led in Vientiane and called "Urbanization and spatial disparities of health in Vientiane".

INTRODUCTION

'To judge by tendencies shown in recent (in the last ten years) university geographical production, in time borders will cease to be seen as boundary lines and barriers. We affirm that they fulfil new functions, those of link and junction, so much so that they have become the base of original regional constructions¹.' Michel Foucher refers here to current regional groupings in progress around the world such as ASEAN, the European Union and Alena. These political constructions tend to link countries in the same economic, political and social dynamics as are illustrated in the objectives laid down by the ASEAN at the time of its introduction in 1976 : 'The aim of the Association is to accelerate economic growth, social progress and cultural development in the region through joint endeavours in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian nations, and to promote regional peace and stability [...].'² The consequences of such regional movements have had a major impact on the perception and function of frontier spaces: long regarded as peripheral and decentred, these spaces are placed today at the heart of exchanges in an increasingly globalized economy.

In the Greater Mekong Sub-region, and more precisely between Thailand and Laos, the border became a dynamic area from the nineties onwards, with the economic reforms undertaken in Laos and in its opening to the outside. The construction of the Friendship Bridge between Vientiane and Nongkai in 1994 illustrates well the mutual wish to promote inter-state relations. It was followed by an increase in commercial exchanges and mobility, of many types, on both sides of the Mekong.

A certain number of research studies have already shown mobility and health links on this border; I think, for example, of the work undertaken by researchers³ at the ARCM (Asian Research Centre for

¹ Foucher M. (1984). « Les géographes et les frontières ». *Hérodote* n°33-34, p.117-130. 'Si l'on en juge par les tendances récentes de la production géographique universitaire, depuis dix ans, l'époque serait, dit-on, à l'effacement des frontières comme lignes de séparation, comme barrières. On affirme qu'elles exercent de nouvelles fonctions, celle de trait d'union, de jonction, au point de devenir la base de constructions régionales originales.'

² ASEAN Website: <http://www.aseansec.org/64.htm>

³ - Lyttleton C., Amornthip A. (2002). « Sister Cities and easy passage: HIV, mobility and economics of desire in a thai/Lao border zone », in *Social Science and Medicine Volume 54 Issue 4*, pp.

- Supang C., Amornthip A., Shati R. (2002). *Cross-Border Transportation Infrastructure Development and HIV/ Aids Vulnerability at Nongkai-Vientiane Friendship Bridge*, Asian Research Center for Migration, Chulalongkorn University (Study paper, Monograph??), 61p.

Migration, Chulalongkorn University, Bangkok) which attempted to study connections between the increase in transborder movements and the HIV/AIDS situation in the area.

The study that I propose to carry out also relates to the connections between mobility and health, but more precisely to the question of the health seeking behaviour of Lao people towards Thai health care infrastructures. Without being able to quantify these movements at the present time, it is clear that this phenomenon exists and that it is an important issue to analyse; the questions raised are numerous, including: What are the reasons for these health movements from Laos to Thailand? More precisely, what are the push factors in Laos which encourage patients to cross the border and the pull factors in Thailand which attract them there? Moreover we need to know how the movements are organised on both sides of the border. Are they individual or familial? What kinds of transportation are utilised to cross the bridge (car, bus, touk touk)?

Lastly, an interesting issue is what might be the consequences of these movements in terms of territorial re-composition. Are new spatial dynamics arising from the utilisation of Thai health care by the Lao population?

This article does not intend to present results nor make an analysis of data. It is rather a question of advancing research hypotheses and presenting the methods necessary to answer them, paying attention to the concepts of 'border' and 'geography of health' and the small amount of medical data available.

CONCEPTS OF FRONTIER

From the borderline to the interface: evolution of the object of Study

'Border' is a particularly polisemic word which indicates, in its simplest definition, 'the territorial limit of a State and its jurisdiction'¹.

For a long time, the linear notion of frontier dominated geographic, cartographic and historic studies, which focused above all on the border 'line'; its course and its movement in military and nationalist contexts. Strongly associated with a function of rupture, Michel Foucher evokes 'the very widespread and mostly negative assessment of the border, whether familiar or remote. It connotes barrier and constraint, the arbitrary and the artificial, the colonial and the imperialist'².

But with the work of Ratzel³, one of the founders of modern political geography, analysis of the border was gradually refined and asserted itself around the concept of frontier dynamics. Borders are no longer viewed as rigid and static lines of demarcation but rather as zones of confrontation, exchange and activity which make them geographical entities in constant evolution. Many geographers of the English⁴ and French¹ schools considered, following Ratzel, that the 'zonality' of the border was a reality much more relevant than its linearity.

- Supang C. et al (2004). *Cross Border Migration between Thailand and Lao PDR : A Qualitative Assessment of Lao Migration and its Contribution to HIV Vulnerability*, The Asian Research Center for Migration, Chulalongkorn University, Executive Summary, 14p.

¹ Brunet R. (1992). *Les mots de la géographie : dictionnaire critique*, RECLUS la Documentation française, 518p. 'La limite du territoire d'un Etat et de sa compétence territoriale'.

² Foucher Michel (1988). *Fronts et frontières. Un tour du monde géopolitique*, Paris, Fayard, 691p. 'L'appréciation très répandue et le plus souvent négative de 'la' frontière en général, qu'elle soit familière ou lointaine Celle-ci connote la barrière et la contrainte, l'arbitraire et l'artificiel, le colonial et l'impérialiste.'

³ Ratzel F. (1897 (ed. 1988). *Géographie politique*, Ed. régionales européennes, Genève, 385p.

⁴ Fawcett C.B (1918). *Frontiers : A study in Political Geography*, Oxford.

During the twentieth century, geographers thus renovated the notion of the border. The traditional concept of linear limits, more or less "tight" between states, evolved to the fuzzier but more fertile idea of frontier areas. The concept of border changed: it thickened, it took new significations, socially, culturally and economically. Unlike the border-as-rupture, this new concept privileged the border as a meeting point.

Various and paradoxical frontier effects

Whatever it is, the border is a 'place of paradoxical relations' (Piermay²): it is at the same time cut and seam, danger and opportunity. In short, it produces, simultaneously, contrary effects.

At the junction of several states, trans-border areas are situated at the hinges of various political systems each of which model their national space in their own way. Distortions pass from one state to another in fields as varied as the economy, policy and jurisdiction. Even though tiny, these disparities create possibilities of play with the neighbouring otherness and allow opportunities for exchange, the driving role of the border which prevails over its role as brake.

Places of interface between several territories, frontier areas thus offer ideal terrain for exploiting gaps and existing differentials in the economic, lawful and demographic field... and thus to be able to trade.

LAO THAI CONTEXT

In the case of studied frontier space, we find again the paradox of the 'cut-seam' with on the one hand a past made of tensions and fights between the two countries and on the other hand, many unifying elements.

A rapport of secular strength

The relations between Laos and Thailand were for a long time characterised by conflict, arising from struggles over territorial questions. Qualified by Christian Taillard as a 'Buffer state'³, Laos appeared for a long period as a Siamese dependency.

From 1700 Lao territory, because of its geographical and strategic position, was the centre of the territorial ambitions of Vietnam and Siam, causing its fragmentation into three kingdoms. 'In 1778 and 1828, the Kingdom of Siam twice seized the capital Vientiane, deported its population to the central plain and took control of the North East. Laos thus lost the right bank of the Mekong, where the vastest plains of the middle basin were to be found, and in consequence lost the majority of the Lao population. The river which had been an axis of gravity and a feature of union framing national space, then became a border that unbalanced and weakened the country⁴.' We thus passed from a

¹ Vallaux C. (1911). *Le sol et l'Etat*, 363p.

Ancel Jacques (1938). *Géographie des frontières*, Paris, 52p.

² Piermay J-L (1993). Citadins et quête du sol dans les villes d'Afrique centrale, thèse d'Etat, Université Paris X-Nanterre, Paris, L'Harmattan, coll. « Villes et entreprises », 579p. 'Lieu de relations paradoxales'.

³ Taillard C. (1989). *Le Laos, stratégie d'un Etat-tampon*. Montpellier, GIP RECLUS, Montpellier, 200p.

⁴ Taillard C. (1989), *ibid.* p. 23. 'En 1778 et 1828 le royaume de Siam s'empara à deux reprises de Vientiane la capitale et déporta sa population vers la plaine centrale et prit définitivement le Nord Est.. Le Laos fut ainsi amputé de la rive droite du Mékong, où se trouvaient les plus vastes plaines du bassin moyen et par suite de la majorité de la population lao. Son territoire se trouvait déséquilibré et fragilisé par le fleuve, devenu frontière alors qu'il était un axe de gravité et un trait d'union charpentant l'espace national.'

space organized and populated around the Mekong to a truncated space, source of great difficulties for Laos.

The French colonial intervention in Laos put an end to the Thai territorial occupation. However, from the start of the twentieth century, Laos under French domination remained economically dependant on Siam. 'All the imported products, except European consumer goods (clothing, provision, preserves....), come from Bangkok, and the products of High-Laos, Middle-Laos and even of the area of Bassac [Champassak], are exported by the natives to Bangkok¹.'

Throughout its history, Laos has preserved this dynamic of 'Buffer State', where unification is continually compromised and must always be rebuilt. Its geostrategic position gives it a function of hub where regional strategies are outlined and makes it a highly-coveted place. Thailand was always a powerful neighbour, influencing the course of Lao history, and we will see that still today the relations between the two countries are strong and specific.

Common Points

Despite the divergent factors which have appeared during the history of the two countries, many cultural, religious and linguistic elements engender a sense of great proximity between the societies of these close countries.

In spite of the border which separates Laos and Thailand, there is a strong ethnic continuity on both sides of Mekong. Indeed, following the plundering of Vientiane, a great number of the Lao ethnic group were displaced to the Thai side and thousands of families were thus divided. Today 'Lao are nine times more in Thailand (with 15 million Lao Issan in the North-East and 3.5 million Khon Muang in the North), than in Laos (where they represent only 1.8 of the 3.5 million inhabitants)².'

Moreover, from a linguistic point of view, Lao and Thai are from the same family of languages known as tai. This enables the populations to communicate easily, which contributes to facilitating exchanges and movements on both sides of Mekong and thus to bringing the two countries ever closer.

Present context: from signs of opening... to the projects of co-operation

From 1975 in SE Asia, the cold war era was marked by strong political oppositions and Laos found itself again at the crossroad of various influences. Although reunified, it was located at the break which separated Thailand from communist Indo-China. During this period, Laos withdrew and closed its borders.

Today the subsiding of world and regional antagonisms has allowed Laos, as in pre-colonial times, to develop again its position as intermediary and crossroad between Thailand, which tends to be the hegemonic economic power of the peninsula, China, whose commercial presence has strongly asserted itself and Vietnam.

¹ Beau Paul (1908). Situation de l'Indochine de 1902 à 1907, rapport du Gouverneur Général, Marcellin Rey, Saïgon, p.360. 'Tous les produits d'importation, sauf les produits de consommation européens (habillement, provision, conserves....), viennent de Bangkok, et les produits du Haut-Laos, du Moyen-Laos et même de la région de Bassac [Champassak], sont exportés par les indigènes sur Bangkok.'

² Taillard C. (1989), *ibid.* p.20. 'les Lao sont neuf fois plus nombreux en Thaïlande, avec 15 millions de Lao Isan dans le Nord-est et 3,5 millions de Khon Muang dans le Nord, qu'au Laos où ils représentent seulement 1,8 des 3,5 millions d'habitants.'

To reach this situation, the opening of Laos has occurred in stages, beginning in 1979. There was an initial economic opening with the announced end of forced collectivisation in the countryside and the re-establishment of an open market for the sale of agricultural produce. The private commercial network was restored in parallel with the official network. In 1984, new measures of economic liberalization were taken to stimulate the country's production. 'The effect of these measures didn't take long and between 1985 and 1986 exports from Thailand to Laos increased by 57%, imports by 18%¹.'

But the true turning point came in 1988 with a redefinition of regional strategies. After an armed clash in February that year, at the border with Sayaboury province, Laos and Thailand signed a cease-fire to begin a true policy of co-operation: the border was reopened at five points on the Mekong which became places of official exchanges.

With the opening of Laos at the end of the eighties, large scale co-operation projects were undertaken in order to create a more effective connection between the two countries more quickly. On 23rd April 1994, the Friendship Bridge connecting Nongkai to Vientiane was inaugurated: financed by the Australian government, it is the first direct link by road between Laos PDR and Thailand. Whereas before it took several hours to complete the customs administrative steps for travel by ferry, it today takes approximately 20 minutes to cross the border by the bridge. In April 2004, a daily shuttle (minibus) was founded to facilitate better the cross-border movements.

In the same spirit, in April 1997, the Lao and Thai authorities signed an agreement for the construction of a second bridge over the Mekong between Mukdahan and Savannakhet. Work began at the end of 2003 and the bridge will be put into service in few years.

Such infrastructures symbolise the permanent connection of the Lao network to that of its Thai neighbour, who wishes to increase trade in Southeast Asia.

Growth of exchanges and mobilities at the border

Mobility is a good indicator of the evolution of relations in a border area. In the case of our study on both sides of the Mekong and more specifically the Vientiane-Nongkai border area, transport was for a long time made by ferry and then by road thanks to the bridge which opened in 1993. According to the table in the following page, the bridge has played the part of accelerator of flows on both sides of the river and as the available sources in Thailand show, the traffic has multiplied by more than 5 times between 1992 and 1997.

From the point of view of health movements

Concerning mobility of health, the work of Richard Pottier² shows that in 1973 the crossing of the Mekong to seek health care in Thailand was already an existing practice of people living in the border regions. This study focused on Tha Dūa, a village along the Mekong, located approximately thirty kilometres from the centre of Vientiane.

Looking at the example of the health seeking behaviour of women in childbirth, the survey reveals that for women who had used a health care structure, 9.4% went to Thailand.

¹ Taillard C. (1989). *ibid*, p.138. 'L'effet de ces mesures ne s'est pas fait attendre et les exportations thaï vers le Laos ont progressé de 57%, les importations de 18% entre 1985 et 1986'.

² Pottier Richard (2004). *Santé et Société au Laos (1973-1978). Le système de santé lao et ses possibilités de développement : la cas de la zone de santé de Thaïlande Dūa*. Texte remanié de thèse de doctorat en ethnologie. Comité de coopération avec le Laos, Paris, 505p.

As regards the use of health resources in general, the survey shows that ‘43.7% of those who had a need for an unspecified treatment bought drugs either in the pharmacies of Vientiane, or (two times more) in those of Thailand. It should be noted that a quarter of the total number of sick people (119/476) and 30.6% of those who had recourse to a treatment, bought drugs in Thailand. The purchase of drugs in Thai pharmacies, in fact, represents the type of treatment generally used¹.’

**Movement of vehicles on both sides of the border between
Nongkai and Vientiane from 1992 to 1997**

Type of vehicles	1992	1993	1994	1995	1996	1997
Cars	n.a	n.a	2 819	8 621	9 330	11 649
Pickup Truck	n.a	n.a	3 786	9 259	10 878	15 856
Bus	n.a	n.a	14 277	6 160	3 092	3 547
Trucks, vans	n.a	n.a	16 446	33 302	30 547	31 767
Total	12 000	17 500	37 328	57 347	53 847	62 839
Average/month	1 000	1 458	3 111	4 779	4 487	5 237
% change	--	+45,8%	+113,4%	+53,6%	-6,1%	+16,7%

Source: Department of traffic, Nongkai, Thailand.

n.a: not available.

Transborder movements of health are thus seen to have existed for a long time and are part of the practices of the Lao people living near the border. The issues to investigate today are to know first of all if these movements of proximity were influenced by the development of transport infrastructures on both sides of the border and thus if they have increased. It is also a question of whether these movements of proximity were accompanied by mobility where the distance covered on both sides of the border was increased? Is there surimposition of these two types of movement?

RESEARCH HYPOTHESES

1. The medical differential observed in the level of health care infrastructure between Thailand and Laos is the primary factor affecting the mobility of Lao patients.

The border area composed by Laos and Thailand is an original space; there is a strong economic and medical gap on both sides of the border and it is this differential which encourages some Lao people to use Thai health care infrastructures, either because they are considered to be of a higher standart, or because they can give very specialized care. We can label this mobility as ‘health seeking movements’. To quantify these movements poses the issue of the attraction power in Laos of Thai health care facilities. What are the dimensions and characteristics of the catchment area within Lao territory for these Thai structures?

More specifically, we can ask for which types of care Thai facilities are generally solicited. And, finally, who benefits from the Thai medical provision?

¹ Pottier Richard (2004). Ibid, ...p.221. ‘43,7% de ceux qui ont eu recours à un traitement quelconque, ont en effet acheté des médicaments soit dans les pharmacies de Vientiane, soit (deux fois plus nombreux) dans celles de Thaïlande. Il est à noter qu’un quart du nombre total de malades (119/476) et 30,6% de ceux qui ont eu recours à un traitement, ont acheté des médicaments en Thaïlande. L’achat de médicaments dans une pharmacie thaïlandaise a, en fait, représenté le type de traitement le plus souvent utilisé.’

From this general hypothesis, we can more specifically focus on the border situation between Vientiane and Nongkai: the bridge between these two cities has doubtless stimulated movements on both sides. What are the consequences in terms of the attractiveness of Thai hospitals and private clinics? Just how far does "the bridge effect" carry on the Laotian side?

2. The choice of whether or not to utilize the Thai health care infrastructure is a complex combination of the degree of accessibility, the gravity and the urgency of pathology as well as the profile of the patient (socio-economic, cultural and ethnic status). It will therefore be necessary to compose various trajectories according to these different parameters.

a) At the time when patients choose health care facilities, the first element taken into account is the distance which separates the patient from the facility. But this distance can be understood in three different ways: physical and real distance, time-distance and the more subjective distance which is perceived and lived by men.

The first meaning is thus about the issue of real accessibility. What distance (in kilometres) will patients travel to be treated? Does there exist a limit beyond which patients do not cross the border for healthcare?

Time-distance focuses more on the duration of travel between two places than on simple physical distance. In the case of our study, the good state of roads, the simpler and faster customs controls as well as the recent daily shuttle bus in both directions (in the case of the border area between Vientiane and Nongkai), tend to reduce the journey time and consequently to bring closer the places on both sides of the border.

Finally the relationship between men and places still goes beyond the physical, geometrical distance. Armant Frémont spoke about "the emotional distance, with a strong psychological component, [which] can come between a man and a place, or between men and places, more than the measured length and time of route, an emotive power depending on various factors (from simple habit to myth) which has the effect to connect or on the contrary to estrange¹". This is what we call the perceived distance by men. For example, the presence of family members on the Thai side or the habit of going there often for reasons such as shopping, leisure etc, will tend to minimize the effect of distance.

All these questions about real and perceived distance will be thus the first element to take into account in looking at health seeking behaviour.

b) The choice of structure will also be established according to the gravity of patients' pathologies and their sudden and urgent nature. Are there differences in the choice of health care facilities and places of treatment according to the pathologies affecting the patients?

We would tend to think that patients who have grave pathologies (such as chronic diseases, standard diabetes and serious diseases such as cancer) choose to be treated in larger specialized health care facilities. However these structures are often not in border cities but further inside Thai territory (for example Udon Thani or Khon Kaen). And so, on the contrary, in the case of acute emergency

¹ Frémont A. (1982). Histoire d'une recherche : distances et espaces, in *Espaces vécus et civilisations*, Paris, CRNS, p.26. 'La distance affective, à forte composante psychologique, fait intervenir entre un homme et un lieu, ou entre des hommes et des lieux, outre la longueur mesurée et le temps de parcours, une charge d'affectivité tenant à divers facteurs (de la simple habitude jusqu'au mythe, à la religion) qui a pour effet de « rapprocher » ou, au contraire, d'« éloigner ».'

pathologies (such as road accidents.), the choice will be for structures immediately at the border, where accessibility is easiest.

c) Lastly, I will endeavour to study health care behaviour according to the patient himself, his socio-economic and cultural level and his ethnic membership as well as his day to day environment.

Health care behaviours reflect varied patients' profiles. Indeed, crossing the border implies both knowledge of the care facilities fixed on the other side of the border and also having enough money to cover the expenses related to displacement and care. We could thus a priori say that patients who are treated in Thailand come from the Lao upper-middle-classes. Through a qualitative study, I will try to answer this assumption.

Moreover, in the case of Vientiane, we know that the city is made up of several national groups (lao, Chinese, Vietnamese) gathered in districts and also of different ethnic groups. Does the recourse to health care in Thailand depend on the patient's cultural membership?

3. The Lao recourse to care in Thailand is initially an urban behaviour which tends to then be diffused to recently urbanized zones, with still some rural components in the case of Vientiane.

Parallel to the research on patient profiles, it will also be interesting look at the issue of the nature of the place of residence of patients who choose to cross the border. Are they rather townsmen or rural? In the case of the border area between Vientiane and Nongkai, do they come most frequently from the city centre and close peripheries or also from surrounding villages? We could expect to see the phenomenon of mobility is a rather urban phenomenon.

These kinds of data will help to identify places or districts which are most exposed to the departure of their population for health care structures in Thailand?

TYPES OF APPROACHES SUITED TO BORDER SPACES.

The border is complex and difficult to define. This is why I present here various types of approaches which I will keep in mind throughout the field work in order to understand as well as possible border reality.

Need for a regional approach

To be comprehensive, a border study must be a balance of two complementary orientations: a systematic approach which includes a territorial, political, historical and identity exploration of the two border subspaces, and the approach known as regional which is more systemic and spatial.

The systematic approach is a technical one; it is in effect a question of describing and explaining in the most objective way possible the borderline and spaces on both sides of this limit. Within the framework of my present study, this systematic approach will consist of assessing medical provision on both sides of the border, as well the level of health care facilities, qualifications of medical personnel and specialities available; . The attraction of this reasoning is in the fact that spaces are apprehended in detail, but a major problem of this approach is that the spaces are described out of context, without reference to the regional situation. The information regarding either side of the border forms two independent studies which ignore each other and the risk of such reasoning is to then want to compare these two spaces without finding a closed link.

The integrated and regional approach is consequently essential in the case of border research as the objective is to link two independent subspaces and derive common characteristics from them. This reasoning can be described as all-embracing or global. Its intention is to enumerate the roles and

multiple effects of the border on social groups and their spatial organizations on both sides of this limit.

The border: a multiscale concept

The characteristic of the border is also its capacity for being seen from several points of view, which I will all endeavour to take into account during the study.

‘Borders form [...] multiscale objects, spaces subjected to strategies and policies decided on different levels of capacity [...]. The articulation of scales, sometimes the confrontation between a tendency to centripetal integration and a centrifugal drift animated by logics of proximity, demonstrates the need to study borders on different scales¹.’

Within the framework of health movements, I will thus endeavour to develop various points of view to carry this work on the border through to a successful conclusion; first of all it will be necessary to put ourselves in the place of Lao patients who cross the border and to understand their step. What are the factors which justify this choice? For which type of pathologies do they seek treatment in Thailand?

Then we will take the point of view of persons in charge of health facilities in Laos and Thailand in order to identify their perceptions of the border. Finally we will approach the border and movements of Lao patients from the point of view of local people in charge of communities (heads of villages/districts in cities) as well as the persons in charge of health issues in each of the two countries.

The various actors mentioned here are hypothetical, however one thing is sure: during my study, I will endeavour to associate divergent perceptions around the border in order to draw out a global representation.

Multi discipline approach

‘Objects of reality and spatial organization, borders are also objects built by our cultural and ideological values (...). They refer to three different and complementary fields: reality, imagination and symbolic systems².’

We have noted that the border constitutes a network of limits created by men which is translated in the landscape and concerns geography. But there are also all the consequences of this network in practices and attitudes as well as social structures and that do not concern geography directly. The richness of the border topic has made it a research field common to almost all social sciences.

¹ Collectif Renard J-P., Veyret Y... (2002). *Limites et discontinuités en géographie*, Liège, SEDES, Collection Dossiers des Images Economiques du Monde, 160p. ‘Les frontières forment [...] des objets multiscalaires, des espaces soumis à des stratégies et des politiques décidées à des échelles de pouvoir différentes [...]. L’articulation des échelles, parfois l’affrontement entre une tendance à l’intégration centripète et une dérive centrifuge animée par des logiques de proximité, démontre l’intérêt d’étudier les frontières à des échelles différentes.’

² Foucher Michel (1988). *Fronts et frontières. Un tour du monde géopolitique*, Paris, Fayard, 691p. ‘Objets de la réalité et de l’organisation des espaces, les frontières sont aussi des objets construits par nos valeurs culturelles et idéologiques (...). Elles nous renvoient à trois champs différents et complémentaires : le réel, l’imaginaire et le symbolique.’

In the course of my research, I will therefore try hard to enrich my geographer's point of view with research undertaken by public health experts, historians, sociologists, psychologists and ethnographers and I will endeavour as much as possible to collaborate with them.

STUDIES AREA

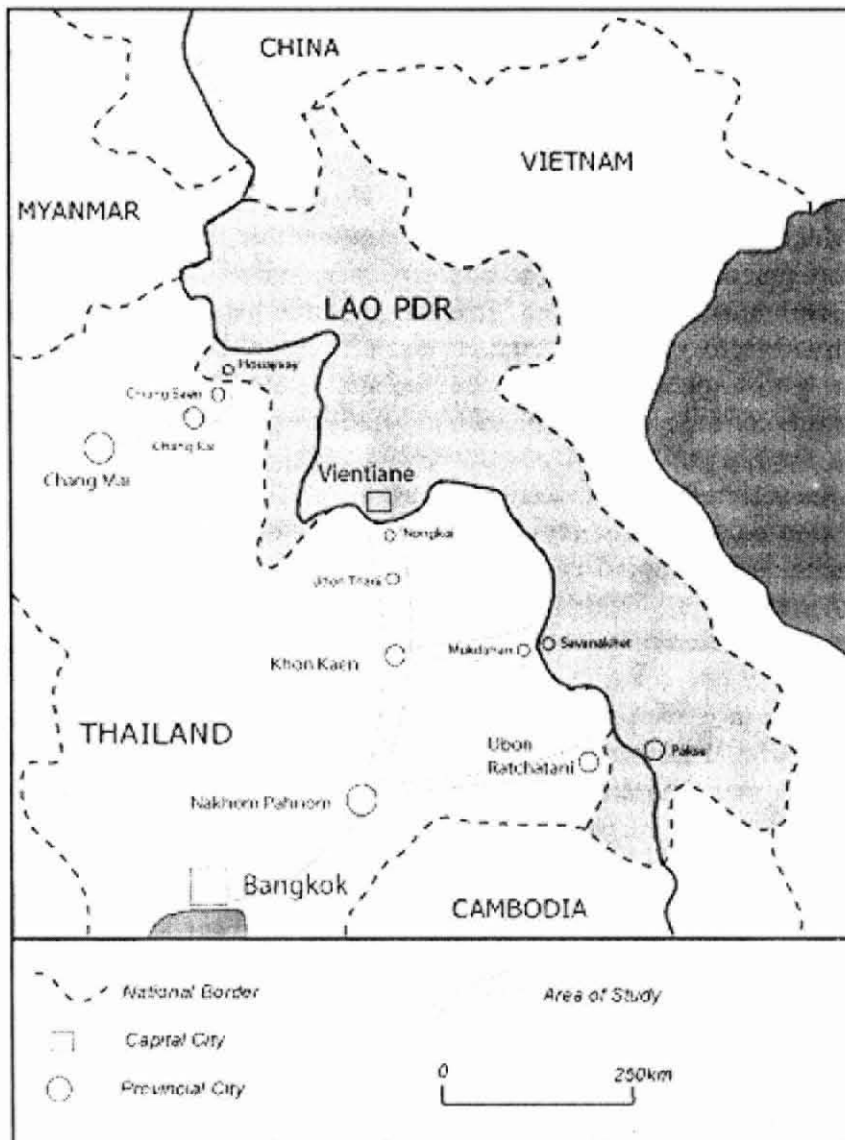
The border between Laos and Thailand is 1754Km long, of which more than two thirds is delineated by the Mekong. It is the link between a great number of Lao and Thai provinces and is thus extremely heterogeneous, bringing into contact spaces of very different natures depending on where we look. To define well the research locales is essential because the choices made will affect the way in which my objectives are answered. The selection will thus be made keeping in mind the need for a large amount of heterogeneity in order to enable comparison of various border situations and create a broad vision of the phenomenon of Lao health care seeking behaviour in Thailand.

Detailed below are the selected study zones which appear interesting (see map 1):

- The first border area consists of Vientiane - Nongkai/Udon Thani/Khon Kaen and, to a lesser extent, Bangkok. In Laos, the capital is the city best provided for in terms of health facilities and personnel, however there are flows of health seeking behaviour of a more or less high intensity towards all of the 4 cities referred to above. Up to what point are these movements quantitatively important?
- The second border region is the one between Savanakheth and Mukdahan / Khon Kaen. This area was described as the "East-West corridor" of the Greater Mekong Sub-region by the ADB and has seen great changes with the construction of a bridge which will connect the two border cities in few years. In this zone, the issue will be to take note of developments now in progress and measure their repercussions in terms of health and movements on both sides of the Mekong
- The border area between Pakse and Ubon Ratchatani will be also a zone of study. One of the special characteristics of this area lies in the fact that Pakse is not strictly speaking a border city. Here we will look carefully at the effect of distance on the movements of people living in Pakse.
- The final study area is located further north, between Bokeo and Chang Rai provinces. Bokeo is really on the periphery of the central zone of Laos and we can ask whether this has an impact on its relations with Thailand and more precisely on its health movements.

Each one of these zones thus presents specific characteristics to be developed and taken into account in the data analysis in order to clearly identify the specificities of medical mobilities peculiar to each place.

Locations of 'health seeking behaviour of Lao patients in Thailand' study areas



Map realized by A. Bochaton adapted from Atlas of Lao PDR 2000, Sisouphantong B., and Taillard Ch.

METHODS AND DATA

Analyze quantitative information

The first step that I will carry out in studying the target areas, will be to define and characterize the health care infrastructures on both sides of the border. This will enable me to fix the context in which the flows of health seeking behaviour in Thailand take place. On the Lao side and more precisely in Vientiane, I will be brought to work with Virginie Mobillion, PhD student in geography of the health who studies health care facilities in detailed way.

Once this first issue has been explored, the largest amount of quantitative work will take place in Thailand and will be to consult the patient registers in hospitals and private clinics along the border but also further inside the territory, in cities like Udon and Khon Khaen to evaluate, taking into account the reliability of the data, the number of Lao patients who come to each of these structures

for treatment. This will lead me to evaluate what the areas of attraction are for Laos of each Thai public and private structure.

The localization of each establishment will be done by GPS in order to establish maps of this attraction, according to the nature of the infrastructures (public, private), their localisation in Thailand (close to the border or not), their specialities....

If available I will also try to collect older data in order to estimate the evolution of flows of health seeking behaviour in the last few years: is there a growth in this phenomenon related to the development of transport infrastructures on both sides of the border?

Also, the presence of customs on the bridge between Nongkai and Vientiane and the Department of Highways in Nongkai will certainly allow me to quantify flows in general and more specifically of patients who cross the border by the road.

Qualitative approach

On top of the quantitative research which will form the basis of reflections regarding context, I will also adopt a qualitative approach in order to focus on the behaviour of the transborder patients, their profiles and their strategies. The qualitative approach, through a household survey, will allow me to better understand flows of recourse, the factors which determine them and the modes in which they operate. Some axes present particular interest:

- Patient profiles: first, I would like to define categories of patients who leave Laos and go to Thailand to receive treatment. That implies taking note of their socio-economic status, their ethnic and cultural specificity and locating their place of residence in Laos. All elements from an individual or familial point of view will be taken into account in the elaboration of these different categories.
- Operating modes of flow: The way in which flows occur also particularly interests me. With this information, I will be able to reconstitute the patient's therapeutic routes. This can be summarised by a series of questions: How did the patients know about the structures of care present in Thailand? When a patient chooses to cross the border, is it an individual action or is the patient supported by family or networks of another type? We know indeed that a great number of Lao people live in Thailand, consequently we can ask whether family ties on both sides of the border always exist and if they play a part in access to health care structures in Thailand. Can Lao people who live in Thailand facilitate access to health care infrastructures for members of their family living in Laos?
Do family strategies on care exist? It will be necessary here to try and reconstitute family ties and genealogies on both sides of the border.
- Health seeking behaviour / Classic movements on both sides: Finally, I would like to consider the traditional economic activities (exchanges, shopping, leisure activities...) carried out by Lao people in Thailand and those who go specifically to Thailand to seek health care. Are they the same individuals? Does the consultation to a doctor or in a hospital coincide with other economic activities or is it the single motivation which pushes some Lao people to cross the border?

To study movements across a border is a difficult thing because of the imperceptible and dispersed nature of this phenomenon. The qualitative approach will thus undoubtedly allow me to approach flows of recourse in a more detailed way and consequently understand better the current process of health care movements.

DIFFICULTIES REGARDING THE INITIAL FIELDWORK

One of the difficulties which will come up during the study is the variability of access to registration data depending on the status of the health care infrastructure (public hospitals or private clinics) and consequently a statistical imbalance at the time of analysis. Registers in public hospitals are on the whole easy to obtain whereas those of the private sector are much less so. As a result I won't be able to make a quantified comparison of the attraction of private structures in relation to the attraction of the public sector.

CONCLUSION

Health mobility is a phenomenon that has always existed, both in proximity to and on both sides of the border between Laos and Thailand, as a study made in the early seventies by Richard Pottier, has already proved. Today's changes concern the amplification of movement in terms of intensity, space range and organization/structuring following the opening and development of the border.

Ultimately, the study on health seeking behaviour from Laos to Thailand has several objectives, including:

- To identify old flows and those which are the result of new practices, related to a general increase in movements on both sides of the border.

- To identify the most relevant scale for understanding well these health mobilities: from the transborder scale, made of spontaneous movements of proximity, to the transnational, which finds expression in reticular operations. Which logic prevails today?

Can we imagine that there is today a combination of these logics leading to a complex organization of border areas? What are the new spatial articulations which result from this?

It is the mission of this research, undertaken in the geography of health, to answer these questions.

BIBLIOGRAPHY

Geography of Health

- Picheral H (2001). *Dictionnaire raisonné de géographie de la santé*, Atelier de géographie de la santé (GEOS), Université de Montpellier III, 308p.
- Vigneron E. (2001). *Distance et Santé. La question de la proximité des soins*, Paris, Que sais-je PUF, 127p.

Mobility and Health

- Lyttleton C., and Amornthip A. (2002). 'Sister Cities and easy passage: HIV, mobility and the economics of desire in a Thai/Lao border zone', *Social Science and Medicine, Volume 54 Issue 4*.
- Supang C, Amornthip A, and Shati R, (2002). *Cross-Border Transportation Infrastructure Development and HIV/Aids Vulnerability at Nongkai-Vientiane Friendship Bridge*, Asian Research Center for Migration, Chulalongkorn University, 61p.
- Supang C et al (2004). *Cross Border Migration between Thailand and Lao PDR : A Qualitative Assessment of Lao Migration and its Contribution to HIV Vulnerability*, The Asian Research Center for Migration, Chulalongkorn University, Executive Summary, 14p.

The border between Mexico and the United States :

- Chavez B, Leo R et al (1985), 'Mexican Immigrants and the Utilization of U.S. Health services : the case of San Diego', *Social Science and Medicine, Volume 21 Issue 1*, pp93-102.

- Guendelman S and Jasis M (1992). 'Giving Birth Across the Border: the San Diego-Tijuana Connection', *Social Science and Medicine, Volume 34 Issue 4*, pp.419-425.
- Guendelman S (1991), 'Health Care Users Residing on the Mexican Border: what factors determine choice of the US or Mexican health system?', *Medical Care, Volume 29 n°5*, pp. 419-427.
- Guendelman S and Jasis M (1990), 'Measuring Tijuana Resident's Choice of Mexican or US Health care services', *Public Health Reports, Volume 105 n°6*, pp575-583.

Borderline and border area: an issue of concept

- Brunet R (1968). *Le phénomène de discontinuité en géographie*, CNRS, Paris, 117p.
- Brunet R (1992). *Les mots de la géographie: dictionnaire critique*, RECLUS la Documentation française, Paris, 518p.
- Collectif Renard J-P, Veyret Y (2002). *Limites et discontinuités en géographie*, Liège, SEDES, Collection Dossiers des Images Economiques du Monde, 160p.
- Courlet C (1988). 'La frontière : couture ou coupure? Approches de théorie économique', *Economie et humanisme*, 301, pp5-12.
- Fawcett CB (1918). *Frontiers: A study in Political Geography*, Oxford.
- Foucher Michel (1988). *Fronts et frontières. Un tour du monde géopolitique*, Paris, Fayard, 691p.
- Foucher Michel (1984). 'Les géographes et les frontières'. *Hérodote* 33-34, pp117-130.
- Frémont A (1982). 'Histoire d'une recherche: distances et espaces', *Espaces vécus et civilisations*, Paris, CRNS, p.26.
- Piermay JL (1993). *Citadins et quête du sol dans les villes d'Afrique centrale*, thèse d'Etat, Université Paris X-Nanterre, Paris, L'Harmattan, coll. « Villes et entreprises », 579p.
- Guichomet P and Raffestin C (1974). *Géographie des frontières*, Paris, PUF, 224p.
- Grasland C (1997). 'A la recherche d'un cadre théorique et méthodologique pour l'étude des maillages territoriaux', Communication présentée aux Entretiens Jacques Cartier sur les découpages du territoire, Lyon, 17p.
- <http://www-census.ined.fr/debat/Contributions/Avant-Fevrier-1999/Grasland-2.html>
- Raffestin C (1986). 'Eléments pour une théorie de la frontière', *Diogène*, 134, pp3-21.
- Renard JP (sous la direction de) (1997). *Le géographe et les frontières*, Collection Les Rendez-Vous d'Archimède, Paris, L'Harmattan, 299p.
- Renard JP and Picouet P (1993), 'Frontières et territoires', *La Documentation Photographique*, 7016.

Asia Area : Thailand and Laos

- Beau Paul (1908). *Situation de l'Indochine de 1902 à 1907, rapport du Gouverneur Général*, Marcellin Rey, Saïgon, p.360.
- Brunet R (sous la direction de) (1995). *Géographie universelle, tome: Asie du Sud-Est, Océanie*, Paris, Belin Reclus, 480p.
- De Koninck R (1994). *L'Asie du Sud-est*, Paris, Masson, 317p.
- Gallon A (2003). *Les ponts transfrontaliers du Mékong entre la Thaïlande et le Laos*, mémoire de DEA sous la direction de C Taillard, Université Paris X Nanterre.
- Mignot F (2003), *Santé et Intégration nationale au Laos: rencontres entre montagnards et gens des plaines*, Paris, L'Harmattan, 359p.
- Mobillon V. (2003). *Changements urbains et transition sanitaire : le cas de Vientiane (Laos)*, Master report in geography of health directed by G Salem, Paris X-Nanterre, 92p.
- Polsena V and Banomyong R (2004). *Le Laos au XXI^e siècle: les défis de l'intégration régionale*, Bangkok, IRASEC, 240p.

- Pottier Richard (2004). *Santé et Société au Laos (1973-1978). Le système de santé lao et ses possibilités de développement : la cas de la zone de santé de Thaïlande Dūa*. Texte remanié de thèse de doctorat en ethnologie. Comité de coopération avec le Laos, Paris, 505p.
- Sisouphantang B and Taillard C (2000). *Atlas de la République Démocratique populaire Lao, les structures territoriales du développement économique et social*. Paris, CNRS, Libergéo, La documentation française, 160p.
- Stern A et al (1998). *Maps of international Borders between Mainland Southeast Asian Countries and Background Information concerning Population Movements at these borders*, Bangkok, The Asian Research Centre for Migration, Chulalongkorn University, 45p.
- Taillard C (1989). *Le Laos, stratégie d'un Etat-tampon*, Montpellier, GIP RECLUS, 200p.

Websites

ASEAN Website: <http://www.aseansec.org/64.htm>

Ethnic groups and HIV/AIDS in Ky Son district, Nghe An province, Vietnam, 2004

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Background

Since the first case of HIV infection was reported in Ho Chi Minh City in 1990, HIV has now been identified in all 64 provinces and cities of Vietnam. Nghe An - a central province of Vietnam - is not an exception. According to the Nghe An Provincial AIDS Standing Bureau, by February 2004, a total of 2,814 people have been found positive with HIV in the province.

This study has been conducted in the project “*Strengthening bilateral cooperation between Nghe An province (Vietnam) and Xieng Khoang province (Laos) in HIV/AIDS prevention*” to provide baseline information of ethnic minority populations and HIV/AIDS in 4 selected communes (Muong Xen, Chieu Luu, Huu Kiem, and Nam Can) of Ky Son frontier district, Nghe An province.

Ky Son, a remote mountainous district of Nghe An, shares 192 km of borderline with Laos in the north, west and south, and connects to Noong Het district, Xieng Khoang (Laos) through Nam Can international border gate. It has a population of 58,000 people, of which 90% are Thai, H'Mong, Kho Mu and K'Ho. Stretching over 1,791.7 km², Ky Son is divided into one town and 20 communes. Located in the Truong Son Range, Ky Son is 800 - 1000 m above the sea level, subsequently it has rather harsh and changeable climate, and is difficult to access. The national road No. 7, connecting Vinh city and Nam Can border gate, spans over 300 km and is full of twists and turns. In communes where this road passes by, local people tend to cluster around the road.

Local ethnic groups enjoy a mix culture of their own traditional one and of the modern one. They wear both traditional and modern costumes in everyday life and during festivals. They eat both traditional food and food prepared following the Kinh people. Traditional activities – carnivals, festivals, or community gatherings – have gradually given place to public activities, or ceremonies celebrating national events such as the National Day (September the 2nd), the Communist Party Day (February the 3rd), and the birthday of Vietnamese beloved former president Ho Chi Minh (May the 19th). During these events, some traditional activities such as playing traditional music, dancing or singing performances, or buffalo's fighting competitions, are organized together with other modern cultural activities. These often attract people from different ethnic groups, social classes, and ages.

Majority of the population in the district lives on farming, cattle raising and timbering. Farming season lasts from April to June; harvesting season is from October to December. In the planting and harvesting season, farmers usually stay in the field from four or five days due to the distance from home to the field. January – March period is the leisure after harvest time. In remote villages, self-supported economy holds a prominent position. A small portion of the population who resides along the national road number 7 and in Muong Xen town earns their living by doing small businesses or producing traditional handicraft products.

There is a coexistence between languages of ethnic groups and the national language (the language of Kinh). The majority of ethnic populations can speak Kinh – village leaders speak it fluently. Some people can also speak languages of other ethnic groups. However, many H'Mong and older people living far from the national road cannot speak and understand Kinh.

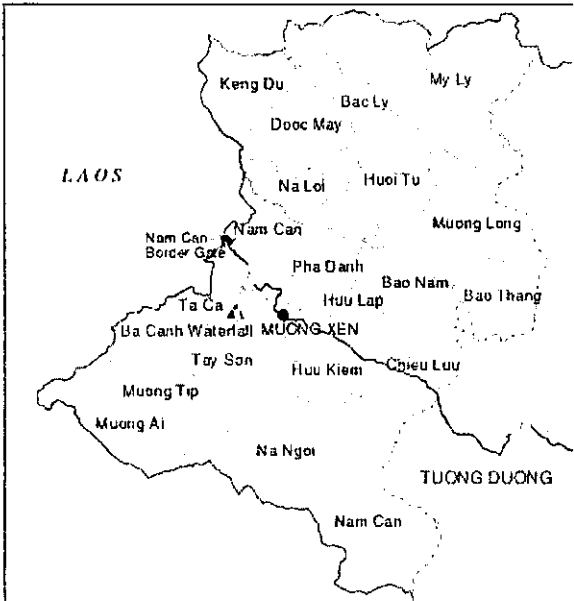
All local residents do not adhere to any religion. They only pray their ancestors. In each family, the husband is the breadwinner, and the wife assists him in farming, educating children, and doing housework. In each village, the village leader is the most respected person whose ideas have strong influence on others.

Although four communes included in the project share common characteristics of a mountainous area, each has its own features – they are different in the ethnic composition and geographical location (Table 1).

Table 1. Demographic characteristics of the communes within project sites

<i>Commune</i>	<i>No. of Villages</i>	<i>Households/Residents</i>	<i>Ethnics</i>	<i>Geographic surface (ha)</i>
M u o n g Xen town	5	478/2264	Kinh (48.7%), Thai (30.8%), H'Mong (10.5%), Kho Mu (8.6%), Hoa (1.1%), K'Ho (0.3%)	169
Chieu Luu	11	912/5230	Thai (60%), Kho Mu (35%), Kinh (4.5%), H'Mong (0.5%)	12,171
Huu Kiem	8	626/3651	Kho Mu (70%), Thai (27%), Kinh (3%)	789
Nam Can	6	513/3284	H'Mong (65%), Thai (19.5%), Kho Mu (15%), Kinh and Hoa (0.5%).	9,076
Total	30	2,529 / 14,429		22,205

Figure 1. Map of Ky Son District



Research Methodology

The study included two components, qualitative and quantitative ones. Qualitative research used focus group discussions, in-depth and key informant interviews to gather relevant information. The quantitative research employed a random household survey to provide an estimation of extension of certain variables.

II. 1. Quantitative research

The questionnaire was developed to provide the following major indicators:

- Percentage of people who can promptly name at least 3 modes of HIV transmission;
- Percentage of people who can promptly name at least 3 measures of HIV prevention;
- Percentage of people who give correct answers on how HIV is transmitted and not transmitted;
- Percentage of people who give correct answers on how to prevent HIV infection;
- Percentage of people who have known and reported to use condoms; and
- Percentage of people who show sympathetic attitudes towards HIV infected people.

The survey used the random sampling method. Survey area included 12 selected villages in 4 target communes – either along the road number 7 (roadside village) or having high numbers of drug users. Households were selected randomly, and interviewers visited these during the daytime from 9 a.m. to 5 p.m. Some people met on the street were also included in the survey. A total of 272 interviews had been conducted – twenty failed to meet the quality standards, and were excluded from analysis.

Table 2. Number of completed interviews by commune

<i>Commune</i>	<i>Number of completed interviews</i>	<i>Percentage</i>
Muong Xen	71	28.2
Chieu Luu	62	24.6
Huu Kiem	59	23.4
Nam Can	60	23.8
Total	252	100

II. 2. Qualitative research

Tape-recorded In-depth Interview (II), Key Informant Interview (KII), and Focus Group Discussion (FGD) were key tools for collecting qualitative information. In addition to these, observations were made during visits to the project sites.

The study subjects were recruited, using purposive and random sampling. Informants included local government officials, members of social organizations (Women Union, Youth Union), community members (men, women, youth, traditional healers, and traditional birth attendants), community health workers, school teachers, cross-border traders, border keepers and drug users. In total, 32 in-depth interviews and 8 focus discussion groups have been conducted.

Table 3. The composition of study subjects in the qualitative research

<i>Study subjects</i>	<i>In-depth Interview</i>	<i>Focus Group Discussion</i>
District government officials	-	1
Commune government officials	-	4
Village leaders	4	

<i>Study subjects</i>	<i>In-depth Interview</i>	<i>Focus Group Discussion</i>
Teachers of the boarding school	-	1
Students of the boarding school	-	1
Village health workers	4	-
Traditional healers	1	-
Traditional Birth Attendants	1	-
Male adults	7	-
Female adults	7	-
Cross-border traders	2	-
Border keepers	-	1
Drug users	6	0
Total	32	8

Findings

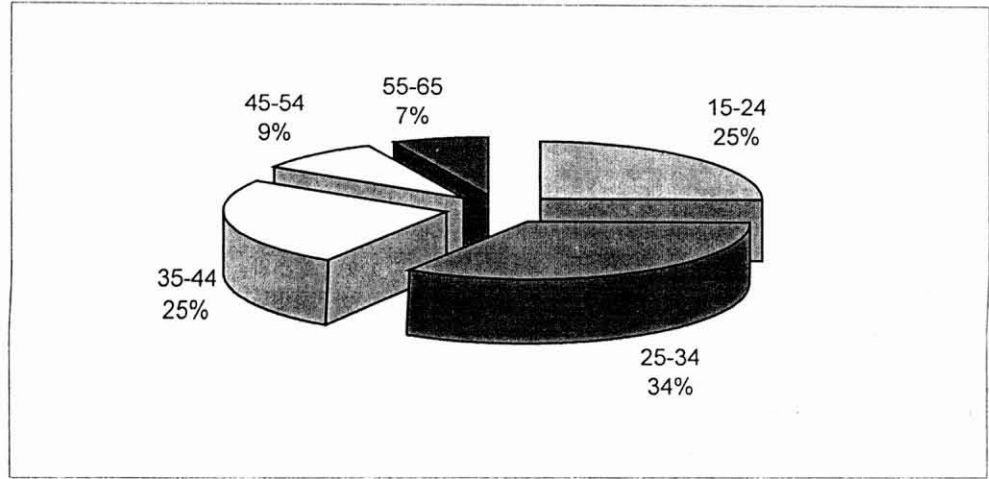
III. 1. Characteristics of the population

1. Demographic characteristics of the respondents

Age: People included in the survey were from 15 to 65 years old for both genders.

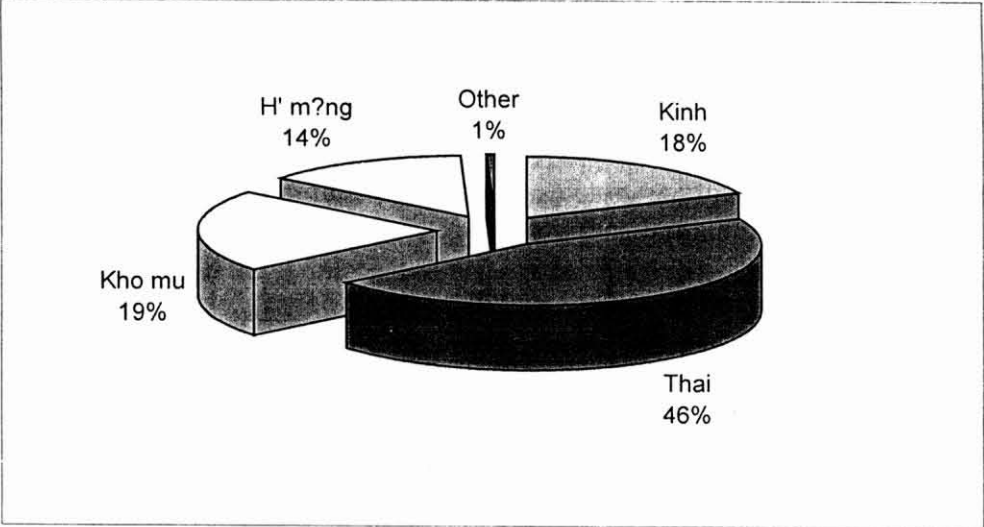
Gender: 48% of respondents were female, and 52% were male.

Figure 2. Distribution of respondents by age group



Ethnics: Thai group accounted for the largest proportion in the survey (46%), followed by Kho Mu (21.5%), Kinh (18%), H'Mong (14%), and others (K'Ho, Hoa) (0.5%).

Figure 3. Distribution of respondents by ethnics



Residential status: 87.3% of respondents came from Ky Son, and 12.7% were migrants coming from other districts or provinces.

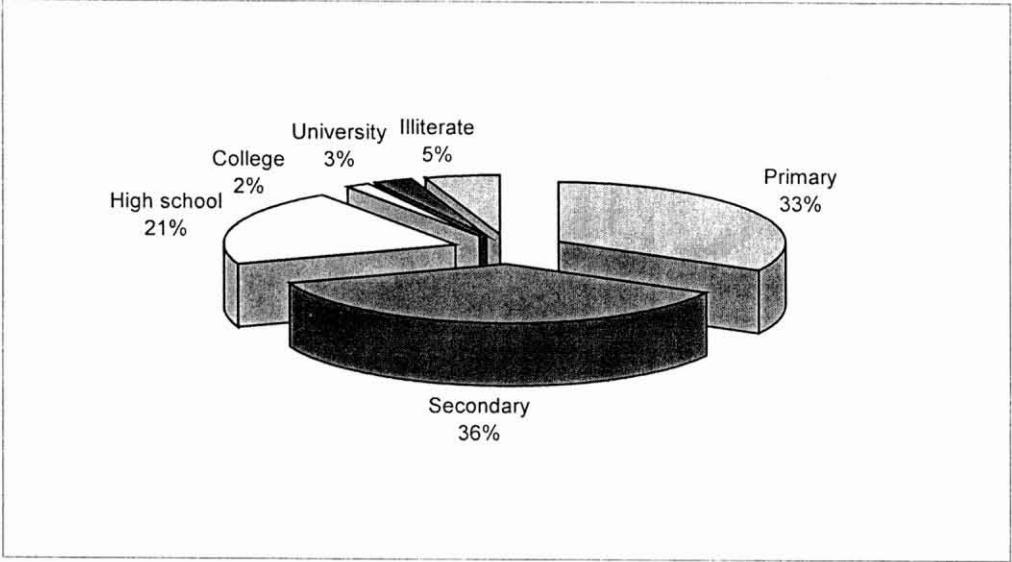
Religion: Almost all (98%) people in the survey did not belong to any religion.

Occupation: 67% lived on farming or timbering, 9% worked for the government, 7% were students, 4% were small traders, and 13% did other jobs such as production of handicraft goods, or unemployed.

Levels of education: only 5% respondents reported to be illiterate, 33% completed primary school, 36% completed secondary school, and 21% completed high school. Only 5% graduated post-secondary education (college or university).

Language: 95% of respondents could speak and understand Kinh.

Figure 4. Distribution of respondents by level of education



III. 2. HIV/AIDS situation and potentials for its transmission

1. General situation of HIV/AIDS

HIV figures:

By February 2004, in the whole province of Nghe An, out of a population of more than 3,000,000, a total of 2,814 people had been found positive with HIV (94 per 100,000 inhabitants). Also by February 2004, in Ky Son, with the population of 58,000, there had been 10 positive cases (17 per

100,000) – all had been detected during the army conscript screening due to the fact that there were no testing services available there.

Yet 8 out of these 10 cases were young people from the 4 project communes, making their detected infection rate 3 times higher than the district's average (8 per 14,429 inhabitants, or 55 per 100,000). And moreover, 6 were from Chieu Luu commune (5230 people) – roughly estimated detected prevalence was 115 per 100,000 inhabitants and 2,620 per 100,000 drug users.

All these 8 HIV cases belonged to the group of 550 drug users in the 4 communes. However, the real number of HIV infections must be higher if not only army conscripts were tested.

Table 4. Drug users and HIV cases detected by February 2004

Commune	Drug users		HIV cases		
	No.	% in population	No.	Rate per 100,000	
				Of population	Of drug users
Muong Xen	135	6.0	1	44	741
Chieu Luu	229	4.4	6	115	2,620
Huu Kiem	97	2.7	1	27	1,031
Nam Can	89	2.7	0	0	0
Total	550	3.8	8	55	1,455

Knowledge

Although 92 % respondents said they heard or knew about HIV/AIDS; and 90% knew that HIV/AIDS was a fatal and incurable disease, in general the population's knowledge of HIV/AIDS was still very poor. Regarding individual route of HIV transmission, 82% respondents cited injecting drug use, 62% cited having sex without condoms. This rate for mother-to-child transmission was 20%.

The qualitative assessment also revealed that existing knowledge was vague and inadequate. There was a confusion of how HIV was transmitted or not transmitted, and how to prevent HIV infection. However, commune officials who participated in group discussions and in-depth interviews all had good knowledge on HIV transmission routes and HIV prevention measures.

“If you get that disease, you cannot live for long” (II – 26 year old man)
“I do not understand much. I heard that if IDUs share one needle and syringe, they will get HIV. Thus, I tell my son not to use drugs anymore.” (II – 41 year old woman).

Knowledge of how HIV was transmitted confined greatly to drug injection and sexual contacts. People tended to think that HIV was only transmitted among drug users, while they were not aware that sharing or using non-sterilized syringes/needles could also transmit HIV. Blood transfusion and mother-to-child transmission was mentioned by just a few informants.

Respondents who knew that HIV could be transmitted by sharing clinical needles accounted only for 23% interviewees. There was a substantial number of respondents, around 20%, thinking that HIV/AIDS was not transmitted through sexual contacts without condom, via blood transfusion, or from an infected mother to her child.

Being asked of some ways in which HIV was not transmitted, many respondents gave incorrect answers: 40.5% blamed mosquito bite, 19% - sharing kitchen utensils; 18% - holding / kissing, 18.5% - coughing, and 18.7% for sharing toilet.

Regarding assessment of HIV infection risk, only 26% respondents thought they could get infected, 42% believed that the highest risk group was IDUs, and 36% cited sex workers.

Proportion of respondents who promptly named at least three measures of HIV prevention was 25%. Figures of those who gave correct answer on one preventive measure was 47% for not sharing syringes/needles, 41% for using condoms consistently when having sex, and 29% for being faithful to one partner.

A substantial number of respondents agreed that avoiding mosquito bite (37%), not sharing meal with an HIV carrier (33%), or not sharing toilet with an HIV carrier (25%) were methods to prevent HIV infection.

"HIV is transmitted via the respiratory tract" (II – 19 year old male).

"In my opinion, only youth at the age of 25 – 30 could get HIV infection while those over 30 years of age could not" (II – village leader).

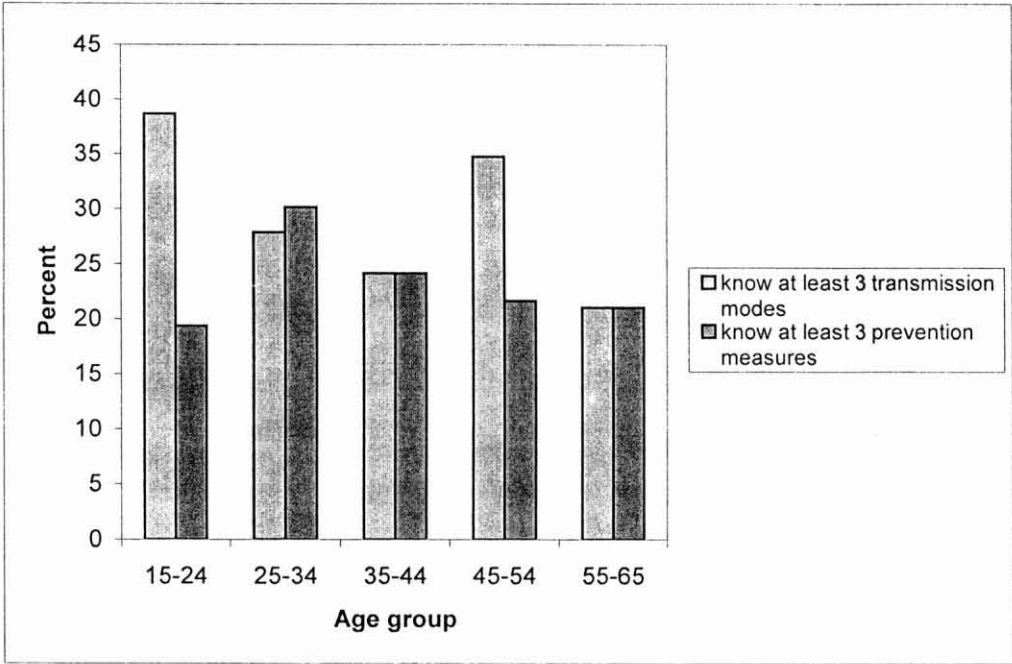
"Because they smoke opium – I do not know much. I only know IDU can easily get infected with HIV" (II – 17 year old girl).

"We do not have any relations to that disease (HIV). We heard about it from an outreach worker, but I do not understand much" (II – 50 year old man)

"There is a vaccine to prevent HIV" (II – 28 year old woman).

Knowledge of HIV/AIDS was also different across age groups. Youths aged 15 – 24 and people aged 45 - 54 were the most knowledgeable on how HIV/AIDS was transmitted: 38% and 35% of them knew at least three HIV transmission routes. Corresponding figures of other age groups were 28% for people 25 – 34 years old, 24% for 35 – 44, and 21% for 55 – 65 ones. Surprisingly, proportion of youths who could name at least three preventive measures was the lowest compared to other age groups. However, this indicator for all five age groups was not significantly different, ranging from 20% to 30%.

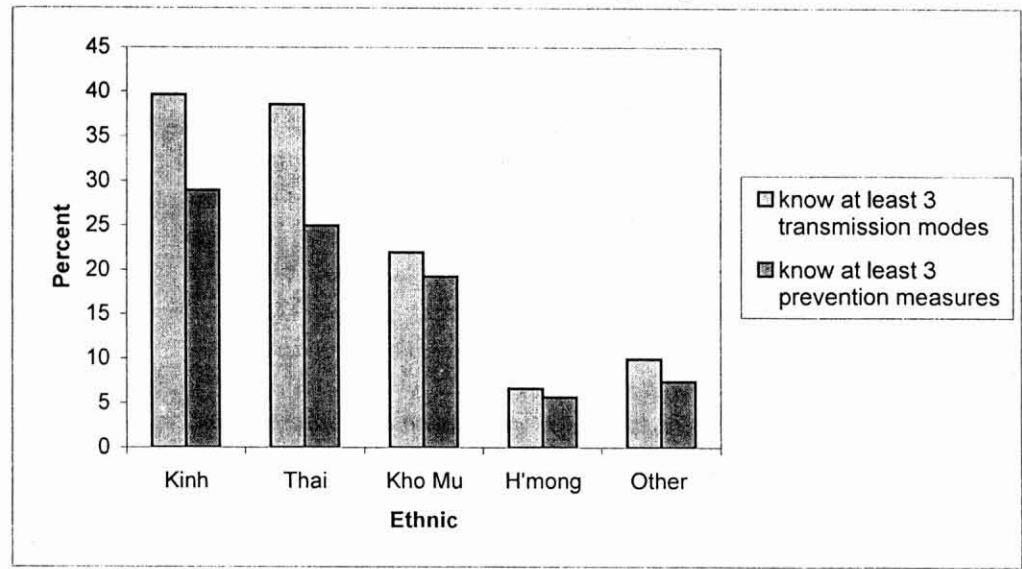
Figure 5. Knowledge of HIV/AIDS by age group



Knowledge of modes of HIV transmission and preventive measures were different between ethnic groups. In general, Kinh and Thai people had better knowledge than Kho Mu and H'Mong ones.

H'Mong people were far behind other groups in terms of knowledge of how HIV was transmitted – only 6.7% of them could promptly name three modes of HIV transmission.

Figure 6. Knowledge of HIV/AIDS by ethnic group



2. HIV/AIDS and blood born transmission / drug use

Ky Son district had once been famous for opium plantation. Therefore, drug addiction, using non-injecting practices such as smoking or swallowing (for disease treatment purposes) was quite common in both men and women. Opium was a home made product, thus, opium use did not have great impact on household's economy and social security, and no one discriminated opium users.

"If I stop using drugs, I feel very painful" (II – 45 year old female).

"Drug using family" – a family in which all members were drug addicts – was a common phenomena: once the father got addicted, his children could easily imitate this practice.

Q: Why did you get addicted to drugs?
A: My father was a drug addict - when he was busy, he asked me to buy drugs for him. Sometimes, I felt stomachache and I asked him to give me opium to swallow.
Q: Did you feel better after you used it?
A: Yes, then I got addicted (II – 28 year old male drug user)

In a drug using family, it was very difficult for one family member to give up using drugs.

"I have tried to stop using drugs 3 times, but I failed. My father is still using. When I see him smoking, I can not bear" (II – 28 year old male drug user).

Since the government policy on elimination of opium plants was launched with the support of the United Nation Office for Drug Control (UNODC) in 1996, leading to the complete chop-down of opium plants, opium supply became scarce and drug users had to go to Laos seeking opium for their use. Simultaneously, they also engaged in transportation and trafficking drugs through small trails. Making use of this situation, some Kinh people from other districts and provinces brought in heroin and other synthesized drugs for selling to local drug users who were mainly young people.

Increasing price of drugs and increased dosing induced drug users in Ky Son to shift from non-injecting to injecting practice, particularly in Chieu Luu commune, dozens of opium smokers became injecting drug users. Most drug users spent more money than their income for drugs. For this reason, drug use had greatly impacted household's economy and social security, and resulted in the discriminative attitude of general community towards drug users. The very discriminative attitude prevented injecting drug users (IDUs) from accessing clean syringes/needles and other health services.

Young drug users often used heroin and synthesized drugs. Middle or older age people preferred smoking opium, making up 60 % opium smokers, as estimated by the district officials. Some people swallowed drugs (a common traditional practice). About 27% drug users were IDUs, mainly young people. Most drug users were men of different occupational backgrounds.

"Drug users could be school teachers, students or government officials, but they often hide their drug use status" (II – 37 year old male IDU).

Major risk of HIV transmission was the changing pattern of drug use from smoking to injecting due to the escalating drug price, and the fact that injecting drugs could produce faster effects.

"For the drug users who have been using drugs for long time, they require higher doses of drugs, so they prefer injecting which is much cheaper" (II – 47 year old man).

When drug users were craving for drugs, they often practiced unsafe injection such as sharing and using un-sterilized syringes/needles, or injecting drug residue.

"When he is hungry for drug, I see him pour liquid with opium residue into a syringe, then inject it" (II – 28 year old male, former drug user).

"When he is craving for drug, he defies everything to satisfy his addiction. He borrows syringes/needles from others" (II – 50 year old male drug user).

Besides, most IDUs thought that they should not have to take HIV tests if they still felt strong.

3. HIV/AIDS and sexuality

Commercial sex was also reported in Ky Son. Increasing interaction between local residents and other localities through migrant workers, truck drivers, cross-border traders stimulated sex work and drug use. Sex workers included those from other localities or even from Laos. There was one brothel located in Laos near the border gate to serve transiting drivers.

"Sex work in Laos is not controlled as strictly as in Vietnam. Sex workers from Laos do not enter Vietnam through the national border gate, but through small trails. Some youths, primarily belonging to ethnic groups who have rather good living condition, experiment sex with sex workers" (FGD - district policeman).

Benefited from population and family planning programs, and SHAPC's previous project on HIV prevention, local people had heard or known about condoms and the importance of condom use for both contraception and prevention of STD/HIV/AIDS. However, they still felt ashamed or reserved to talk about this topic. Therefore, it was very difficult for interviewers to delve deeper into this topic to have an adequate assessment of their knowledge and behaviors related to condom use, as well as condom use skills.

Some people had never used condoms though they had heard about it. They showed an indifferent attitude towards condom use by explaining that they did not like it or did not think it was necessary to use it. Many informants said they did not know how to use condom properly, since they had never been guided to use either by health workers or outreach workers.

Q: What is condom used for?

A: For preventing diseases such as: HIV, syphilis, and pregnancy.

Q: How to use condom properly?

A: I do not know much because health workers have just introduced it to me but have not guided me on how to use condom properly" (II – 24 year old woman).

Proportion of respondents who knew or heard about condoms was 67%, but only 19% said they had used condoms. Among those who used condom, 76% said they used it for contraception, 52% for prevention of HIV/AIDS, and 22% for prevention of STDs. 83% condom users used it when having sex with spouse, 10% with boy/girl friends, and 8% with sex workers. The place where people liked to get condoms from was the commune health center (51%). Only 26% wanted to buy condoms from private pharmacies, and 23% from other sources such as health workers, outreach workers, public pharmacies or hospitals.

4. HIV/AIDS and mother to child transmission

As mentioned earlier, only 20% interviewees knew that HIV could be transmitted from an infected mother to her baby. This reflected the big gap in the knowledge of local population regarding HIV/AIDS matters.

III. 3. Factors related to HIV transmission

1. Socio-economic factors

Drug addiction and emerged discrimination towards drug users:

Unemployment and lack of healthy entertainment facilities and recreational activities had been cited as important factors promoting drug addiction among youths and adolescents.

"There is a shortage of entertainment or recreational activities such as cinema, music performance, or sports. When having free time, youths gather and drink alcohol. Thus, they get addicted to drugs" (II – 56 year old male).

After completing high school, many young people could not find jobs. They became depressed, therefore could be easily enticed by friends who were drug users or drug dealers. Drug dealers coming from plain regions with "white pills, red pills" which look curious to young people:

"These pills are very tasty, why don't you try?"

To entice, they poured out alcohol until youths get drunken, then gave them free samples:

"Initially, I used it for relaxation, then I felt interested, and gradually I got addicted to drugs unknowingly" (II – 37 year old male IDU).

Local people had different attitudes towards drug users. In villages where opium plants had been planted, villagers considered drug use a normal practice, and there was non-discriminative attitude against drug users. Since the elimination of opium plants policy came into practice, drug supply and income of local residents dropped dramatically. Consequently, many traditional drug users could not afford smoking

opium. Some of them had to sell household's belongings for money to buy drugs – this greatly affected family's economy and spouse's sentiment. Anti-drug campaigns of the government raised awareness of local residents of bad impacts of drug use on their life. As a result, certain traditional drug users were willingly going to detoxification centers where they were given treatment to give up drug use. However, due to the lack of courage, a number of others (mainly young ones) maintained using it.

On the other side, the elimination of opium plants and anti-drug campaigns introduced stigma and discrimination of the general population towards drug users. Firstly, these lead to a sharp decline in local residents' income and an escalated drug price. To earn money for drugs, people often engaged in illegal activities such as stealing, robbery and drug trafficking. Secondly, drug use started to be considered as a social evil under the influence of campaigns' communication. As a consequence, stigma and discrimination of general population towards drug users had become stronger and stronger.

"Girls dare not come closer to him (IDU). If there is a festival, nobody dares to go with him" (FGD - Nam Can commune authorities).

"Some people say they do not have any discrimination against me, but they see me with unfriendly eyes, they avoid meeting me" (II - 37 year old male IDU).

Access to mass media including health education:

Another factor preventing people in the bordering areas between Ky Son and Noong Het district (Laos) from accessing mass media was the lack of electricity.

Among 4 selected communes, only Muong Xen town received electricity from the national network. In other 3 communes, electricity was generated by small-size hydroelectric generators – this power was used to run mass media facilities, but it was not adequate too. There was no electricity for daily life. Therefore, access to mass media (TV, radio) was very much limited.

Muong Xen town: In this the center of district, living standard of the population was relatively high. According to commune officials, about 65% households had televisions, 85% had radios or cassette players. There was a television station for receiving and broadcasting programs from national and provincial channels. It also broadcasted its own programs in the national language for local residents once or twice per week. Some households had satellite antenna to directly receive national television programs. Additionally, local people in the town were accessible to national and provincial newspapers.

Chieu Luu and Huu Kiem communes: Inhabitants living in villages along the national road No. 7 enjoyed a more favorable condition in accessing mass media than those living in remote villages. As reported by commune officials, approximately 80% households had radios; some owned radios or cassette players. Each village had one television using battery which was administered by the village leader. Local residents preferred watching television to listening radios or cassette players. Most of them had some difficulty in understanding radio programs broadcast in Kinh. Twice per year, film and theatre performances were shown in the commune, but there was not much audience because of the poor geographical access.

"Number of audience is around 70 - 80 people, mostly youths. Elder people do not like it much" (FGD - commune authorities - Huu Kiem commune).

Nam Can commune: This commune had no electricity, thus, it was difficult for its inhabitants to access mass media. A few households had radios. The whole commune had only one television set administered by the border keeping station. Villagers often came here to watch TV.

Mobile population:

Integration of cultures and lifestyles increased communication and interaction among people from different ethnic groups within the district, and with other communities in other locations, especially with cross border mobile populations and people from Vinh (the province's capital), who came here to work as traders or constructors. Living far away from home and lacking healthy entertainment facilities and recreational activities created condition for them to engage in drug use or unsafe sexual relations with local women. Thus, there existed a potential risk of spreading HIV from other localities to local residents in Ky Son, especially in road-side communes along the national road number 7.

Among four studied communes, Chieu Luu appeared to be at the highest risk of HIV transmission for several reasons. Chieu Luu had concentrated spots of injecting drug users for Ky Son as well as for neighboring districts. Chieu Luu was the gate to Ky Son – long distance truck drivers from plain regions stopped over here before entering Ky Son. The commune's number of drug users and HIV carriers was the highest compared to other three communes (table 3).

Muong Xen town – the cultural-economic-political center of the district – was at the secondly high risk of HIV transmission with a substantial number of migrant workers and traders coming from other localities to work in construction sites or carry out small business at Muong Xen market.

Although no HIV infection had been detected in Nam Can – due to the lack of testing services – this commune could be considered as an area at risk because of its border gate, which attracted cross-border traders, and long-distance drivers from other districts or provinces. Furthermore, cross-border drug trafficking was simultaneously taking place at either the border gate or in small trails.

2. Cultural factors

Communication and literacy:

As four selected communes located along the national highway No. 7, it was easy for local inhabitants to access and have frequent exchanges with Kinh people. Therefore, understanding Kinh language was no longer important barrier preventing them from accessing mass media and other channels providing specific information to ethnic populations. Up to 70% inhabitants could speak and understand Kinh – the common and official language in Vietnam. Languages of Thai, H'Mong, and Kho Mu were sometimes used in the market where people from different origins often gathered. Ethnic groups preferred using their own language in daily communication, which helped them easier and quicker understand each other.

Majority of interviewees in Muong Xen town completed secondary school. However, there was still a high illiteracy rate among older ethnic women.

In Chieu Luu commune, universalization of primary education had been completed in 1998, and universalization of secondary education should be completed in 2005 or 2006. Yet illiteracy rate was still high among people aged over 50 years old.

In Huu Kiem commune, different ethnic groups often lived together in the same village. Only a small proportion of Kho Mu still lived in isolation on mountains, hills, or along brooks – this habit prevented them from communicating and interacting with other groups. There were a few Kinh persons, they were mainly government cadres who came to help ethnic people improve lives and then settled down here – this group had the highest literacy, followed by Thai and Kho Mu. Majority of children from road-side villages were able to attend high school.

Literacy level of Nam Can's inhabitants was lower than that of residents in other communes. Secondary education was the highest attained level. Illiteracy was common among the elderly and middle-aged people. A considerable number of ethnic people was not fluent in Kinh, especially among H'mong and Kho Mu women. This had limited people from communicating with Kinh people and understanding policies or guidelines of the central and local government.

Attitudes towards people living with HIV/AIDS (PHA):

Being asked whether PHA could live and work normally in the community, 54% respondents agreed and 46% disagreed. 26% showed their discriminatory attitudes towards PHA by stating that one should keep away from PHA. 56% thought that PHA needed to be cared and supported by the community, and only 4% said they could provide care and support to PHA.

3. Services

Access to health services:

Health infrastructure was relatively adequate in all the four communes. Every commune had a health center staffed by nurses and midwives. However, no commune health center had doctors. Each village had one village health worker.

Villagers often visited commune health centers when they got severe health problems – patients could receive treatment there or could be referred to the district health center depending on their status.

Commune health centers were equipped with essential equipment and medicines for primary health care. However, this stock of medicines was still poor and many times patients must buy medicines that were rather expensive compared to their income.

Apart from this, residents living close to Nam Can border gate could benefit free medical consultation or treatment from military health staff in the border keeping station. Monthly, border keeping health staffs visited every village of Nam Can commune to provide free health check-up to villagers.

Yet difficult mountainous conditions had not allowed villagers to go to the commune health center easily. Walking from a village to a commune health center may take 4 – 5 hours.

Up to 60% pregnant women delivered their babies at home either by themselves or with support of traditional birth attendants. Some women even gave birth to their babies in the forest/farm.

Q: Where did you deliver your baby?

A: On the farm, in a tent on the farm. The farm is one hour away from my home. There was no birth attendant. I delivered the baby by myself. My husband went to work. There was nobody besides me at that time. I cut the placenta cord by myself (II – 28 year old woman).

Interestingly, unlike other places in Vietnam, there was almost no traditional healer in the area. Few families still invited sorcerers to expel bad things out of the body of sick persons.

Injecting practice:

Injecting medicine was a common practice administered by both village health workers and commune health center's staff. There was a widespread belief among local residents that injecting medicine could cure diseases quicker than taking medicine orally:

"Personally I think there is not much difference in treatment effects of oral and injecting medicines, but local residents prefer injecting medicine although injection can cause pain, because they think that it can cure a disease more quickly" (FGD - Huu Kiem commune officials).

Both single-used plastic and multiple-used glass syringes were utilized. Yet, so far, commune and village health personnel had no chance to participate in any formal and intensive training on safe injection and safe disposal in the context of HIV pandemic.

Supply of syringes/needles:

Syringes/needles were often available at the pharmacies or local health centers. However, access to these in Ky Son was quite limited because there were very few pharmacies, and because of long and difficult ways from homes to health centers.

Therefore, when IDUs were craving for drug, they were very likely to share used syringes/needles with their mates, or reuse non-sterilized ones.

HIV/AIDS prevention efforts:

HIV/AIDS prevention in these four communes was inadequate and fragmented because it had been considered as tasks of some health care programs, such as programs on reproductive health, or primary health care. Mass organizations such as Youth Union and Women Union had some HIV prevention activities such as doing outreach work and group discussions on HIV with youth, but these had not been done on a regular basis. No intensive training on communication and propaganda skills for HIV prevention was organized for members of these organizations or for commune and village health staff.

HIV counseling and testing services were not available in Ky Son except for quick screening tests of HIV carried out in the detoxification centre. So far, only 10 HIV positive cases had been detected in Ky Son under the screening program with army conscripts and prisoners.

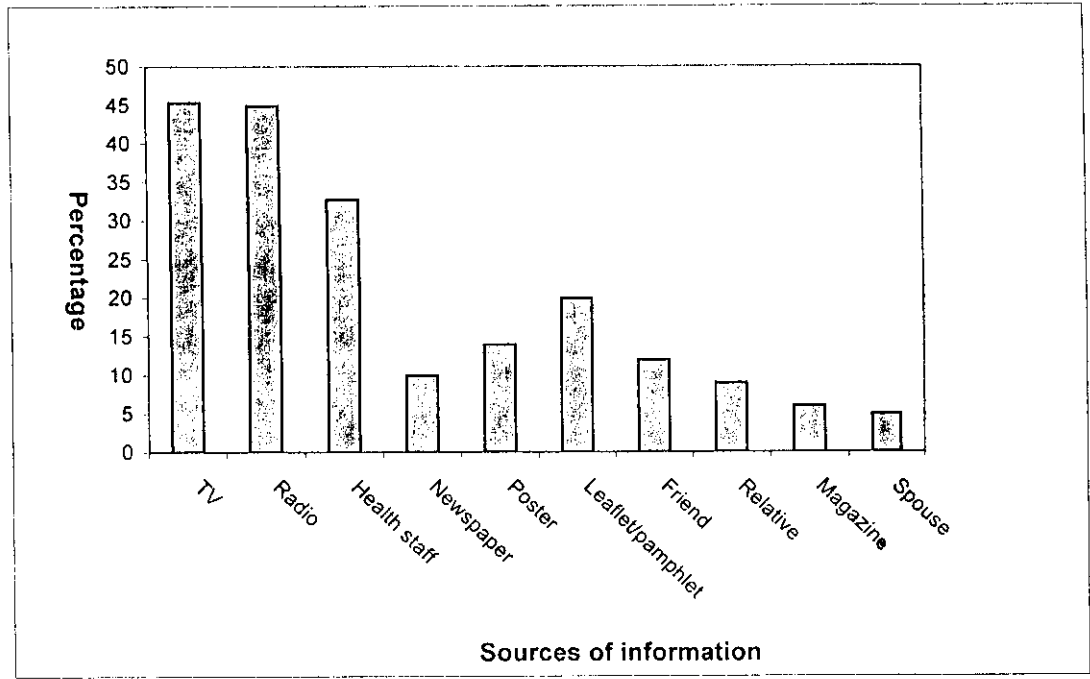
Fortunately, from April 2002 – October 2003, funded by Australian Agency for International Development (AusAID), SHAPC had implemented a number of HIV prevention activities targeted mobile populations at Nam Can border gate. From these efforts, some local residents had obtained certain understandings about HIV/AIDS.

Sources of information on HIV/AIDS:

IEC materials providing knowledge of HIV/AIDS to local inhabitants included panels and banners with slogans displayed in public places, or at the health centers. SHAPC had also distributed pamphlets but only in small number.

According to interviewees, TV, radio, and health staff were three major sources of information from which people learnt about HIV/AIDS. Proportion of respondents receiving HIV/AIDS information from these sources was 46%, 45%, and 33%, respectively. Only around 16% respondents learnt about HIV/AIDS from newspapers, posters, pamphlets, and friends. Less than 10% got to know HIV/AIDS from other sources: magazines, their relatives and their spouses.

Figure 7. Sources of information on HIV/AIDS



Discussion and Recommendations

IV. 1. Overall assessment

The survey had provided a snapshot of ethnic groups in four communes where the project “*Strengthening bilateral cooperation between Nghe An province (Vietnam) and Xieng Khoang province (Laos) in HIV/AIDS prevention*” would take place. Several factors influencing people’s attitudes and behaviors towards their own health had been explored.

In general, traditional culture and religion were not important factors affecting people’s health behaviors. Language and illiteracy are still barriers preventing local residents from accessing media or information on health or HIV/AIDS. However, lack of electricity restricted people from mass media and information.

Health care infrastructure was quite adequate with a network of commune health centers in every commune, staffed by nurses and midwives, and village health workers in every village. Villagers often sought advice from health workers or went to commune health centers when they had severe health problems. However, access to health services was still a challenge due to transport difficulties from remote villages, and high-cost medical treatment was another important problem.

HIV prevention efforts were rather weak and fragmented – these had been loosely integrated with other health care programs, except for the pilot project run by SHAPC. Lacking special counseling and testing services lead to the fact that all 10 HIV cases of Ky Son had been detected by chance, through military recruitment screening.

Certainly, if more people could get counseled and tested, they would find themselves at risk of HIV infection. Using drugs had been common for many local residents since they used to plant opium. When opium plants were destroyed under the government’s policy, many drug users shifted from non-injecting to injecting. As the contemporary Vietnamese laws considered drug use illegal, drug users became a hidden population that was affected by a discriminatory attitude of the general population. This reality and the poor access to clean syringes/needles pushed drug users to dangerous practices.

Regarding HIV/AIDS knowledge, both qualitative and quantitative assessments had shown that HIV/AIDS related matters had been inadequately understood. There was a significant gap in HIV/AIDS knowledge, leading to widespread confusion and misunderstanding on how HIV

was transmitted and not transmitted, and how to prevent HIV infection. Many people believed that only drug users and sex workers were at risk of contracting HIV, while ‘ordinary people’ were not. Likewise, people tended to think that only injecting illicit drugs could transmit HIV while injecting medicines would not.

Providing injections was quite a common practice of commune and village health staff, but they had not received any formal and intensive training on safe injection and safe disposal of sharp objects in the context of HIV pandemic.

The most vulnerable to HIV/AIDS communities should be villages that had high numbers of drug users, and/or located along the road number 7, where there was an increased interaction with migrants, cross-border traders, truck drivers, or IDUs from other districts or provinces. H’Mong groups which concentrated mostly in Nam Can commune had the lowest level of understanding on HIV/AIDS and thus could have the highest risk of HIV/AIDS infection.

IV. 2. HIV/AIDS prevention activities proposed by local people

During the group discussions and in-depth interviews, local authorities had shown their great interest and enthusiasm by contributing a lot of ideas on how to effectively prevent HIV/AIDS for their community. In general, they had a common idea that effective HIV/AIDS prevention required a multi-sector collaboration of local authorities, health personnel, social organizations, local residents, and drug users themselves.

1. Multi-sector collaboration

“Local authorities are in charge of administering and monitoring preventive activities; social organizations need to collaborate closely with authorities. There is a district HIV prevention steering committee including representatives of local authorities, Youth Union, Women Union, health sector, culture and education sector, and border keepers. The steering committee assigns tasks to each sector or organization to carry out the propaganda activities according to geographical areas, population segments, or age groups. Content and display of these activities should be appropriate to each target group. First priority should be paid to youths, roadside ethnic minority communities, and the Nam Can border gate. Mobilizing the participation and cooperation of village leaders, chieftains of strains, and highly-prestigious people in the community is also important” (FGD – district officials).

Youth Union was and would be the core force for disseminating information on HIV prevention to youths. It was commonly agreed that propaganda activities should include talks or group discussions covering HIV/AIDS topic. Public activities such as music or singing performances, competitions, or short plays addressing HIV/AIDS should be organized. IEC printed materials – leaflets, booklets – would be very effective tools to improve young people’s knowledge.

Women Union was very active in providing direct education visits to households. Empowering women in the fight against HIV/AIDS should be considered a vital content.

“We are interested in participating in these activities. Not all ethnic minority women can understand Kinh properly. Our members come from different ethnic backgrounds and therefore we face no difficulty in communicating with such women. We can educate other women on HIV/AIDS using their own language” (FGD - district officials).

Cultural and information sector played an important role in all communes' daily life. Its staff had the responsibility to provide official information and develop cultural life of the community. Therefore, they should contribute to the common efforts of HIV prevention.

"Holding talks in the language of ethnic groups on the subject of HIV/AIDS should be organized. Video or TV programs on HIV/AIDS, prostitution and drugs need to be developed and broadcast twice per week. Video tape would be provided to each village leader who manages a TV/video set to show for other villagers"
(FGD – district officials).

An important task of the society was to have young generations brought up healthy in all meanings of this word. The district boarding school of course bore a glorious position in this regard.

"In my opinion, propagandizing HIV/AIDS in schools is the most effective way. The boarding school gathers students from different ethnic groups who speak Kinh fluently. These students when returning home can talk to their relatives who may have difficulties in understanding HIV/AIDS information delivered in Kinh" (FGD – teachers at the boarding school).

2. Participation of drug users

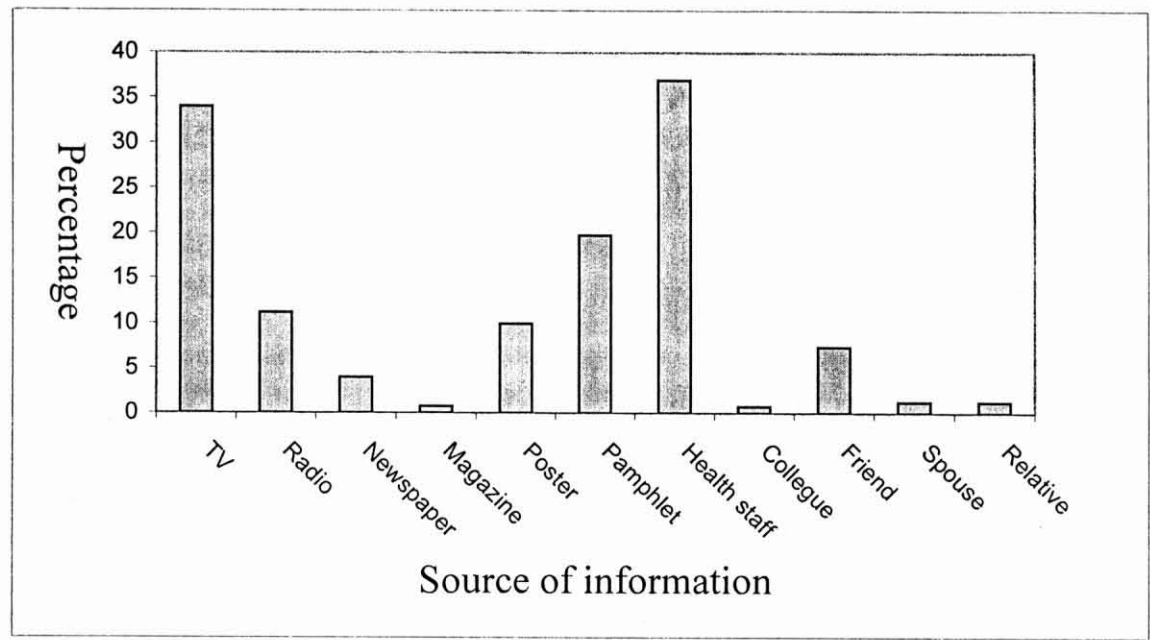
Since drug was considered a social evil, majority of the population had a discriminatory attitude towards drug users. Drug addicts often hide their status, and it was difficult to approach them. Therefore, it would be important to engage drug users who could meet their peers to provide education and to distribute syringes/needles.

"Approaching other IDUs, to me, is not difficult. Firstly, I have a variety of relations with the drug using community. Secondly, I am very friendly. Thirdly, I could explain clearly to those who have a lower level of knowledge on HIV/AIDS"
(II – 37 year old male drug user).

3. Sources of information

It was recognized that local people in all 4 communes liked to learn about HIV/AIDS from health staff – 37% respondents considered them as the most useful source of HIV/AIDS information. Television programs occupied the second place with 34% respondents. Leaflets and pamphlets could be useful to 20% interviewees. Around 29% respondents said they wanted to study this matter from other sources such as newspapers, posters, or friends.

Figure 8. Preference to sources of HIV/AIDS information



School activities suggested by local people included opening clubs, competitions, counseling, distribution of IEC materials, etc.

“To create a youth club such as adolescent reproductive health club, question and answer (Q&A) competitions, HIV counseling, distribution of leaflets, booklets, extra-curriculum classes, video shows on HIV/AIDS prevention” (FGD – teachers at the district boarding school).

IV. 3. Recommendations

Given a variety of factors that could lead to the widespread transmission of HIV ethnic communities in Ky Son, and the cross-border transmission of HIV between Ky Son and Laos, this project “Strengthening bilateral cooperation between Nghe An province (Vietnam) and Xieng Khoang province (Laos) in HIV/AIDS prevention” proved to be highly relevant.

The first prioritized group should be young people, as most IDUs belong to this group. Key prevention activity should be improving knowledge and promoting behavior change which targets the general population including drug users. Provision of clean syringes/needles, and condoms, is needed to facilitate behavior change. Moreover, the risk of cross-border transmission obviously requires fostering collaboration between two countries’ localities along the borderline.

Following are some specific recommendations:

1. Information provision and behavior change activities

All communities and individuals, including drug users, should be provided with adequate knowledge of HIV/AIDS, recognition of their own risk behaviors and prevention methods, such as condom use and safe injection.

IEC materials should be available in various forms, such as posters, pamphlets, panels, TV spots or radio broadcasts to support behavior change. To facilitate people from ethnic groups, cassette tapes on HIV/AIDS prevention should be produced using their own languages. It is recommended that video tapes carrying HIV/AIDS messages developed for ethnic groups so that they could watch using available video players.

It is very effective to distribute printed materials with attractive illustrations to each household, to help cover the gap of their geographical distance. Pamphlets with questions and

answers on HIV/AIDS would be suitable for youths and school students; music performances and competitions on HIV/AIDS prevention are also activities that young people like. Incorporating HIV prevention messages aiming at raising awareness into public events should also be done to attract a large number of local audiences.

Extent of interventions plays a critical role in bringing about effectiveness to the project. There will be very limited impact if only a small proportion of the population could access the project. Therefore, it is critical to do outreach work by visiting households to provide direct education. This activity would involve community leaders, health staff, members of Women and Youth Unions, and drug users in a network of outreach workers and peer educators. An intensive training on HIV/AIDS, communication and counseling skills for peer educators/outreach workers is needed.

2. Safer injection and safer sex

Community-wide safe injection campaigns need to be carried out to enhance the knowledge, to promote safe injection practices among the general community and health personnel, and to help IDUs reduce their risks of HIV infection. IDUs want to get or buy syringes/needles from commune health centers or village health workers, therefore these should be made available there. Outreach worker and peer educator network is also very helpful in distributing syringes/needles to IDUs, increasing their access to safe injection.

Besides, in the context of highly potential HIV transmission via sexual contacts, safer sex education and condoms should be made available to the local community.

3. Target villages

The project should spend more efforts to some selected villages with high number of drug users, and to road-side communities where there is an intensive interaction between local residents and mobile populations (migrant workers, cross-border traders, long distance drivers, etc.) Chieu Luu commune should be paid special attention given the fact that it has the highest number of IDUs and detected HIV cases.

4. Collaboration between two sides of the borderline

Cross-border collaboration is an indispensable component of any HIV/AIDS prevention program in general and of this project in particular. Based on the results of a cross-border workshop that would take place during the project implementation, details of the collaborative action plan will be elaborated.

Border dynamics and AIDS: The case of Vietnam

Nguyen Tran Lam*

ABSTRACT

Despite significant efforts to combat AIDS, Vietnam has acknowledged rapidly increasing levels of HIV infection during the last fifteen years. The first case of HIV in Vietnam was recorded in 1990 when the country entered the transition period to a market economy. While the economic reform has brought in their wake an increase of living standards and poverty, it also created new lifestyles and behavioural patterns, and most significantly, new economic and social relations. This socio-economic change has shaped the fertile context for the rise of drug use, prostitution and AIDS in the country, in particular the border provinces. Like Burma, China, Thailand, and Malaysia, Vietnam has been experiencing serious HIV epidemics among injecting drug users, who formed the initial basis for the national HIV epidemic. Drug use patterns among Vietnamese have changed in line with the changing dynamics of drug production and consumption in the Mekong region. Drug abuse and trafficking is accompanied by the growing commercial sex industry and increased mobility and migration, which in turn are significant contributing factors to the spread of HIV/AIDS in Vietnam. The aim of this paper is to provide an in-depth picture of the dynamics involved in drugs, sexuality and the spread of HIV/AIDS in three changing border areas between Vietnam - China, Vietnam - Laos, and Vietnam -Cambodia. Based on various papers, published and unpublished reports, studies and my own interviews, field notes, and observations conducted at the border areas during 2002-2004, the paper is structured in terms of four broad sessions: (1) a description of the transborder issues as a macro context for the AIDS epidemic; (2) an analysis of the trends in the sexual and drug-taking behaviours that facilitate the transmission of border HIV; (3) the HIV vulnerability of some ethnic minority people living in border areas; (4) the conclusion highlights the importance of taking into account the social and historical aspects that shape the transmission of HIV at the borders.

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Factors Related To Sexual Risk Behavior for HIV Infections Among Myanmar Migrant Fishermen In Ranong, Thailand

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ABSTRACT

This cross-sectional study aimed to describe sexual risk behaviour for HIV infection among migrant fishermen in Ranong, Thailand.

Between January and February 2004, 159 migrant fishermen from 15-49 years of age in Muang district, Ranong, Thailand were asked to complete a face to face structured interview on sexual risk behavior for HIV infection and related factors.

The results showed that all respondents' nationality was Myanmar, which consisted of six ethnic groups such as Burmese (53.5%), Dawei (17.0%), Mon (17.0%), Myeik (5.7%), Karen (5.0%), and Rakhing (1.8%). 81% of respondents were under 25 years old and nearly one-third were married or living with sexual partners. Most respondents (81.8%) had education at primary and secondary school. Just under 65% had had sexual intercourse during the past 12 months. Of these, two-thirds reported that they had consistently used condoms when having sex with sex workers. These respondents were more likely to know that condom use and having only one uninfected faithful sex partner could protect them from HIV, and more likely to know how to obtain condoms from pharmacies than the respondents who inconsistently used condoms with sex workers. In addition, only about one half of the respondents reported that clinics or hospitals were available for STI treatment near their boat's berth or their residence. Over 40% of those respondents who inconsistently used condoms with sex workers reported that they had tried addictive drugs during the past 12 months.

It is recommended that new HIV intervention should target migrant fishermen and distribute understandable information and knowledge of HIV/STI prevention. Local clinics, hospitals and pharmacies (drug store) should provide better STI/HIV prevention and care services for migrant fishermen. Drug abuse among migrant fishermen calls for further study.

KEY WORDS: IGRANT FISHERMEN / SEXUAL RISK BEHAVIOR / HIV

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INTRODUCTION

Human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) has become one of the big issues globally (1). In Thailand, HIV/ AIDS has already emerged as serious public health and social problems. Sexual contact transmission is responsible for 82.2 percent of HIV infection (2). Taking safer sexual behavior can reduce the vulnerability of HIV infection (3).

Migrant fishermen have mobile population and migrant characteristics. Migrant workers escaping the chronic poverty in Cambodia and the political and economic situation in Myanmar now constituted the majority of fishermen working in Thailand (4). More than half of the 161,667 registered migrant fishermen were employee (not family member), of whom about 42 percent were documented migrants from either inside or outside Thailand [12,750 from Myanmar (Burma) and Cambodia] (5). Migrant fishermen are primarily between the age of 16 to 30 years olds and generally have low levels of education and literacy (6). They usually work on boats for prolonged period of time—several weeks or years.

Migrant fishermen are vulnerable to STI/HIV/AIDS infection. They often engaged in sexual risk behaviors (7,8,9) when they arrive ashore, since they are young, away from home, separation from culture and social constraints, lower educated, with constant peer pressure, facing risk environment such as alcohol and commercial sex readily available on shore. Visiting prostitutes is as a bonus of their hard work (10). Moreover, migrant fishermen faced some difficulties in accessing to health information or services due to their migrant status and language barriers.

Migrant fishermen in Thailand are one of highest risk groups for HIV infection. Firstly, About 60 percent of the surveyed fishermen had admitted to having multiple partners and visited commercial sex worker while away from home (11). Secondly, they have high prevalence of HIV infection. Cumulative number of AIDS of fishermen is about 1,200, accounting for 1.5 percent of total AIDS cases in Jan. 1998 (2). About 15 percent prevalence of HIV/AIDS in 2000 is among the surveyed migrant fishers in Thailand (12). Seroprevalence data among fishermen in Ranong reveals alarmingly high levels of HIV from 7 percent HIV+ in 1991 to 14 percent in 1992 and 22 percent in 1993 (13). The monitoring data in 1998 showed high antiHIV seropositive prevalence (24.5 percent) in fishermen in Songkhla Province in the southern region of Thailand (14), compared to 1.8 percent of estimated adults (15-49) rate of living with HIV/AIDS in the end of 2001 (15). Thirdly, condom usage was low when they have sex with commercial sex workers. A study showed that only about 31.1 percent of the surveyed fishermen practice safe sex by using condom (11). Finally, About 30 percent of fishermen reported that they had ever had a STD in their lifetime in one study in 2001 in Thailand (16).

Ranong province is located in the southeast of Thailand, with long land border to Myanmar. Ranong is also a major port for trawlers destined for Myanmar waters and Indian Ocean ports. There were 5687 registered Myanmar migrant fishermen, accounting for 40.15 percent in total alien population in Ranong in September 2003 (17). As reported, AIDS was the third leading cause of death in 2003 in Ranong (17). There were 721 AIDS patients and Symptomatic HIV/AIDS people and 220 died of AIDS in alien worker group in Thailand-Myanmar border area since 1985. In addition, Ranong HIV sentinel surveillance in December 2002 showed that HIV prevalence was 31.4 percent in Myanmar female sex workers and 6.5 percent in Myanmar migrant fishermen (17).

However, migrant fishermen in Thailand are not aware of the risk for HIV infection (12). There were some rapid assessments of seafarers in larger ports of Ranong, Mahachai, Songkhla and Samut Sakorn province, in seafaring communities in the Mekong subregion and in source communities of 19

provinces in the Northeast Thailand. So far, none of the agencies had effectively undertaken HIV intervention measures among migrant fishermen (10). UNAIDS reported that neither Uganda nor Thailand has collected data on HIV among their substantial forced-migrant populations (15). No study was reported on factors related to sexual risk behavior of HIV infection among migrant fishermen in Ranong, Thailand. Therefore, it is felt deemed necessary to implement research among migrant fishermen in Ranong, Thailand.

This survey investigated factors related to sexual risk behavior for HIV infection among migrant fishermen in Ranong, Thailand. For example, it described sexual risk behavior among migrant fishermen, predisposing factors, enabling factors and reinforcing factors related to sexual risk behavior among migrant fishermen and identified the relationship between sexual risk behavior and factors mentioned above.

METHODOLOGY

Survey of study subjects

This cross-sectional survey was carried out among Myanmar migrant fishermen at reproductive age (15-49 years old) in selected Muang district in Ranong Province, Thailand, one of Thailand-Myanmar border areas with 6.5 percent of HIV prevalence among 5678 registered migrant fishermen by applying educational and organizational diagnosis of the Precede Model. For sampling, we did mapping first in the Muang district and selected four migrant fishing communities by cluster sampling and then chose 159 migrant fishermen by simple random sampling on sites. During 24 to 29 January and 9 to 14 February 2004, the trained local male health personnel conducted face to face interview individually on ashore. Interview was in settings where others could not overhear questions and answers in order to reduce the likelihood that respondents will give "socially desirable" answers rather than telling the truth. Respondents can communicate with interviewers in Thai. Before question began, interviewers explained carefully the purpose of the study to selected respondents, and obtained their full consent to participate.

Structured questionnaire (in Thai) was used for surveyed in the field. This questionnaire English version was modified from a behavioral surveillance survey questionnaire for adult target groups aged 15-49 of Family Health International 2000 (18), which was applied for behavioral surveillance survey among seafarers/fishermen in Vietnam 2000 (19) and Lao PDR 2000-2001 (20). And survey of partner relations and risk of HIV infection in 1990 in Thailand (21) was taken as reference. As we know, the BSS of FHI is typically used with adult occupational group such truck drivers and seafarers, and BSS's questionnaire asks respondents to report sexual history on their regular (cohabiting or spousal) sexual partners, commercial (paid) sexual partners (CSW) and other non-regular partners in the past year. And it asks respondents to report last time and consistent condom use for each of these partner categories. The questionnaire in this study reduced the questions on sexual history in BSS of FHI from 27 to 6. Most questions of the questionnaire in this study focused on factors related to sexual risk behavior and added many new questions such as job position, accessibility to CSW and peer influence, etc in order to fit objective of the study and the setting of migrant fishermen in Ranong, Thailand.

Statistical analysis

Univariate analysis: Described the distribution of single variable by number and percentage. Bivariate analysis: Pearson Chi-square test assessed the relationship between categorical variables. The fisher exact test was applied when n was less than 20 or if n was between 20 and 40 and one of the expected

frequencies was less than 5. Epi info 6 program was used to calculate p-value. Statistical tests were two-tailed and interpreted at 5% significant level.

RESULTS

Between January and February 2004, 159 migrant fishermen from 15-49 years of age in Muang district, Ranong, Thailand were asked to complete a face to face structured interview on sexual risk behavior for HIV infection and related factors.

Univariate analysis showed that respondents were quite young. Of 159 respondents, 129 respondents' (81.1%) age was under 25. Minimum age was 15; maximum age was 48; median age was 21. In relation to marital status, only 32.1 percent of them were currently married or living with sexual partners. With respect to education, most respondents had lower education level. 47.8 percent attended primary school; 44.0 percent finished education in secondary school of the Myanmar education system. In this study, all respondents' nationality was Myanmar, which consisted of six ethnic groups such as Burmese (53.5%), Dawei (17.0%), Mon (17.0%), Myeik (5.7%), Karen (5.0%), and Rakhing (1.8%). Job position of respondents indicated that most respondents held position in crewmember (85.5%) and fishing net master or assistants (10.1%). Only 4.4 percent were foremen (captain) or assistant.

The study indicated that nearly all respondents (98.1%) had heard of HIV/AIDS before. 48.4 percent of them knew someone infected with HIV or died of AIDS. 30.2 percent reported that they had close friends with HIV/AIDS. 86.2 percent of respondents knew that condom use can protect themselves from HIV; 73.0 percent knew that having only one uninfected faithful sex partner can be one of HIV prevention method. 87.4 percent had knowledge on sharing syringe in injection having more chance to be infected HIV. In addition, 75.5 percent acknowledged that infected pregnant women can transmit HIV virus to her unborn child. However, only 44.0 percent of respondents answered that abstaining from sexual intercourse can protect themselves from HIV. 54.7 percent answered that HIV/AIDS infected women can transmit HIV virus to her newborn child through breastfeeding. 22.0 percent recognized that antiretrovirals can be used for a pregnant woman to protect her unborn child from HIV. Wrong belief about AIDS transmission also still existed among respondents. Almost every respondents (98.7%) believed that HIV can be transmitted by sharing a meal with HIV infected person. Only 22.0 percent of them held right belief on person not getting HIV from mosquito bites; 25.8 percent believed that HIV infected person can be healthy looking.

The survey showed that 82.4 percent of respondents had drinks containing alcohol during the past 12 months. Frequency of alcohol use was not quite often. Only 22.9 percent drank two or four times a week. Most respondents (77.1%) drank alcohol once a week or less. Regarding drug use, no respondents reported to have tried injecting addictive drugs using a syringe. 27.7 percent of respondents had tried addictive drug during the past 12 months.

The study found that it is quite easy for respondents to access to CSW. 72.3 percent of respondents reported that they can easily find commercial sex worker near residency or docking. Nearly all respondents had experience of long-distance travel out of Andaman Sea during the past 12 months. 47.2 percent of respondents had heard of commercial sex services on mobile boat at sea. However, only 5.3 percent of those who had heard of commercial sex services on mobile boat at sea had used this commercial sex services. Regarding peer influence, most respondents those who had sexual intercourse and visited CSW during the past 12 months visited CSW in group. Only 2.8 percent went to the brothel alone. In addition, they reported that almost all their friends (98.6%) visited CSW; 35.2 percent of them reported that their friends asked them go to the brothel.

For condom availability, among 75 condom users, 44.0 percent knew that they can buy condoms at drug store (pharmacy); 18.7 percent of condom users knew that they can obtain condom from friends. 33.3 percent reported that they can get condoms from sex workers. The time of obtaining condoms was not too long. Almost every condom users can get condoms within one hour. 26.7 percent reported that they can obtain condom at once. No reported knowing to obtain condoms from convenient shop (7 Eleven), market, clinic, hospital, family planning center and peer educator.

Regarding STI experience, availability of STI care services, and health intervention, 3.1 percent reported a genital discharge; 5.0 percent reported a genital ulcer or sore during the past 12 months. 49.1 percent of respondents reported that a clinic or hospital was available for STI treatment near their docking or residency. 71.1 percent of respondents reported that they had seen information about HIV/STI prevention around residency; 30.8 percent had seen peer education activities around residency. Only 10.2 percent of respondents who had seen peer education activities attended the peer education activities for HIV/STI prevention or condom use.

In respect to sexual risk behavior, 103 respondents (64.8%) had sexual intercourse during the past 12 months. Among them, 65 respondents (63.1%) reported having sex with sex workers during the past 12 months. Of 65 respondents who had sex with sex workers during the past 12 months, 43 respondents (66.1%) reported that they consistently used condoms, 22 respondents (33.9%) inconsistently using condoms. Consistent condom usages of respondents with non-regular partners and regular partners were 43.4 percent and 25.0 percent, respectively. Among 22 surveyed respondents who inconsistently used condoms with CSW, 19 respondents had sex with non-regular partner; 18 respondents reported that they inconsistently used condoms when they had sex with non-regular partners. There were similar situations in regular partners.

Bivariate analysis indicated that respondents who consistent used condoms with sex workers were more likely to know that condom use and having only one uninfected faithful sex partner can protect themselves from HIV than respondents who inconsistent used condoms with sex workers ($p < 0.05$); more likely to have knowledge about HIV/AIDS infected women transmitting HIV virus to her newborn child through breastfeeding ($p < 0.05$); more likely to know to buy condoms at pharmacy (drug store) ($p < 0.05$); and more likely to have seen information about HIV/STI prevention around residency ($p = 0.052$). 40.9 percent of respondents who inconsistently used condoms with CSW reported to have tried addictive drugs during the past 12 months. However, the significant difference was not identified in foremen and crewmember (or fishing net master), familiarity of HIV/AIDS, alcohol use, drug abuse, and peer influence between inconsistent condom users and consistent condom users with CSW.

DISCUSSION

Sexual risk behavior: Situations on HIV/AIDS have improved much among fishermen in Ranong. The HIV prevalence of fishermen in Ranong dropped down from 22 percent in 1998 (10) to 6.5 percent in 2002 (17). Inconsistent condom usage with CSW in the study was 33.9 percent, which was lower than 68.9 percent among fishermen in the Gulf of Thailand and the Andaman Sea in 2001 (16). However, Ranong HIV sentinel surveillance in December 2002 showed that Myanmar female sex workers had 31.4 percent of HIV prevalence (17), and among respondents who had sex intercourse during the past 12 months, 63.1 percent reported to have sex with CSW. Also, migrant fishermen were a significant bridge population for transmission of HIV. An overlap of three patterns, having sex with CSW, with non-regular partners, with regular partners, was found in this study. This was one of

major risks to be infected HIV (22). Reducing the number of sexual partners overall, avoiding anonymous sexual partners are behaviors that reduce risk of HIV infection.

Socio-demographic characteristics: Age: Since one of objectives of the study is to describe sexual risk behavior, age of respondents in this study was set at reproductive age (15-49 years old). Results of the study showed that respondents were quite young. 80 percent of them were under 25 years old. The reasons may be due to occupation characteristics of fishermen. Fishermen had hard work. Migrants can easily find job as fishermen in Ranong (4,5,6). The age range are known to be sexual active and risky taking. The average age of the surveyed fishermen in one study was less than 30 years old (12). This study showed that age range of respondents who had sex with CSW was 16 to 30. Thus they were considered to be most vulnerable group for HIV infection. Education: Education could help to increase the knowledge of adolescents about HIV and has been found modifying their attitudes and intentions to practice HIV preventive behavior in some extent (23). The study showed that respondents had primary or secondary school education status in the education system of Myanmar and the significant difference was not identified in education level between inconsistent condom users and consistent condom users with CSW. This may suggest that information about HIV/AIDS/STI prevention and care service should be adjusted to be understandable and acceptable for migrant fishermen as well as the technique and means for transferring knowledge should be appropriated, especially in terms of simple language and directly education method. Nationality and ethnicity: Nationality of all respondents was Myanmar. Respondents came from six ethnic groups, such as Burmese, Dawei, Mon, Myeik, Karen and Rakhing. Immigration status of migrant fishermen and migrant policy of Thailand government affected attitudes and practices of sexual risk behaviors among migrant fishermen. Language barrier was one of big obstacles for migrant fishermen to reach local health intervention and HIV/STI care services as well as health education media. Job position: The work status determined the level of income that would affect the style of living, personal health behavior and choices of service. Some studies on migrant fishermen in Thailand (4,10) found that both crewmember and captain had sex with CSW. The difference in two groups was to choose different sexual services. The study found that among respondents who had sex with CSW, the significant difference was not identified in foreman and crewmember (or fishing net master) between inconsistent condom users and consistent condom users.

Knowledge and information of HIV/AIDS: A qualitative study among seafarers in Northeast Thailand (6) reported that perceiving close friend's die of AIDS changed seafarers' attitudes and reduced practices of sexual risk behavior with CSW. However, in this study, the significant difference was not identified in familiarity of HIV/AIDS between inconsistent condom users and consistent condom users with CSW though 30 percent of respondents reported that they had close friends with HIV/AIDS. A study conducted by Pimonpan Isarabhakdi (24) showed that the more knowledge about HIV infection prostitute's patrons has, the more likely they use condoms consistently. The results of this study showed that respondents who consistently used condoms with CSW were more likely to know that condom use and having only one uninfected faithful sex partner can protect themselves from HIV than respondents who inconsistently used condoms with CSW ($p < 0.05$), more likely to have knowledge that HIV/AIDS infected women can transmit the virus to her newborn child through breastfeeding ($p < 0.05$). Meanwhile, the result showed that knowing rate of some questions was still lower. For example, half reported that abstaining from sexual intercourse can protect themselves from HIV, and HIV/AIDS infected women can transmit HIV virus to her newborn child through breastfeeding. Only 22 percent recognized that antiretrovirals can be used for a pregnant women to protect her unborn child from HIV. In addition, wrong belief about AIDS transmission existed widely among respondents. This may suggest that knowledge of HIV prevention was effective for taking safer sexual behavior such as consistently using condoms to prevent HIV infection and lots of work should be done to improve knowledge and information of HIV among migrant fishermen in Ranong.

Alcohol use: Alcohol has been implicated as a “gateway” drug, which leads to impaired judgement and sexual risk behaviors. In this study, only 22.9 percent of respondents drank alcohol two to four times a week in the past four weeks. The significant difference was not identified in alcohol use between inconsistent condom users and consistent condom users. This may indicate that alcohol use could not be main factors for sexual risk behavior among respondents.

Drug use: AIDS is associated with sexual behavior and drug abuse (25). Drug abuse among fishermen was reported before (18, 26). Some drugs could cause migrant fishermen to be more vulnerable to HIV/AIDS. In this study, no respondents reported injecting addictive drug with a syringe. But, 27.7 percent of respondents reported that they had tried addictive drugs during the past 12 months. And 40.9 percent of respondents who inconsistently used condoms with CSW reported to have tried addictive drugs during the past 12 months. This may suggest that addictive drug using could be one of reasons for enhancing sexual risk behavior among respondents who had sex with CSW. The information derived from this survey is sufficient to call for education/ prevention activities among migrant fishermen. Also there is need to do a further in-depth study on the magnitude of drug abuse among larger samples of these populations.

Accessibility to CSW: One study showed that sex industry in the port city presents strong and with the highest level of HIV infection among fishermen and general population (e.g. pregnant women) (27). In this study, most respondents reported that it was easy to find commercial sex workers near residency or docking or at sea. And 97.2 percent reported that they went to the brothel with friend. However, only 5.3 percent of those respondents who had heard of commercial sex services on mobile boat at sea reported that they used this services. And there was not significant difference in accessibility to CSW by condom use among respondents who had sex with CSW during the past 12 months. This may suggest that accessibility to CSW around Muang district, Ranong could not be a key factor to affect condom use among respondents.

Availability of condoms: A key public health strategy against sexual transmission of HIV and STIs is the provision of the high quality, low cost condom to sexually active people and the creation of supportive social environment to encourage their use through active promotion. The study showed that the main sources to provide respondents with condoms were pharmacy (drug store), sex worker and friend; and respondents who consistently used condoms with sex workers were more likely to know to obtain condoms at pharmacy (drug store) than respondents who inconsistently used condoms with sex workers ($p < 0.05$). This may suggest that pharmacy (drug store) should be enforced as one of main outlets for condom promotion and HIV/STI information distribution.

STI experience: There is already evidence that a previous history of sexually transmitted diseases (STDs) could stimulate some interaction between various organisms and HIV through genital breaks. The study showed that about 3 to 5 percent of respondents reported STI experience during the past 12 months, which was lower than 31.1 percent of STI history among fishermen in the Gulf of Thailand and the Andaman Sea in 2001 (16).

Availability of STI care services: In the study, only half respondents reported that clinic or hospital was available for STI treatment near docking or residency. It was reported (10) that the regulation of Thai government agency in no way ensured that migrant workers received benefits, such as seafarer access to medical services. In Ranong, the provincial public health department and Ranong hospital can not provide both prevention and care services to migrants since its budgets was calculated on the basis of the official resident population. This may raise an issue about improvement of health service and health policy for migrant fishermen in Ranong.

Health intervention: Behavior interventions are currently the only effective way of slowing the spread of HIV infection. Recent research indicated that aggressive promotion of safer sexual behavior and prevention of substance abuse could avert tens of thousands of new HIV infection and potentially save millions of dollars in health care costs. HIV prevention requires efforts at the level of individual, couples and family, community, and law and policy. The results of study showed respondents who consistently used condoms with sex workers were more likely to have seen information about HIV/STI prevention around residency than respondents who inconsistently used condoms with sex workers ($p=0.052$). This may suggest that distribution about HIV prevention information was one of effective methods for condom promotion among respondents. However, the study showed only 30.8 percent of respondents reported that they had seen peer education activity around residency. Among them, 10.2 percent reported that they attended peer education activity for HIV/STI prevention or condom use. At present, partnerships between government, NGOs, community organizations and business sector seem inadequate to bring about the desired reduction in infections among migrant fishermen (4,10). Therefore, new HIV interventions should be carried out to target migrant fishermen through peer education, sex /reproductive education, life skills training etc. Promoting condom use in all sexual relationship is a major health intervention method, and efforts should be launched to improve the availability of condom for migrant fishermen.

Methodological issues: This study tried to explore factors related to sexual risk behavior of HIV infection among migrant fishermen in Ranong, Thailand by applying educational and organizational diagnosis of the Precede Model. Face to face interview was conducted because most migrant fishermen had lower education status. In order to reduce the language barriers, and get the true answer to the sensitive question, we trained male local health personnel as interviewers. Respondents in Muang district can communicate with interviews in Thai. Before questioning began, interviewers explained the purpose of the study, and obtained the respondents' full consent to participant, reducing refusal bias. With respect to the instruments, the questionnaire was modified from HIV/AIDS/STIs behavioral surveillance survey questionnaire (2000) of Family Health International (18), which was applied for behavioral surveillance survey among seafarers/fishermen in Vietnam 2000 (19) and Lao PDR 2000-2001 (20). A similar questionnaire for survey of partner relations and risk of HIV infection in 1990 in Thailand (21) was taken as a reference. The questionnaire Thai version was used for survey in the field. For the study quality control, Ranong Provincial Deputy Chief Official well organized the survey. Interview was done during 24 to 29 January and 9 to 14 February 2004 when respondents were on shore. Quality of questionnaires was good. No data missing and answers of questions were consistent logically.

This study was conducted in Ranong, Thailand and sample size was small. So, the result can not be generalized to migrant fishermen in the whole country. We did not have chance to conduct focus group discussion and in-depth interview for further analysis, such as collecting detailed community-level data on social, culture and economic organization, and family-level data on sexual behavior. Data collection was difficult. Since limit time for survey and insufficient financial resources, we actually collected 159 questionnaires instead of planed 198. Now some interesting results of the study should be identified in further research.

CONCLUSION

Main findings of the study are as follows: Firstly, respondents reported very high sexual risk behavior. Among respondents who had sexual intercourse during the past 12 months, about 63.1 percent reported to have sex with sex worker and about 33.9 percent of them inconsistently used condoms with CSW. The study also showed that migrant fishermen were a significant bridge

population for HIV transmission. An overlap of three patterns, having sex with CSW, with regular partners and with non-regular partners, was found in this study. Secondly, knowledge on prevention of HIV and possibility of infecting HIV correlated with consistent condom use. Respondents who consistently used condoms with CSW were more likely to know that condom use and having only one uninfected faithful sex partners can protect themselves from HIV than respondents who inconsistently used condoms with CSW ($p<0.05$). Moreover, distribution of HIV prevention information showed effect on condom use among respondents. Respondents who consistently used condoms with CSW were more likely to have seen information about HIV/STI prevention around residency than respondents who inconsistently used condoms with CSW ($p=0.052$). Thirdly, the study showed that it was not easy for respondents to access to local STI care services. Only half respondents reported that clinic or hospital was available for STI treatment near docking or residency. In addition, Pharmacy (drug store) was one of main places for obtaining condoms. Respondents who consistently used condoms with CSW were more likely to know to obtain condoms from pharmacy (drug store) than respondents who inconsistently used condoms with CSW ($p<0.05$). Finally, Drug abuse rang an alarming bell among migrant fishermen. 40.91 percent of respondents who inconsistently used condoms with CSW reported to have tried addictive drugs during the past 12 months.

Recommendation for actions: Based on above findings, new HIV intervention should target migrant fishermen. Understandable HIV/STI prevention information and knowledge should be distributed further among migrant fishermen. Better health prevention and care services including STI care services and condom promotion should be provided to migrant fishermen through local clinic, hospital and pharmacy (drug store). Myanmar government agencies and Thai government agencies, recruiting agents should oversee and participate the HIV intervention program which include delivery of necessary services and provision of medical officers and staff who speak the native languages used by migrant fishermen in Ranong, reduce of migrant fishermen vulnerability to HIV through providing an institutional and enabling environment for behavior change. Meanwhile, an industry workplace policy should be developed through working directly to pier and boat owners. Advocating collaboration includes cost-benefit aspects of prevention, documenting, and promoting case studies of 'good practices', promoting individual philanthropy, providing community responsibility awards, and identifying clear and specific organizational networks between Myanmar and Thailand that could be linked up with HIV/AIDS initiatives.

Recommendation for further study: The information derived from this survey is sufficient to call for education/ prevention activities about drug abuse among migrant fishermen. Moreover, there is need to do a further in-depth study on the magnitude of drug abuse among larger samples of these populations. Sample size could be increased to further identify factors related to sexual risk behavior among migrant fishermen. Focus discussion and in-depth interview could be arranged for research.

ACKNOWLEDGEMENTS

This research was supported by the Ford Foundation International Fellowship Fund. The authors would like to gratefully acknowledge Ranong Provincial Health Office, health personnel, migrant fishermen in Muang district, MPHMO Office and Miss Sirilak Lyeskul for their cooperation and support in data collection in the field.

REFERENCES

1. Park K. Textbook of preventive and social medicine. 15thed. Jabalpur: M/S Banrasidas Bhanat; 1998.
2. Wongkhomthong S, Ohsawa S. The current situation on AIDS in Thailand and its future prospects. Tokyo: ^{ehno} Japan; 1998.
3. The World Bank. Confronting AIDS. Oxford: Oxford University Press, 1997. 53-102.
4. Brahm Press. The vulnerability of migrant fishermen and related population in Thailand: Tangled nets. Bangkok: Program for Raks Thai Foundation/Rockefeller Foundation-Southeast Asia Office; 2003.
5. National Statistical Office: The 1995 marine fishery census whole kindom. Bangkok: Office of the Prime Minister and Department of Fisheries, Ministry of Agriculture and Cooperatives; 1997.
6. The Thailand Seafarers Research Team, Path and AIDSNet. A Sub-National Study : Profiling seafarer source communities and reponses to HIV and drug use among seafares in northeast Thailand; 1999.
7. Komonbut R. Thai fishermen and their local contacts in Irian Jaya: an assessment of issues related to the spread of HIV/AIDS in Merauke. Jakarta: Program for Applied Technology in Health (PATH); 1995.
8. Maticka-Tyndale E, Elkins D, Haswell-Elkins M, et al. Contexts and patterns of men's commercial sexual partnerships in northeastern Thailand: implications for AIDS prevention. Soc Sci Med 1997; 44: 199–213.
9. Vanlandingham M, Knodel J, Saengtienchai C, et al. In the company of friends: peer influence on Thai male extramarital sex. Soc Sci Med 1998; 47: 1993–2011.
10. The Thailand Seafarers Research Team. Profiling the maritime industry in port of Ranong, Thailand: a sub-national study, profiling the maritime industry and reponses to HIV and frug use among deafarers in Ranong, Thailand. Bangkok: UNDP; 2002.
11. Bunnag S. Factors affecting knowledge, attitude and risk behaviors about AIDS in southern Thailand. [Online]. 1998. Abstract from: http://www.clib.psu.ac.th/acad_41/bsara2.htm [Accessed 2003 Oct 23].
12. Huang M. HIV/AIDS among fishers: vulnerability of their partners. [Online] Year. Abstract from: http://www.worldfishcenter.org/Pubs/Wif/wifglobal/wifg_asia_hiv.pdf. [Accessed 2003 Oct.23].
13. Pramualratana A, Somrongthong R, Jinasak K, Saetiow S. Assessment of the potential for spread and control of HIV among cross-border population and social research. Nakorn Pathom: Institute for Population and Social Research, Mahidol University; 1995.
14. Songkhla Provincial Health Office. National sentinel seroprevalence survey for HIV-among fishermen group: result of the 16th round. Songkhla; The Office; 1 998.
15. The Joint United Nations Programme on HIV/AIDS: report on global HIV/AIDS epidemic. Geneva: UNAIDS; 2002.
16. Vipana A, Frits VG, et al. STD history, self treatment and healthcare behavior among fishermen in the Gulf of Thailand and the Andaman Sea. Sex Transm Infect 2001; 77: 436-40.
17. Ranong Provincial Health Office Health situation at Thailand –Myanmar border area Ranong province as of November 2003. Ranong: The Office; 2004. (unpublished)
18. Family Health International. Behavioral surveillance survey BSS: a guideline for repeated behavioral survey in population at risk of HIV. Arlington, Va.: Family Health International; 2000.
19. Family Health International. Behavioral surveillance survey Vietnam 2000. Ha Noi: FHI; 2001.
20. Ministry of Health. National Committee for the Control of AIDS in Lao PDR. Behavioral surveillance survey in Lao PDR 2000-2001. Geneva: UNAIDS and FHI; 2001.

21. Werasat S., Praphan P. Jean B., et al. Thai sexual behavior and risk of HIV infection, a report of the 1990 survey of partners relations and risk of HIV infection in Thailand. Bangkok: Institute of Population Studies, Chulalongkorn University, 1992.
22. Ono K, Wongkhomthong S. The application of a community-based approach (CBA) on AIDS prevention and control in Thailand. Nakhon Pathom: ASEAN Institute for Health Development; 1994.
23. Dianne LK, Kelley AM. Alcohol use and sexual risk-taking among adolescents. *Journal of HIV/AIDS* 1998; 2(2): 67-88.
24. Isarabhakadi P. Sexual attitudes and experience of rural Thai youth. Nakhon Pathom: Institute for Population and Social Research, Mahidol University, 2000
25. Martin AP, editor. AIDS, drugs, and prostitution. London: Published Biddles; 1993.
26. Venereal Diseases Division Department of Communicable Diseases. Report on venereal diseases control, fiscal year 1999. Bangkok: Venereal Diseases Division, 2000. (In Thai)
27. Chantavanich B, Paul, et al. Links between mobility and sub-groups with high risk to HIV/AIDS infection. [Online]. Year. Abstract from: <http://www.hiv-development.org/text/publications/Chapter8.doc> [Accessed 2003 Oct 23]

Comparison of the lifestyle for health of People in the Lower Area of the Mekong River Basin

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Acknowledgements

The author particularly thanks to the Steering Committee of the Conference of “Trans-border Issues in the Mekong Sub-Region”, for the partial grant supported by Faculty of Liberal Arts, Ubon Ratchathani University, Thailand, in collaboration with the Rockefeller Foundation.

I would like to thank Dr. Nongnapas Thiengkamol who has contribution to the constructive editing, completion and generous assistant of my research. The research would not have been possible if with the advice on questionnaires: Director of Regional Health promotion center 4 Ratchaburi: Dr.Panus Pruelesunand .

Moreover, the author would like to thank the research team, who are my Ph.D. Candidate friends, Mr. Kruewan, K., and Mr. Suphama, S. My gratitude also extends to all of Mr. Suphama's staffs for their hard work of data collection. Another contributor is Mr. Thiengkamol, S., husband of Dr. Nongnapas for all his support.

Finally, I would like to thank my parents and sisters for their loves, encouragement and support in everything throughout my research.

Abstract

The objective of this research is to describe the lifestyle of people in the lower area of Mekong Basin River. The population consisted of population in the lower area of Mekong Basin. The sample groups that are people are collected by purposive sampling method (Yamane, T., 1973). The criteria is employed for selection that they are the twin cities with the similar culture, environment, way of life, history, and locating on the bank of Mekong River. These two cities are Mukdahan Province of Thailand and Kunthaburi of Lao. Descriptive statistics, including frequency, percentage, mean and standard deviation will be used and the t-test was used for comparison between means of different groups. The findings will presented with comparison the differences on health in order to be used as example for solving problems in the wellbeing both health and mental according to healthy city concept and sustainable development, especially, in the environmental aspect that subsequently affected to health. The information in environmental aspect in daily life that impacts the health is as follows:

1. Food consumption and Excretion;
2. Tobacco, alcohol, and drug consumption, and toxic substance contamination;
3. Dental health;
4. Behavior of car and road;
5. Work, exercise and recreation;
6. Family and society;
7. Sexual relationship.

The recommendation, the results will be used for international planning among countries in Mekong Basin in the future in the aspects of health promotion in a part of healthy city project to accomplish the sustainable development.

Key words: Compare/ Lifestyle for health / People

Introduction

Thailand and various countries all over in the world, previously, they had the rural areas more than the urban areas. But at the present time, the areas of every country are changing tremendously because the city or town is the source and center economic and social progresses. Therefore the state of city has tendency of expanding to the rural areas more and more. From the forecasting of world population of United Nations that at the middle of the year 1900, there was 2.7 billion people or 45% of the world population would live in the city. The population of under developing countries with 1.5 billion people or 37% of them lived in the city. In the developed countries, 0.9 billion or 73% of them lived in the city. Two third of world population were in the under developing countries.¹ With this state of high density of city population, a variety of countries have fallen in the crisis of situations of physical and economic environment. In addition, the natural resources have degraded for building shelters or business purposes in order to response the human demands. Ecosystem has been disturbed by the soil, water, air pollutions, and waste accumulation. Moreover, the safety from accident, safety of life and property, social problem, crime, and health problem are deficient.

Healthy City Project occurred from the stimulation of World Health Organization (WHO). The Concepts of healthy city from the 11 countries in Europe in the year 1976 were introduced and expanded to more than 1,600 cities in other regions all over the world with the emphasizing on the physical, social, economic, politic, cultural, and other aspects. These were developed together with the health promotion at global level by using the term of "Health Promotion". "Healthy city" was used by WHO that meant the health city or healthier city or Hygiene city. Therefore, Healthy refers to a state of complete physical, mental and social spiritual well-being, not merely an absence of disease and infirmity. The healthy city concept is integration of health and the international movement on conservation of environment and natural resource and rehabilitation of global environment (Agenda 21_Rio de Ja Nairo, 1976).

The health problem of the citizen are vary to the state of environmental change. From the past the illness and death had the causes from the speedy epidemic of contagious disease. When the situations of economic and social changes in term of agricultural society to industrial society, it rapidly entered to the age of globalization. The citizen are in the unreadiness to live in accordance to the state of change so it affects to health problems all of individual, family, and society. At the whole view, the first cause of illness and death were caused by the people and social behaviors, and the second cause were the environmental factors. These results are congruent to the study of Webster that studied on the factor causing death before expectancy of life. The finding indicated that behavioral factors of that person with 53 percents, the environmental factor with 31 percents, and 16 genetics and biomedical factors. Webster concluded that everyone should change and improve their behaviors or lifestyles together with the promotion of environmental state to be in good, clean, and safe from all pollutions². The situation of environmental problem connects to health problem. The sickness of the population was changing from the state of infection due to the poverty to the non-infectious disease. Therefore, most of diseases occurred from the hygiene behavior. The work aims to implement in proactive form of health building to reach all aspects of health states on physical, mental, social, and spiritual aspects that links together with the unity relation with the closely participation of people. Without omitting to develop the health repair, this makes the people having both quality and potential of physical, mental, spiritual, emotional, and social aspects. The scholars

pay their attentions behavior in daily life in the aspect of food consumption and excretion, smoking, alcohol, drug and toxic substance. In addition, dental health, car and road uses, work, exercise and recreation, family, social, and sexual relation are the lifestyles for health of population in the Mekong region that are parts of promotion for the healthy city.

Literature Review

Lifestyles for health, Luecha Wanarat, (2000.:6-36) ² mentioned that the factors in the aspect of behavior, and lifestyles of behavioral practice of people of differences of race, ethnic, society, and locality are the delicate and complicated issues. Sometimes, it is difficult to understand the reasons and conditions to cause these behaviors. The perspective of outsiders view from outside that community, particularly, with different race, religion, culture, and language. The thinking system, belief, training, educational, political, economic, and familiar environmental systems are included because these conditions and others are the motivation, stimulation, and obstruction factors that cause people make decision to perform behavior or not in any issues. This is called as behavior of that person. When they regularly and continuously practice until it becomes to be their behavior. Whether they live in any circumstance, it will finally become "Lifestyles" of that person.

There are plenty of daily life behaviors that are commonly practiced and the results of these behaviors are different. It may be satisfaction for the performer or the others or not up to the type of performance. Some behavior merely affects to the actor but some affects to the others and both living and non-living environments. However, there is a group of behavior that whether it is performed or not, it also may affect directly and indirectly to one's or another health with short or long term. This group of behavior is called health behaviors or hygiene behaviors as follows:

1. Consumption and excretion behaviors include the food production, food selection, cooking, preservation, and cleanness maintenance. At Present, it is found that obesity is a risk factor in the western countries due to the over-weight of more than a half of the population whether it is calculated from any indicators. It is obviously seen that the health problem related to over-weight or obesity that are myocardial infraction, diabetes in adult, gout disease, osteoarthritis, hypertension, varicose vein in woman, and endometrium cancer, Moreover there are other indirect diseases such as disease of gallbladder, gall stone in kidney, breast cancer, abnormal menstruation, kidney disease, dermatitis, anesthesia problem, mental problem, hemorrhoid, high uric acid in blood, and diabetes in the primary phase³. The prevention is care on the food consumption, exercise according to age and physical state⁴. Excretion of body waste, USA, studied that an American male with the over-weight, has a waste in the intestine about 5 kilograms (At present, it may have more than 5 kilograms of waste in the body since the structure is larger than previous time). People have average of three meals per day. Some between the meals also take the snack. From the research reports, the finding indicated that the person who prefers to take the fat enrich food or meat, they will only excrete 3-4 ounces of stool. The food will take 2-3 day to move from mouth to anus, particularly, in the old age, their digestive system has lower effective; it might take more than 1 week for the food movement. For the person who is fond of high fiber food, he/she will excrete 13-17 ounces of stool per day. The food will take about 20-30 hours for moving from mouth to anus. This means the total amount of food eating in each time will not total excrete in the next day, there is some food left in the intestine and it will ferment in the intestine. The symptom of fermented food accumulated in the intestine will express in different means such as gastritis, suffering from constipation, diarrhea, or abnormal excretion, headache, or insomnia and skin problem for instance. This is an important cause of sickness⁵. Means to make the large intestine healthier are as follows:

- 1) Properly chew the food before swallow.
- 2) Select the food for consumption, and know what is going to be ferment or difficult to digest or high fat or fried food, and what should avoid to consume these high risk of sickness food and one has to take high fiber food contained enrich nutrient for body to

control body weight. The food fiber is high in fruit and vegetable. Food fiber will puff up to increase volume of stool that will affect the feeling of evacuation the bowels. While the fiber moves together with food it will sweep the accumulated things or toxic substance in the intestine to go out with the stool. The medical reports revealed that the food fiber has the function of decreasing the risk of colon cancers occurred by the stimulation of accumulated toxic substances⁶.

From the studies of food influence towards cancer of nine nations with 400,000 peoples by the professor of nutrition unit of Cambridge University, the head of research team found the group of people who ate the enrich fiber food, they were prevented from colon cancer and descending intestine with 40 percents. The medical experts had ever believed that the people of developed countries can be prevented from cancer with 30 percents if they select to eat the correct proportion of food together with food and vegetable consumption, especially 5 times per day⁵.

- 3) The regularly daily evacuation, and notice how about the evacuation features, its characteristics should be soft, good color, not hard or withered pattern, irregular form or like the seed of jack fruit. In addition, it should be observed that what you take that make you suffer from constipation.
- 4) The regular exercise will stimulate the movement of intestine effectively.

2. The behaviors of smoking, alcohol drink, drug, and toxic substance, this is a group of consumption behavior that degraded the health such as drinking, alcohol smoking, drug, and toxic substance. For instance, smoking, the substances in the tobacco are including nicotine, tar, carbon monoxide, hydrogen cyanide, nitrogen oxide, ammonia, radio active substance, minerals accumulated in tobacco. Smoking is harmful to health by causing the lung cancer, hard of artery, and artery constriction, and chronic bronchitis for example⁷.

3. Dental Behavior, it should brush his/her teeth everyday in order to decrease bacteria in the mouth so every one will have healthy status.

4. Behavior of car and road use is a group of behavior of safety travel from the accident such as to practice according to the traffic rules, including to wear safety belt, safety hat, crossing road, selection of transportation, wear the life safe jacket, not drinking while driving and follow the traffic rules.

5. Work behavior, exercise, and recreation, group of behavior of careers of routine work with appropriate force level or moderate level, it will assist to decrease the state of physical degradation. This was reported by Woranan Boonnak, Bongkod Hongkammee, and Jatnapit Rayubkul, (1996)⁸. They studied on the health behavior of career group in the slum community as follows:

- 1) Every career has the low or high risk that differs according to the characteristics of work of each occupation to cause the sickness.
- 2) Every career has the mean to protect worker's health, it depends on the knowledge, understanding, belief, and mean of practice in accordance to prior experiences.
- 3) Behavior of self-care about health, it is still incorrect practice because 57 percents of them with buying the medicine by themselves while 53 percents take the alcohol drinks, and tobacco, stimulant drinks, and drug.
- 4) Health behavior is not only direct consequence from the occupation but it is also the environment of community and town community both physical and social aspect, and inadequate income. These will affect to health status and cause the stress to every worker.
- 5) Most of the workers lack the information and knowledge about the self-care health, maintenance of house environment, and inside community. Most of decision making about self-care for health depends on the belief, way of life, and their prior experiences.

- 6) Insecurity about shelter, the hardship of earning and lack of support from different sectors of government and private related to the occupation that affect to way of life, income, debt, and burden. The proper self-care for every occupation has to depend on their physical and mind power, if they get the support for information on the work of occupation and self-prevention for health care. This affects to development for all problems to be more appropriate and effectively.

For the exercise aspect, it makes the healthier for both physical and mental aspects. The diseases will be often found in the group of people who do not exercise are hypertension, myocardial infraction, obesity, diabetes, high blood cholesterol, stress, allergic disease, fatigue of muscle, and cancer⁹.

Research team of Science and Health of Oregon University in the USA stated that the exercise will aid to stimulate the blood circulation to supply the brain.

It was done in the monkey and it was found that exercise can stimulate the development of blood vessels in brain so this makes the monkey was alert and vital more than the one that does not exercise. It was obviously seen when it was done in the older monkey since the first period of the experiment. They said that the first period of exercise, it affects to make a better hart function, and aid to decease the obesity disease¹⁰. The researcher of Hutchison Center at Seattle city of USA, studied on exercise to expel the insomnia by studying in the women with the age between 50-75 years. The finding revealed that the group of woman who exercise, she will sleep better and easier with the increment of 70 percents¹¹.

Kline Melanin, professor of exercise subject of Massachusetts University in USA, studied on the exercise should not be done with overtax but one can regular walk, the hart can be strong. From the research is done with 84 middle age of both sex¹¹.

The group of stress relaxation, Pamela Peeke, the expert from University of Maryland School of Medicine in Baltimore found that the stress affects not only to the mental health but also cause the obesity, particularly, the one who often has the stress or chronic stress, she/he often get weight gain. This symptom can be often found both male and female of the middle age. They will gain more fat than the person with normal emotion or relaxation emotion. Peek said that the technique of relaxation is not enough to get rid of the obesity problem caused by tress. But the best way is to prevent the secretion of Stress Hormone with exercise because during the exercise, the body will produce the Beta Endorphin¹².

6. Family and Social behaviors, the relationship among people within the family and society, human can not live alone. But when they live together, there is a conflict of demand without pertinence and unhaminized thinking. These cause the conflicts that lead to the stress. Way of conflict management among people is as follows¹³:

- 1) Face with problem when problem occurs, the appointment should be made for adjust the understanding of problem.
- 2) Hear for the problem of each other without the obstruction.
- 3) Conclude the occurred problem and evaluate which problem is able to solve to search the conclusion for solving.
- 4) Search the way to solve when one knows the problem, one will search the problem but one should not hurry to cut off any way but one has to search different ways and consults to the good and bad effect of each way.
- 5) Respect and practice according to the guideline for selection in order to prevent the next problem.
- 6) Bring the plan to practice when nobody follows and let one who does not follow to explain in the way that is not aggressive.

- 7) Revise the agreement, after a practice was done for a passed time, the evaluation must be made whether it is successful according to the plan or not, if not one should start at the first way again.

7. Sexual behavior, and sexual transmitted disease, the diseases will be found in the teenage who has the sexual relation before marriage without the knowledge and understanding about the self-prevention and pregnancy, and sexual transmitted disease. Therefore, the people should have knowledge about contagious disease, symptom of disease, treatment, and facts about sexual transmitted disease¹⁴.

- 1) The sexual transmitted disease can be infected to every sex, age, and class but it is mostly found in the teenage group.
- 2) Rate of sexual transmitted disease is highly found because the teenage has the value of living together before marriage or sexual relation at the young age. Another importance issue is the high rate of divorce so it causes people to have wife and husband more than one. Therefore, sexual transmitted disease is increasingly.
- 3) The sexual transmitted disease does generally not express the symptom, therefore, sexual transmitted disease will be transmitted without awareness of any person. Medical doctors in some countries suggested that it should check for sexual transmitted disease with promiscuous person.
- 4) The sexual transmitted disease causes a plenty of sanitary problems.

To prevent the sexual transmitted disease, the best way is having no sexual affair, if one still has the sexual affair, one should regard to the safety as follows¹⁴:

- 1) Not change the couple, let have only one husband and one wife.
- 2) Wear condom properly, if one would like to have sexual affair with the unknown person who had infection or not.
- 3) Not to have a sexual affair when young age because from the statistics, it was found that the high change of infection.
- 4) Check yearly, for searching the organism, particularly, one wants to marry.
- 5) Learn to knowledge of sexual transmitted disease.
- 6) Avoid having sexual intercourse while menstruation because this state is easy to get the infection.
- 7) Avoid having sexual intercourse at the anus, in case of emergency, the condom must be used.
- 8) Avoid washing the vagina because it is easy to get infection.

Behavior or group of behavior, the behavior is properly practiced, it will decrease that man (and the closely people according to each case). One will gain good health but one can not properly practice. This will cause the sickness, or unhappy or unhappy state. It might be threatened to other systems of body.

Methodology

The research design is implemented in steps by step as follows:

1. The preliminary survey was done in order to search the basic information of the population demographic characteristics and lifestyles.
2. The questionnaires were tools employed for collecting and evaluating the behavioral on the lifestyles.
3. The questionnaires were used to determine the reliability of each question and the whole paper was done by determining the alpha coefficient (α -coefficient) (Sproull, 1988¹⁵).

4. Population and sample, the sample was 60 peoples who live on the bank of Mekong River, Mukdahan Province, Thailand and Muang Kunthaburi, Khang Sawannaket, People Republic of Lao. Sample was collected by accidental technique.

5. The questionnaires (Panus Pruelcsunand,2000¹⁶), the score was rating into 4 levels as follows:

- The most correct practice = 3 scores
- The more correct practice = 2 scores
- The moderate practice = 1 score
- The incorrect practice = 0 score

Interpretation for score was as follows:

- Level of scores between 80-120 scores means good health level.
- Level of scores between 40-79 scores means moderate health level.
- Level of scores between 0-39 scores means health level must be improved.

6. Descriptive statistics, including frequency, percentage, mean and standard deviation will be used and the t-test will be used for comparison between means of different groups. Moreover the Chi-Square test was used for determine the association between demographic data and health status.

RESEARCH RESULTS

The characteristic of sample group, Thailand had the mean of age is 43.83 years. Most of them was 50-59 years old with 30 percent, subsequences were 30-39 years with 20percents and 20-30years with 16.7 percent respectively. Most of them was female with 60.0 percents, and the marital status was couple with 63.3 percents, Their education level was at primary school level or lower with 40.0 percents, secondary school or high school level with 36.7 percents. Most of their occupation was merchant with 63.3 percent. Their income mean was 11,298.67 Baht per month. Most of their health status was at good level with 83.3 percents, chronic disease with 16.7 percents that was heart disease with 40.0 percents, toxic thyroid, hypertension, and allergy with 20.0 percents. The evaluation of health status by themselves, most of them were at good level with 46.7, and subsequences was at moderate level with 40.0 percents. For yearly physical check up, most of them were checked with 56.7 percents, when sick, they came to hospital with 60.0 percents. For their interest and study on the health information was few and it depended on the opportunity provided with 60.0 percents. For water for consumption, most of them obtained water from tap water that already treated with 73.3 percents. For toilet use, most of them used the standard toilet with 93.3 percents. Most of them had waste management aspect with 93.3 percents by dropping to the municipal bin with 85.7 percents, self-managed with 14.3 percents, and throw away in the environment with 6.7 percents. For food selection regarding to the advantage for health and safety was 73.3 percents. Most of them had health state at rather good level. The way of living with the proper mean was 46.7 percents, and subsequence was at moderate level. The way of life should be changed with 43.3 percents, and the low level that needed to control way of life was 10.0 percents. The whole health state was at moderate level.

The characteristic of sample group, People Republic of Lao had the mean of age is 34.87 years. Most of them were 30-39 years old with 40 percents; subsequences were 20-29 years with 30.0 percents and 50-59 years with 13.3 percents respectively. Most of them were female with 53.3 percents, and the marital status was couple with 66.7 percents, their education level was at secondary school or high school level with 66.7 percents, primary school level with 16.7 percents. Most of their occupation was merchant with 33.3 percent and business 23.3 percents. Their income mean was 6383.33 Baht per month. Most of their health status was at good level with 93.3 percents, chronic disease with 6.7 percents that was diabetes and peptic ulcer with equally 50.0 percents The evaluation of health status by themselves, most of them was at very good level with 66.7, and subsequences was at moderate level with 23.3 percents. For yearly physical check up, most of them

were not checked with 43.3 percents, when sick, they came to hospital with 56.7 percents. For their interest and study on the health information was few and it depended on the opportunity provided with 40.0 percents. For water for consumption, most of them obtained water from untreated water with 36.7 percents. For toilet use, few of them used the standard toilet with 16.7 percents. Most of them had waste management aspect with 93.3 percents by dropping to the municipal bin with 75.0 percents, self-managed with 25.0 percents, and throw away in the environment with 6.7 percents. For food selection regarding to the advantage for health and safety was 76.7 percents. Most of them had health state at moderate level. The way of life should be changed with 60.0 percents, and the subsequence was having correct way of life. The low level that needed to control way of life was 3.3 percents. The whole health state was at moderate level as presents in table 1.

Table 1. Percent of sample group of Thailand and Lao People’s Democratic Republic classified according to general characteristics, health, and health service, environment, and health state

Table 1. Percent of sample group of Thailand and Lao People’s Democratic Republic classified according to general characteristics, health, and health service, environment, and health state

Description	Thailand		People Republic of Lao	
	Number	Percent	Number	Percent
<u>General Characteristics</u>				
Sex				
- Male	12	40.0	14	46.7
- female	18	60.0	16	53.3
Total	30	100.0	30	100.0
Age				
- ≤ 19	2	6.7	1	3.3
- 20-29	5	16.7	9	30.0
- 30-39	6	20.0	12	40.0
- 40-49	4	4	3	10.0
- 50-59	9	9	4	13.3
- ≥ 60	4	4	1	3.3
Total	30	30	30	100.0
Thai Mean= 43.83 S.D= 17.09 Mod =17 Min=17 Max=83				
Lao Mean= 34.87 S.D= 11.14 Mod =28 Min=18 Max=60				
Religion				
- Buddhist	28	93.3	30	100.0
- Christ	2	6.7	0	0
Total	30	100.0	30	100.0
Marital status				
- Single	7	23.3	8	26.7
- Couple	19	63.3	20	66.7
- Widow	2	6.7	2	6.7
- Separate	2	6.7	0	0
Total	30	100.0	30	100.0
Education level				
- Illiteracy	1	3.3	4	13.3
-Primary school level or lower	12	40.0	5	16.7
-Secondary school to high school levels	11	36.7	20	66.7
- Diploma degree level	3	10.0	1	3.3
- Bachelor degree level	3	10.0	0	0

Description	Thailand		People Republic of Lao	
	Number	Percent	Number	Percent
Total	30	100.0	30	100.0
Occupation				
- No occupation	3	10.0	4	13.3
-Agriculture	0	0	5	16.7
- Merchant	19	63.3	10	33.3
- Business	5	16.7	7	23.3
-Governmental, state enterprise, private officer	2	6.7	2	6.7
- General hire	1	3.3	2	6.7
Total	30	100.0	30	100.0
Income / month (Baht)				
- ≤ 9,999.0	18	60.0	25	83.3
- 10,000-19,999	5	16.7	3	10.0
- 20,000-29,999	5	16.7	1	3.3
- 40,000-49,999	1	3.3	0	0
- ≥ 50,000.0	1	3.3	1	3.3
Total	30	100.0	30	100.0
Thai Mean= 1,1298.67 S.D= 1,2807.98 Mod =5,000.00 Min=0 Max=55,000.00				
Lao Mean= 6,383.33 S.D= 9,764.68 Mod =2,000.00 Min=500.00 Max=50,000.00				
Chronic disease				
- No	25	83.3	28	93.3
- Have	5	16.7	2	6.7
Total	30	100.0	30	100.0
Type of disease				
-Diabetes	0	0	1	50.0
-Heart disease	2	40	0	0
- Toxic thyroid	1	20	0	0
- Peptic Ulcer	0	0	1	50.0
- Blood pressure	1	20	0	0
-Allergy	1	20	0	0
Total	5	100.0	2	100.0
The whole health state of self-evaluated				
-The best level	2	6.7	20	66.7
- Good level	14	46.7	7	23.3
-Moderate level	12	40.0	3	10.0
- Poor level	2	6.7	0	0
Total	30	100.0	30	100.0
Yearly check up				
- Never	17	56.7	13	43.3
-Ever 1 time	5	16.7	6	20.0
- Ever 2 times	3	10.0	3	10.0
- Ever 3 times or more than	4	16.7	8	26.7
Total	30	100.0	30	100.0
When sick, they go to receive the service at				
-Hospital	18	60.0	17	56.7
- Public health center or Health station	2	6.7	0	0
- Clinic of modern medicine	3	10.0	7	23.3

Description	Thailand		People Republic of Lao	
	Number	Percent	Number	Percent
-Buy drug by themselves	1	3.3	2	6.7
- Let it recovers	6	20.0	4	13.3
Total	30	100.0	30	100.0
Interest and study the health information				
-Most interest and regularly practice	9	30.0	10	33.3
- Few interest up to the change provided	18	60.0	8	26.7
- Fewer interest	3	10.0	12	40.0
Total	30	100.0	30	100.0
Water for consumption and drink obtain from				
- Rain water	3	10.0	4	13.3
-Treated tap water	22	73.3	10	33.3
- Untreated tap water	2	6.7	11	36.7
- Canal pool, and well water	3	10.0	5	16.7
Total	30	100.0	30	100.0
Toilet				
- No	1	3.3	5	16.7
- Have (lavatory with septic tanks)	29	96.7	25	83.3
Total	30	100.0	30	100.0
Waste Management				
- Natural throw away	2	6.7	2	6.7
- Have	28	93.3	28	93.3
Total	30	100.0	30	100.0
Method-				
- Municipal bin	24	85.7	21	75.0
- Self-managed	4	14.3	7	25.0
Total	28	100.0	28	100.0
Food				
-Buy according their satisfaction from the general sale	8	26.7	23	76.7
- Buy with regarding to advantage to body and food safety	22	73.3	7	23.3
Total	30	100.0	30	100.0
Health state level				
- Rather good having the correct way of life	14	46.7	11	36.7
- Moderate, should change the way of life	13	43.3	18	60.0
- Too low, must control the behavior of living	3	10.0	1	3.3
Total	30	100.0	30	100.0
Total of health state level		Moderate level	Moderate level	
		Mean = 85.83	Mean = 86.10	
		SD = 10.87	SD = 8.80	

Results of data analysis on the comparison the association health state between group of sample, the finding revealed that the health state associated to occupation and education with statistically significant at level of 0.05 and 0.01 (Table 2).

Table 2. Analysis on the Comparison the Association Health State Between Thai and Lao According to General Characteristics

Descriptions	Thai N=30(%)	Lao N=30(%)	Percent (100)	Chi- square
Education level				
- Illiteracy	1(1.7)	4(6.7)	8.3	0.02*
-Primary school level or lower	12(20.0)	5(8.3)	28.3	
-Secondary school to high school levels	11(18.3)	20(33.3)	51.7	
- Diploma degree level	3(5)	1(1.7)	6.7	
- Bachelor degree level	3(5)	0	5	
Occupation				
- No occupation	3(5)	4(6.7)	11.7	0.01**
-Agriculture	0	5(8.3)	8.3	
- Merchant	19(31.7)	10(16.7)	48.3	
- Business	5(8.3)	7(11.7)	20.0	
-Governmental, state enterprise, private officer	2(3.33)	2(3.3)	6.7	
- General hire	1(1.7)	2(3.3)	5.0	

**P<0.01, *P< 0.05

Results of data analysis on the comparison the mean scores of way of life in different aspects between Thailand and Republic of Lao, the finding revealed that food consumption and excretion, smoking, alcohol, drug and toxic substance, work, exercise, and recreation, dental health, and traffic, family and social aspects, the total results had no different except the sexual relation had the sexual relation with statistically significant at level of 0.01. But By each item, there were differences with statistically significant at level of 0.01 and 0.05 at presents in table 3.

Table 3. Analysis on the Comparison the Mean Scores of Health State between Thailand and Lao People's Democratic Republic

Descriptions	Thailand		Republic of Lao People		T-Test
	Mean	S.D	Mean	S.D	
<u>Food consumption aspect</u>					
-Have the mean with how many main meals per day	2.6	0.7	3.0	0.2	0.02*
- Meal with the most amount is	1.8	0.8	2.4	0.6	0.01**
- Have a snack, how many times per day	2.5	0.9	1.8	0.9	0.00**
- Have rice group and carbohydrate, how many ladle per day	1.5	0.8	2.0	0.8	0.01**
- Have meat, egg, soybean cake or bean, how many spoon per day	1.5	0.9	2.0	0.6	0.04*
- Have fat food such as coconut milk, chicken skin, leg, pork leg, fat pork, , how many time per week	2.7	0.8	2.1	0.8	0.01**
- Satisfy with body weight at present	1.6	1.2	2.5	0.6	0.00**
<u>Smoking, alcohol, drug and toxic substance aspect</u>					
- Drink coffee/ ice coffee or caffeine drink such as	2.7	0.7	2.4	0.7	0.01**

Descriptions	Thailand		Republic of Lao People		T-Test
	Mean	S.D	Mean	S.D	
Coke or Stimulant drink, how many cups per day.					
<u>Work, exercise, and recreation aspect</u>	2.7	0.7	2.2	0.9	0.02**
- Sleep 6-8 hours, how many night per week					
- Work over than 8 hours per day, How many day per week	1.3	1.3	1.6	0.8	0.01**
<u>Family and social aspect</u>					
-Satisfactory feeling for family, neighbor, and community with warm of mind and emotion support	2.3	0.8	2.4	0.50	0.00**
	6.1	0.8	4.4	1.7	0.00*
<u>Sexual relation (Whole Behavior) aspect</u>					
-Convenient feeling and satisfaction to master base instead of have sexual affair with others	0.3	0.7	0.2	0.6	0.00**
- Have sexual relation with security of safe from pregnancy, how often	2.9	0.3	1.9	1.4	0.00**

**P<0.01, *P< 0.05

DISCUSSION

From the research results, it can be concluded according to each aspect of two courtiers were as follows:

1. The demographic characteristic of two countries, most of them had no chronic disease. For Thailand, the finding illustrated that there are heart disease, hypertension, and allergy. These diseases occurred from the behavior of health and environmental pollution. Lao People's Democratic Republic, the result showed that there were peptic ulcer and diabetes diseases. These diseases were occurred from food behavior consumption because most of them bought food according to their satisfaction and bought from the general food sale. The finding also indicated that people of both countries pay little attention to health information up to the chance provided and most of them went to receive the health service from the hospital. Nevertheless, some of them bought the drug from drug store and let it naturally recovers.

2. Environmental aspect

1) Water for drink and utility, most of them used the treated pap water but some of them still used the natural water so its quality depended on natural environment.

2) Toilet, most of them used the standard toilet but some of them still had no toilet and this will be a cause of disease spreading if it was neglected.

3) Waste management, few of them disposed to natural environment but it also caused of pollution.

3. Way of life, the finding showed that whole health for way of life was at moderate level but in some aspect, it needed to improve individual behavior of lifestyle. The different of the whole lifestyles found that sexual relation aspect for Lao, they were still lack of knowledge and behavior of self-practice was not proper in the following aspects:

1) Food consumption behavior, most of Lao people will have better food consumption behavior in the issue of have three meals, particularly have breakfast. Amount of carbohydrate, meat, egg, soybean cake or bean were appropriate proportion body demand so they had a standard of body weight. But Thai people prefer to eat snack and have high fat food.

2) Tobacco, alcohol, drug, and toxic substance, it was found that Thai people drink coffee/ice coffee or stimulant drink with caffeine less than Lao people.

3) Work aspect, it was found that Lao people worked longer 8 hours per day in a week less than Thai. For sleeping aspect, it was found that Thai sleep 6-8 hours less than Lao.

4) Family and social aspect, the feeling of satisfaction for family, neighbor, and community with warmness and mental and emotional support among Lao people more than Thai.

Recommendations

The features of both countries had the whole health state at the moderate level. It should be changed some behavior of lifestyles in order to have a healthier level as follows:

1. Environmental aspect, the state should support and implement.

1) Check for water quality of natural water that is used by people whether it is proper to use for consumption or not.

2) Toilet, every family should have toilet because it is a source of pollution and source of different disease spreading.

3) Waste management, government should play clearly role for implantation of waste seriously in term of community law utilization with public relation is made on recycling, and utilization. It should not throw waste to the natural environment, particularly the Mekong River.

2. Knowledge aspect, distributing knowledge through the media of radio, television, and printing materials to people in order to let them have more knowledge in the following issues:

1) Food consumption and Excretion;

2) Tobacco, alcohol, and drug consumption, and toxic substance contamination;

3) Dental health;

4) Behavior of car and road;

5) Work, exercise and recreation;

6) Family and society;

7) Sexual relationship.

3. Arrange the movement unit in the health aspect to check health, recommendation is provided to people who can not reach the basic service of government.

REFERENCES

1. United Nations, Department of International Economic and Social Affairs. (1991). World Urbanization Prospects 1990. United Nations Publications.
2. Luecha Wanarat. (2000). เมืองน่าอยู่. พิมพ์ครั้งที่ 2. โครงการตำรากรมอนามัยสำนักวิชาการ นนทบุรี : ไซเบอร์เพรสจำกัด.
3. โรคที่มากับความอ้วน ชีวจิต. ปีที่ 6 ฉบับที่ 144 (1/10 / 2547) P.10
<http://www.thaihealth.info/health6.asp>.
4. กินอยู่อย่างไรกับโรคเบาหวานอย่างมีความสุข <http://www.thaihealth.info/health4.asp>. 3/4/2548.
5. สุขภาพดีเริ่มต้นที่ลำไส้. นิตยสารผู้หญิงวันนี้. <http://www.thaihealth.info/health12.asp>. 3/4/2548.
6. เส้นใยอาหารกับประโยชน์ต่อร่างกายในการควบคุมน้ำหนัก. <http://www.thaihealth.info/nutrition6.asp>. 3/4/2548.
7. บุหรี่กับชีวิต (<http://www.thaihealth.info/health17.asp>).
8. Woranan Boonnak, Bongkod Hongkamme, and Jatnapit Rayubkul, (1996).
พฤติกรรมสุขภาพของกลุ่มอาชีพในชุมชนแออัด จังหวัดขอนแก่น. สถาบันวิจัยและพัฒนา มหาวิทยาลัยขอนแก่น.
9. ความสำคัญของการออกกำลังกาย <http://www.nfe.go.th/042103/online/exercise/basic/basic1.html>.
10. การออกกำลังกาย. Thairat Newspaper, the 54 year, No. 16730, 11/11/2003.
http://bangkokhealth.com/healthnews_htdoc/healthnews_detail.asp?Number=9855
11. การออกกำลังกาย. Thairat Newspaper, the 54 year, No. 16751, 12/2/2003.
http://bangkokhealth.com/healthnews_htdoc/healthnews_detail.asp?Number=9855
12. ความเครียดทำให้อ้วนได้ <http://www.thaihealth.info/health14.asp> 13/4/2548.
13. ความสัมพันธ์ระหว่างบุคคล. <http://www.siamhealth.net/Disease/neuro/psy/stress/relation.htm>.
14. โรคติดต่อทางเพศสัมพันธ์ Sexual transmitted disease
<http://www.siamhealth.net/Disease/infectious/std/index.htm>.
15. Sproull, N.L., (1988). Handbook of Research Method: A Guide for Practitioners and Students in the Social Science.
16. Panus Prueksunand, (2000). แบบประเมินตนเองวิถีชีวิตเพื่อสุขภาพ 40 ประการ. ศูนย์ส่งเสริมสุขภาพเขต 4 ราชบุรี.

Development of Health Cities Network for the Mekong Region

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Acknowledgements

The author particularly thanks to the Steering Committee of the Conference of “Trans-border Issues in the Mekong Sub-Region”, for the partial grant supported by Faculty of Liberal Arts, Ubon Ratchathani University, Thailand, in collaboration with the Rockefeller Foundation.

Moreover, the author would like to thank the research team, who are my Ph.D. Candidate students, Mr. Kruewan, K., Ms. Koktatong, K. and Mr. Suphama, S. My gratitude also extends to all of Mr. Suphama’s staffs for their hard work of data collection. Another contributor is Mr. Thiengkamol, S., my beloved husband for all his support. Lastly, Ms. Koktatong, K and Mr. Kruewan, K for their overnight work with data analysis.

Finally, I am deeply indebted to both of my beloved sons, Mr. Tanarat and Mr. Chatchai, for their contributions in term of time, ideas, and budget support. Nevertheless, they also encouraged me to endeavor to do this research.

Abstract

The objective of this research is to develop a healthy cities network for Mekong Region. The population consisted of all cities in the five countries along the Mekong River Basin. The sample groups included five cities representing each of the five countries, selected by purpose sampling technique through the basis of their commitment to participate and cooperate. The cooperation to establish a healthy cities network will be implemented through both bottom-up and top-down approaches. For the top-down approach, the city authorities needed to participate in participatory training that integrated the Appreciate-Influence-Control technique (AIC), in order to establish the Mekong healthy cities agenda with a shared vision based on the healthy cities concept to meet sustainable development. This would lead to cooperation among the representatives from the five cities, so that they may create policies and plans for implementation to harmoniously join in at the local level. Regarding bottom-up approach, the local authorities in the five cities needed to set action plans relevant to the city authority. The research design employed in this study is thus divided into two levels of approaches: bottom-up and top-down. A network development process will be implemented for both levels with Multi-level Management Linkage (MML) concept, and after the end of the project, Participatory Performance, Assessment, Monitoring, Evaluation, and Impact (PAMIE) technique will be used for evaluation (Thiengkamol, N., 2004). Nevertheless, before the full research will be implemented the preliminary survey is needed.

Key words: Development/ Healthy Cities Network/ Mekong Region

Introduction

To meet the sustainable development of five countries along the Mekong River Basin, it needs the cooperation with a shared vision based on the Healthy Cities Concepts (HCC) because its basic concept covers all aspects that leads to the well being of all population in this region. Particularly, at present, the international water likes as the Mekong Basin is going to be an important problem of conflict of interest with the need of use the fresh water for living of people who live at the bank of Mekong River. Moreover, with the transborder of these countries also develop various

interesting issues whether sex trade, gender and sexuality, labor migration, natural resource and environment management, culture, ethnicity, human right regarding ethnic, and health, particularly HIV/AIDS.

The HCC is harmonious with the philosophy of sustainable development because its concept regarding to good quality environment that people lives. This includes good quality of air, water and soil, plenty of health food and good housing. In addition, the various facets that influence this concept are quality of life, education, vital culture, good health care for both mental and physical aspects, satisfying employment and occupation, the sharing of wealth, and safety in public places, supportive relationships, equal opportunities, and freedom of expression. In addition, the special needs of the young, and the old or disabled also be emphasized (Belfast Healthy Cities Project, 1998 and WHO).

As far as it has been recognized, at present the mean of network development has been employed for linking in different areas in different levels as individual, groups, and organization such as education in term of learning network development, web page in form of on-line linkage, and career linkage in term of collaboration. But The research design in this study, the development of Healthy City Network (HCN) for the top-down approach, the city authorities need to participate in participatory training that integrated the Appreciate-Influence-Control technique (AIC) with the brain storming of city authorities in order to establish the Mekong healthy cities agenda and for the bottom up approach will employed the invented techniques of MML and AIC techniques with the integration of SWOT (Strength-Weakness-Opportunity-Threat) analysis to develop a healthy cities network for Mekong Region. The quality and success of the HCN development will be evaluated by PAMIE technique composed of both qualitative and qualitative methods.

Literature Review

At the beginning period of healthy cities project, World Health Organization (WHO) defined health in 1948 as "A statement of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity". This wide definition covers to different factors relates the health that includes environment, relationships, level of income, lifestyle, government policy, and employment for instance.

The second phase of WHO European Healthy Cities Projects (HCPs) included the commitments with following principles of the project regarding healthy city policy, community participation, and all stakeholders' cooperation, attaining the healthier environment and health, and primary health care at the community level.

The World Health Organization Healthy Cities movement is stronger and more relevant than ever. There is now plenty recognition of the importance of the local dimensions and the key role of local governments and the civic society in health and sustainable development. Healthy City (HC) had 15 years experience of innovative action developed through times of major social and political changes regionally and globally. The conference marked the successful conclusion of the third phase (1998-2002) of the WHO European Healthy Cities Network (HCN) with the main goal of projects by acting to improve the health of their residents and the launching of Phase IV (2003-2007). The conference offered a meeting point and platform to cities, networks, agencies and institutions that are concerned with health, sustainability, equity, urban development and community empowerment (WHO, 1998).

The HCP can consider in term of the principles of sustainable development that has implemented in both developing and industrialized countries. The appropriate techniques will be

introduced as tools that lead to meet the goal of wellbeing both mental and physical health of global citizen. It requires through both bottom-up and top-down approaches. For the top-down approach, the city authorities need to participate in participatory training that integrated the Appreciate-Influence-Control technique (AIC) (World Bank, 2002), integrated with Multi-level Management Linkage (MML) with the integration of SWOT (Strength-Weakness-Opportunity-Threat) analysis and project operation methods of Who, Whom, What, When, Where, Why, and How (6W1H) (Thiengkamol, N., 2004; World Bank, 2002; Langly, 1998; Weiss, 1993 and Sproull, 1988). to develop a healthy cities network for Mekong Region. (Thiengkamol, N., 2004). In order to establish the Mekong healthy cities agenda with a shared vision based on the HCC to meet sustainable development. This would lead to cooperation among the representatives from the five cities, so that they must create policies and plans for implementation to harmoniously join in at the local level. Regarding bottom-up approach, the local authorities in the five cities need to set the shared vision action plans relevant to the city authority. Nevertheless, at each local level might have some different contexts so it needs to implement some as priority issues like as the previous project of Belfast Healthy Cities Project (Belfast Healthy Cities Project. 1996). Nevertheless, it might be the same the previous or not it depends on the context of the cities that project will be implemented.

Healthy City Project in the aspect of Urban health is an increasingly interconnected and challenging field of action for the European Region of the World Health Organization (WHO). Plenty of studies and reports emphasize the growing health challenges of cities such as social exclusion, pollution, poverty, violence, substandard housing, the unmet needs of elderly and young people, homeless people and migrants, unhealthy spatial planning, the lack of participatory practices and the need to seriously address inequality and sustainable development. Over 1000 cities and towns from more than 30 countries of the WHO have the Healthy Cities project in the European Region has shown the value of a holistic approach to such problems. It is an effective and popular mechanism for promoting policies and program based on health for all at the local level through a process that involves explicit political commitment, institutional changes and intersectoral partnerships, innovative actions addressing all aspects of health and living conditions and extensive networking between cities across Europe (WHO, 2005).

These countries are linked through national, regional, metropolitan and thematic healthy cities networks, as well as the WHO Healthy Cities network for more advanced healthy cities. Cities participating in these networks have developed and implemented a wide range of program and products including city health profiles and city health plans and strategies based on intersectoral cooperation, community development initiatives and program that address the needs of vulnerable groups, lifestyles, environmental health and Agenda 21 that is core concept of sustainable development (WHO, 2003 and WHO, 2005).

The WHO Healthy Cities network represents a key mechanism for promoting commitment and innovation and is a source of valuable expertise, legitimacy and continuous learning. National networks and a host of thematic networks at the international and national levels have developed into a dynamic web of innovation and cooperation that cuts across all conventional political, professional, territorial and sectoral boundaries (WHO, 2005).

Therefore, coverage of this study will be concentrated on the different aspects of lifestyles, wellbeing, environmental management, cultural transferring, and health state, including HIV/AIDS situations. Firstly preliminary survey was done at the lower area of Mekong region by using Thailand and Laos as pilot study to search basic information of their people knowledge and understanding about the Healthy Cities Concepts (HCCs). In addition, the culture in the aspect of cultural perception and belief on different issues whether its traditional performance, or belief on religion,

spirit, mind, ritual, ghost, environmental and natural resources, and supernatural events. Moreover, in this pilot study the other important aspects of lifestyles, health state including the aspect of HIV/AIDS, and environmental management. Afterward, the HCN development will be operated with the participatory training will be implemented both will be operated through both bottom-up and top-down approaches.

During the training process, participants of both levels will be assessed with the Tree Dimensional Evaluation (TDE) and Four Dimensional Evaluation (FDE) or Round Dimensional Evaluation (RDE). TDE included evaluation: self-evaluation, group-evaluation, and trainer-evaluation. FDE or RDE included self-evaluation, group-evaluation, trainer-evaluation, and audience-evaluation (Thiengkamol, N., 2004). Participatory Performance, Assessment, Monitoring, Evaluation, and Impact (PAMEI), is used as systematic evaluation in order to assess, monitor, and evaluate the participants performance and impacts, and the quality and success of the HCN development will be evaluated both quantitative approach with questionnaire and observation forms, and qualitative in term of Participatory Action Research (PAR).

Ultimately, The HCN for Mekong Region will be established with the collaborations of Cambodia, China's Yunnan Province, Laos, Thailand, and Vietnam to implements of HCPs as based to reach the sustainable development according to the set Mekong Healthy Cities Agenda (MHCA) as guideline for policy formulation and planning for action plan with short term and long term projects.

The complicated elements and dynamic activities in every city, are features like as the building blocks and functions in the living organism because both of them are able to retain as living city or living creature have to contain various compositions and function as well. The city contains various fundamental elements both living and non-living things, and dynamic activities include politics, economics, business, societies, education, security, culture, way of living, and career. Nevertheless, the city can be considered as living creature in term of health. The city health, therefore, regards plenty of factors that represents its outcome of healthy state in terms of development with the good quality of environment and enrich natural resources. Human wellbeing both physical and mental health, no unemployment, peace, security, and equality of right to reach the social affair in different facets are included (Mega, V., 1996; WHO, 1998; Rees, W., & Lawrence, R., 1996; and World Commission on Environment and Development, 1987).

Considering in term of healthy cities concept, WHO has established the Healthy Cities projects to explore the opportunities and mechanisms for developing the collaborative action in cities to achieve health for all Health is defined as being outcome of all factors that affect human being (WHO, 1998; and European Sustainable Cities & Towns Campaign' Healthy Cities Network, WHO Regional Office for Europe, and Healthy Cities Network, 1997).

Moreover, Agenda 21 and health for all programs have various common principles and complementary processes. Even though Agenda 21 inspects health as the outcome of environmental, economic, and social factors that also affect sustainable development (European Sustainable Cities & Towns Campaign' Healthy Cities Network, WHO Regional Office for Europe, and Healthy Cities Network., 1997; and Pearce, D., 1995).

From the beginning implementation of Healthy City Project (HCP) in 1948 until present, it is obviously seen that if the project should be implemented in both level approaches, particularly, at present the world is facing to different dimensional problems that need harmonizing cooperation among different countries to reach the HCC to meet the global sustainable development. For the

regional level likes as Mekong Region, it needs a cooperation among countries locate on Mekong River to link as strongly network to assist each other to attain the regional sustainable development by operating with HCC.

Since Network development is an important role to link the different stakeholders to participate and do brain storming to explore the shared vision for implementation to reach the goal of sustainable development in various facets whether for business, education, economic, politic, administrative and earning approach (ASEAN Business Council, 1992; Sripoona, S., 2001; and Saengngern, S., 2002; Photchanachai, K., 1993; Office of National Committee Village and Urban Community Fund, Office of Prime Minister., 2003 and Thiengkamol, T., 2004).

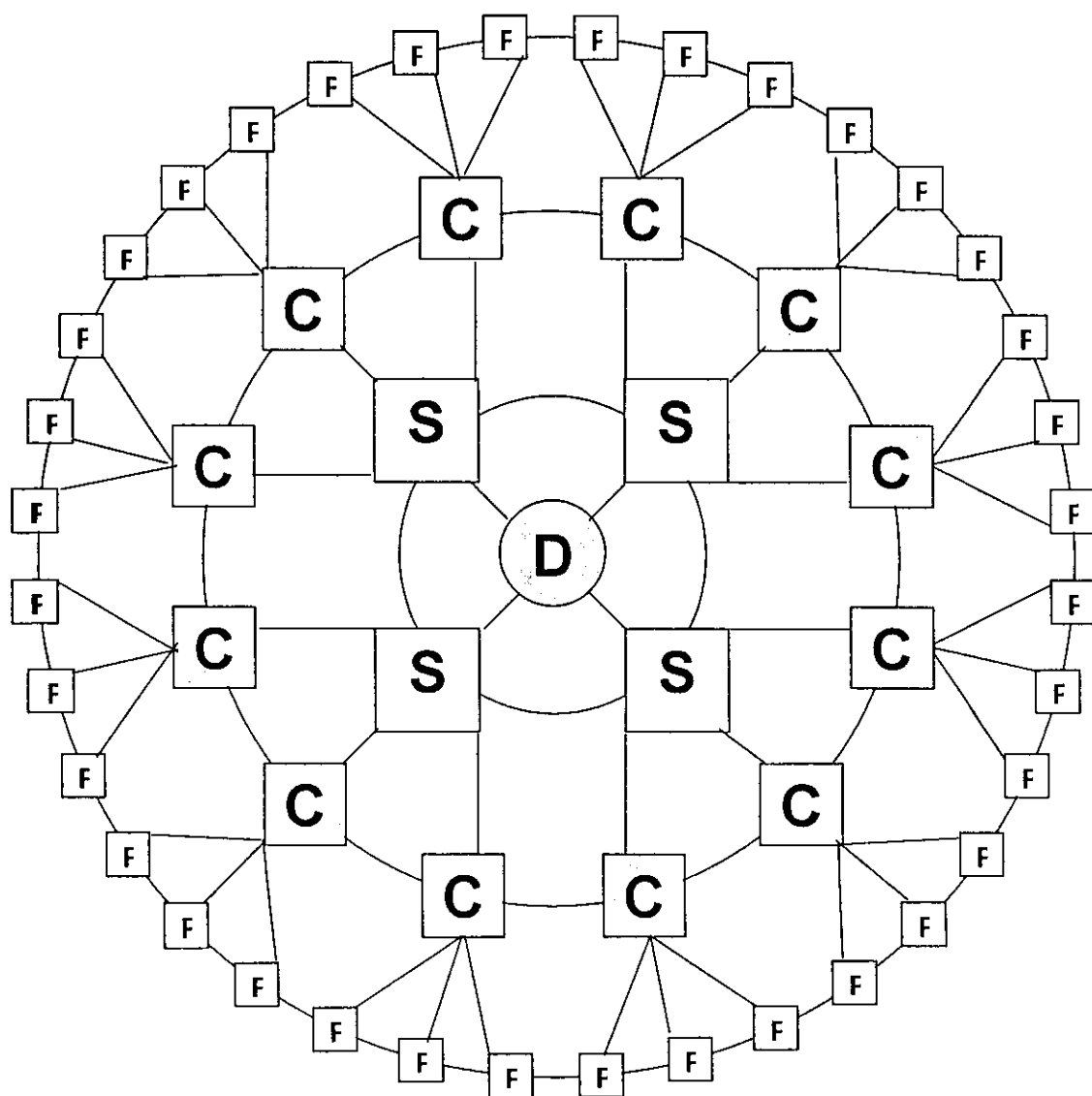
Occurrence or establishment of network, there are different mechanism, but for Development of Health Cities Network for Mekong Region in this research, it will be implemented by applying the model of MML concept and evaluating with PAMIE techniques (Thiengkamol, T., 2004). Regarding the MML concept, there are at least three levels of continuous participatory training based on multi level management linkage. The first level of training (or District level) will be initiated by the research team to provide the facilities and management of the first level training, then the participants of this level will perform as steering committee to operate in the second level (Subdistrict level) training with the aid of researcher team. For the third level (community level) training, the second level participants will perform as steering committee to operate in the third level training with aid of steering committee formed by first level participants, including research team's advice. Then, the three levels participants would be join to operate the establishing network to collaborate in their own level or other levels with the connecting with the top authorities in term of city or town level. Particularly, for the Mekong Region five city authorities who participates in participatory training with the formulation of the Mekong healthy cities agenda in order to reach the sustainable development. During and after the projects implementation, PAMIE will be employed to assess and monitor based on the qualitative and quantitative approaches.

Methodology

The research design is implemented in steps by step as follows:

- 1) The preliminary survey is done in order to search the basic information of the population demographic characteristics, healthy city knowledge and understanding, lifestyles, environment situation health state, particularly HIV/AIDS status.
- 2) Tools, the questionnaires for evaluation the knowledge achievement and understanding on the concept of health city network development of participants, and the forms of Three Dimensional Evaluation, and Round Dimensional Evaluation are constructed.
- 3) The questionnaires to determine the reliability of each question and the whole paper was done by determining the alpha coefficient (α -coefficient) (Sproull, 1988).
- 4) For the top down approach, the five cities of top authorities is arranged for the participatory training for 3 days in order to do the brain storming to obtain Mekong healthy cities agenda with a shared vision based on the healthy cities concept to meet sustainable development. Moreover they will bring the Mekong healthy cities agenda to policy maker to formulate the policy and action plans for both short and long terms projects.
- 5) For the bottom up, local authorities participate in the participatory training for 3 days in order to do the brain storming to obtain Mekong healthy cities agenda with a shared vision based on the healthy cities concept to meet sustainable development. They will also propose the Mekong healthy cities agenda to policy maker to formulate the policy and action plans for both short and long terms projects.

- 6) Construction of handbook for the training: it contains the healthy city concept, network development, the operating with the concept of MML, and the sustainable development concept (Markasiranonth, 1999; CEDPA, 1999 and Thiengkamol, N., 2004).
- 7) The district leaders will be selected with purposive sampling from the whole district level to be participants in the training course arrangement with MML concepts. They will be recruited according to the setting criteria (willingness, time, devote, and public mind).
- 8) The first level training course for 5 days, and the 30 participants were One Group Pretest-Posttest Design is employed for determination the learning knowledge achievement and understanding of the healthy city concept, network development, the operating with the concept of MML, and the sustainable development concept. The systematic operation of three level training courses were prepared for training the participants to be able to perform as trainer, facilitator and educator for HCP implementation and network development via invented Multi-level Management Linkage (MML) with 'Training of Trainer' (TOT) process integrated with Appreciate-Influence-Control (AIC). Moreover, they would be able to develop an action plan and projects for HCP according to the shared vision obtained through brain storming at each training level based on the Mekong healthy cities agenda with a shared vision based on the healthy cities concept. The brain storming included SWOT (Strength-Weakness-Opportunity-Threat) analysis based on project operation methods of Who, Whom, What, When, Where, Why, and How (6W1H) (Langly, 1998; Weiss, 1993; and Sproull, 1988).
- 9) The Three Dimensional Evaluation and Four or Round Dimensional Evaluation is used to qualify the participants to be facilitator and trainer.
- 10) The first level participant held a meeting to select the steering committee for operation the second level training course, simultaneously; the first level participants would practice giving knowledge for their district people under the supervision of the researcher and trainers.
- 11) The second level of the training course is arranged for 5 days, and the 30 participants from the subdistrict leaders are recruited according to the setting criteria. The participants of the first level performed as the trainers and facilitators for the second level participants under the assistant and supervision of the researcher and trainers.
- 12) The Three Dimensional Evaluation and Round Dimensional Evaluation were used to qualify the participants to be facilitator and trainer performances.
- 13) The second level participant held meeting to select the steering committee for operation of the second level training course, simultaneously, the second level participants practice to give knowledge to their subdistrict people under the supervision of the researcher and trainers, and the assistant of the first level participants.
- 14) The third level was implemented according to process mentioned above with the participants who are the community leaders.
- 15) PAMEI technique is employed for performance, assessment, monitoring, evaluating for training participation and facilitator and trainer performance of the participants, including the cooperation of operation and management of training course as steering committee. The research design of the Development of Healthy Cities Network for Mekong Region shows in figure 1.



NB: D=District, S=Subdistrict, C=Community, P=People

Figure 1 Development of Healthy Cities Network for Mekong Region with MML

Research Results

The results of survey research with the questionnaires contained of different aspect of general knowledge and perception on healthy city concept, culture, environmental management, lifestyles, and health state, including HIV/AIDS, illustrated as follows:

For The aspect of HCC, it indicated that at the country level of lower region of Mekong basin, regarding on Lao People's Democratic Republic and Thailand, the finding illustrated that the nation associated to healthy city concept statistically significant at level of .05 with regarding the issues of healthy cities as follows:

- 1) HC must have the management in different aspects such as environment, health, and security of life and properties.
- 2) HC must be clean, and safety without any pollutions.
- 3) HC must regard to the people with qualified education, healthy body and mind with the public awareness behavior.

- 4) HCP management should be implemented with the cooperation of the city authority and their citizen.
- 5) HC Healthy city concept includes art, culture, and local wisdom.
- 6) HC also regards to the public parks and Health Park providing for citizen.
- 7) HCC embraces of information providing about healthy city project.
- 8) HCC includes to the individual family healthiness.
- 9) HCC includes the people do not dispose the solid waste and waste water to river, canal, and water sources in term of environmental management.
- 10) HC must free for drug addict problem.
- 11) HCC, the government needs to provide knowledge and understanding to the citizen in order to meet the shared vision of sustainable development.

The finding in the aspects of lifestyles, cultural belief and perception, environmental management and health state including the HIV/AIDS situation are as follows:

- 1) Lifestyle aspect at the country level of lower region of Mekong basin, regarding on Loa and Thailand, the finding illustrated that the nations did not associate to lifestyles at level of .05 (Koktatong, K., 2005).
- 2) Health state Thailand, the finding illustrated that health state of two nations were in the moderate level, but when considering on the individual of both countries, the result illustrated that there is different health state. Moreover, when the comparison of daily lifestyles between two countries, there were no differences with statistically different at level of .05. The food consumption behavior was exception (Koktatong, K., 2005). Including sexual relation, this was relevant to the result of the association of nation and HIV/AIDS situation (Charoensuk, D., 2005).
- 3) HIV/AIDS situation of the country level of lower region of Mekong basin, regarding on Lao People's Democratic Republic and Thailand, the finding illustrated that both of the nation associated to HIV/AIDS situation at level of .05 (Charoensuk, D., 2005).
- 4) Environmental management aspect at the country level of lower region of Mekong basin, regarding on Loa and Thailand, the finding illustrated that the nations did not associate to lifestyles at level of .05, except in the facets of aid for conservation of environment and natural resources inside the community, awareness of forest resources use, the international agreement of aquatic animal fishing about the conservation considering, waste disposal, and environment and natural conservation for Mekong river (Suphama, S., 2005).
- 5) Cultural perception and belief aspect, the finding indicated at the country level of lower region of Mekong basin, regarding on Loa and Thailand, the finding illustrated that the nation associated to cultural perception and belief with statistically significant at level of .05 (Krauewan, K., 2005).

When the comparison in different aspects was done with the twin cities Mukdahan Province and Kunthaburi City. Comparison two cities in term of health status and culture belief had no different with statistically significant at 0.05 level, but perception on healthy city concept, and environmental management had different with statistically significant at 0.05 level.

From the preliminary research, it can be concluded that there are still various different aspects among countries locating at Mekong River banks. Therefore, before the health city network will be develop, it needs to prepare for the survey research for fives cities that will be used at representatives in order to plan and manage for the process of effective implementation process and effectiveness out come and impact.

Discussion

From the research survey, for the healthy city aspect, the association between demographic characteristics of the sample group and healthy city concept, the results were discovered that the country or race, and education level associated to healthy city concept with statistically significant at level of .05. Especially, in the aspects of the management in different aspects such as environment, healths, and security of life and properties, qualified education, free for drug addict problem, healthy body and mind with the public awareness behavior, are included. Moreover, HCC also regards to art, culture, and local wisdom. In addition, HCC includes the people do not dispose the solid waste and waste water to river, canal, and water sources in term of environmental management, and the government needs to provide knowledge and understanding to the citizen in order to meet the shared vision of sustainable development.

The finding indicated that most of the lower region, particularly, Laotian and Thai people who live in the Mukdahan Province and Kunthaburi City. Comparison two cities in term of health status and culture belief had no different with statistically significant at 0.05 level except the food consumption behavior. But perception on healthy city concept, and environmental management had different with statistically significant at 0.05 level. This indicated that it needs to provide certain knowledge and environmental management for both cities people by giving more information through different channels such as television, radio and village. Moreover, the healthy city project that will plan to implement, should arrange the facet of knowledge and understanding for local level by the leaders of different levels as district, subdistrict, and community leader to give these content during the process of health city network development for Mekong Region.

The significance of healthy cities network is concentrated when the plenty of countries have faced with the environment problems, shortage of natural resources to nurture the human being. This situation is a menace for the poor people with physical mental health statuses. Particularly, for the developing countries and less developed countries are threaten by the globalization and the world economic competitions. Therefore, the poor become poorer due to the lack of knowledge and know how of technologies due to their lower opportunities and low competencies with the low level education. Most of the world population about 80 percents are still in the remote region to reach the facilities built by the high technology, especially, the information technology progression. Nevertheless, there is various international organizations tries to assist to alleviate these urgent troubles.

The network development is in the attention of plenty of field whether business, education, politics, earning and so on. In this study the network development process is employed the invented Multi-level Management Linkage (MML) with 'Training of Trainer' (TOT) process integrated with Appreciate-Influence-Control (AIC). Moreover, they would be able to develop an action plan and projects for HCP according to the shared vision obtained through brain storming at each training level based on the Mekong healthy cities agenda with a shared vision regarding the healthy cities concept. The brain storming included SWOT (Strength-Weakness-Opportunity-Threat) analysis with integrated the participatory training approach as a means to educate people health cities concept in different aspects to diverse target groups in order to accomplish sustainable development as the highest ultimate goal of development. Moreover, it associated challenges, developed the necessary skills and expertise to address the challenges and foster attitudes, motivations and commitment to make informed decisions and take responsible action. Additionally, it enhanced critical thinking, problem-solving and effective decision-making skills. Therefore, the demand for health cities knowledge in order to seek the effective model continued to grow in the response of international agencies, including at the regional, country and local level are required.

Therefore, further studies should emphasize on the development of health cities network model for attaining the wellbeing of citizen for five countries locate on the Mekong River. If most of the leaders different sectors, who will attend in all three levels of training, have high capabilities, responsibility and intentions to be trainers for their district, subdistrict and community and others with sincere devotion to establish a health cities network for their cites according to the research designation.

Based on the preliminary study was done in different aspect of general knowledge and perception on healthy city concept, lifestyles, culture, environmental management, and health status, especially, HIV/AIDS. It indicated that the Mekong basin needs to develop the healthy cities projects according to the proposal by implementing based on the mentions concepts and techniques mentioned above.

Recommendations for further research: the development of health cities network should be implemented among countries on the Mekong Region in order to attain the wellbeing of people both physical and mental health with the equality based on the human right and friendly sound relationship. Moreover this health cities network development model can be adapted for implementation with other types of networks for the cooperation in other aspects among the countries that have the transborder in the other parts of world in order to lead the real sustainable development.

Details of PAMEI technique

Participatory Performance (P) is a mean to observe and examine the participant performance in the training course of MML techniques in two phases: firstly during the period of participation in the training course and secondly as trainer performing after training was received, by expressing their capability as a facilitator, educator and trainer individually or collectively with the network or other groups in the community and other societies.

Participatory Assessment (A) is a method for determining, from the participant point of view: what activities are needed and can be supported; they have identified the right problem and right solutions via using the application of Appreciate-Influence-Control Process (AIC) with integration of the SWOT analysis technique for seek a shared vision to set plan and project to implement to accomplish the objectives of healthy city concept.

Participatory Monitoring (M) is a systematic recording and periodic analysis of information that has been chosen and recorded by participants with the help of researcher team, and with the main purpose being to provide information during the life of the project, so that adjustments and/or modifications can be made if necessary.

Participatory Evaluation (E) is an opportunity for both researcher team and participants to stop and reflect on the past in order to make decisions about the future. Participants are encouraged and supported by researcher team to take responsibility and control of planning what is to be evaluated, how the evaluation will be done, carrying out the evaluation, and analyzing information and presenting evaluation results, since the participants already intuitively and informally evaluate, in light of their own individual and/or group, the objectives. The evaluation was done by employing the invented Three Dimensional Evaluation (TDE) for the training course achievement and invented Four Dimensional Evaluation (FDE) or Round Dimensional Evaluation (RDE) techniques for trainer performances of participants.

Participatory Impact (I) is an activity to be practiced by participants, in order to perform as trainers or for participation in training courses to provide knowledge for different groups or institutes in the communities on the issue of healthy cities network development process, including getting the district, subdistrict, and community people to participate in activities such as meetings held in the district, subdistrict, and community for giving knowledge about healthy cities concept and taking part in a project healthy cities implementation.

REFERENCES

- Belfast Healthy Cities Project. (1996). *A Process and Vision for Health, Framework for the Development of the City Health Plan.*
- CEDPA, (1999). *Advocacy Building Skills for NGO Leaders: The CEDPA Training Manual Series Volumes IX.* Published by the center for Development and Population Activities: Washington, D.C.
- European Sustainable Cities & Towns Campaign' Healthy Cities Network, WHO Regional Office for Europe, and Healthy Cities Network. (1997). *City planning for health and sustainable development European Sustainable Development and Health Series: 2. Europe: WHO Regional Office for Europe.*
- Kiechel, W., (1994). "A Manager's Career in New Economy." *Fortune* (April 4, 1994).
- InWent-DSE-ZEL (2002). *Regional Training Course "Advanced Training of Trainer.* Grand Jomtien Palace. Pattaya City. Thailand.
- Langly, A. (1998). "The Roles of Formal Strategic Planning" *Long Range Planning*. Vol. 21, No.1.
- Marquardt, M.J., (1996). *Building the Learning Organization: A System Approach to Quantum Improvement and Global Success.* Copublished with the American Society for Training and Development. McGraw-Hill: New York.
- Mega, V. The wellbeing of cities and citizens in Europe. In: Price, C. & Tsouros, A., ed. (1996). *Our cities, our future: policies and action plans for health and sustainable development.* Copenhagen: WHO Healthy Cities Project Office.
- Office of National Committee Village and Urban Community Fund, Office of Prime Minister. (2003). *Manual for Implementation for Supporters: for Preparation of Policy Implementation of Committee Village and Urban Community Fund, Third phase on Building the Strength of Fund.*
- Photchanachai, K. (1993). Learning Network and Management of Community about Community Forest. M.A. Thesis of Education at Chiang Mai University.
- Quinn, R.E., et al, (1996). *Becoming a Master Manager: A Competency Framework.* Second Edition, John Wiley & Sons, Inc., New York.
- Rees, W., & Lawrence, R. (1996). *Urban environment, health and the economy: cues for conceptual clarification and more effective policy implementation.* In: Price, C. & Tsouros, A., ed. *Our cities, our future: policies and action plans for health and sustainable development.* Copenhagen, WHO Healthy Cities Project Office, 1996, pp. 1-4
- Saengngern, S. (2002). *Learning Networks of Resources and Environmental Management for Self-Reliance.* A Thesis Doctor of Education (Environmental Education) Faculty of Graduate Studies, Mahidol University.
- Senge, P.M. (1990). *The Fifth Discipline: The Art and Practice of Learning Organization.* New York: Published by Doubleday, a division of Bantam Doubleday Dell Publishing Group, Inc.
- Sproull, N.L., (1988). *Handbook of Research Method: A Guide for Practitioners and Students in the Social Science.*

- Srinivasan, L. (1990). *Tools for Community Participation*. United State of America: PROWWESS/UNDP.
- Sripoonsa, S., (2001). *Studied on the Learning Network Development for Biodiversity Conservation*. A Thesis Doctor of Education (Environmental Education) Faculty of Graduate Studies, Mahidol University.
- The Local Agenda 21. (1996). *Planning Guide: An Introduction to Sustainable Development Planning*. Toronto: International Council for Local Environmental Initiatives
- Thiengkamol, N., (2004). *Development of A Learning Network Model for Energy Conservation*. A Thesis Doctor of Education (Environmental Education) Faculty of Graduate Studies, Mahidol University.
- Willig, J.T.(Ed.), (1994). *Environmental TQM*. Second Edition, McGraw-Hill, Inc., Executive Enterprises Publications C., Inc., New York.
- WHO, (1998). *City Health Profiles: A review of Progress*. Hungary: International Publicitas Marketing Agency
- WHO, (2005). *Healthy Cities and Networks*.
- WHO. (1998). *WHO, 1998 and The 2003 International Healthy Cities Conference, The Power of Local Action: 15 years of experience*, was held in Belfast, United Kingdom, from 19 - 22 October 2003, http://who.dk/healthy-citiesandnetworks/20040227_3 access, April 30, 2005
- World Bank, (2002). *Participation Sourcebook*.
- Weiss, J.W., (1993). *5-phase Project Management: A Practical Planning & Implementation Guide*.
- World Commission on Environment and Development, (1987). *Our common future*. Pearce, D. *Sustainable development: the political and institutional challenge*. In: Kirkby, J. et al., ed. *Sustainable development: the Earthscan reader*. London: Earthscan Publications.
- Office of National Committee Village and Urban Community Fund, Office of Prime Minister. (2003). *Manual for Implementation for Supporters: for Preparation of Policy Implementation of Committee Village and Urban Community Fund, Third phase on Building the Strength of Fund*.

Development of Healthy Cities Network for the Prevention of HIV/AIDS in the Mekong Region

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Acknowledgements

To Mom and Dad who taught us to be good people.

To my husband and sons who always cheer me up.

To Professor Dr. Teera Ramasutara who never stops working for people to have a better quality of life.

Abstract:

The objective of this research is to develop a healthy cities network for the prevention of HIV/AIDS in the Mekong Region. The population consisted of GO, NGO who take responsibilities in the prevention of HIV/AIDS and impacts groups in all cities of the five countries along the Mekong River Basin. The sample groups are representative of each of the nodes (GO, NGO, AIDS impacts group) from five cities that representing each of the five countries, selected by purpose sampling technique through the basis of their commitment to participate and cooperate.

The cooperation to establish a healthy cities network for HIV/AIDS prevention will be implemented through both bottom-up and top-down approaches. For the top-down approaches, the city authorities need to employ participatory action in order to establish the Mekong healthy cities agenda with a shared vision based on the healthy cities concept to prevent HIV/AIDS. This would lead to cooperation among the representatives from the five cities, so that they may create policies and plans for implementation to harmoniously join in at the local level. Regarding bottom-up approaches, impact groups from HIV/AIDS will join with the authorities from GO, NGO in the five cities in order to set action plans relevant to the city authority.

The research design employed in this study is thus divided into two levels of approaches: bottom-up and top-down. A network development process will be implemented for both levels with Multi-level Management Linkage (MML) concept, and after the end of the project, Participatory Performance, Assessment, Monitoring, Evaluation, and Impact (PAMIE) technique will be used for evaluation (Thiengkamol, N., 2004).

Introduction

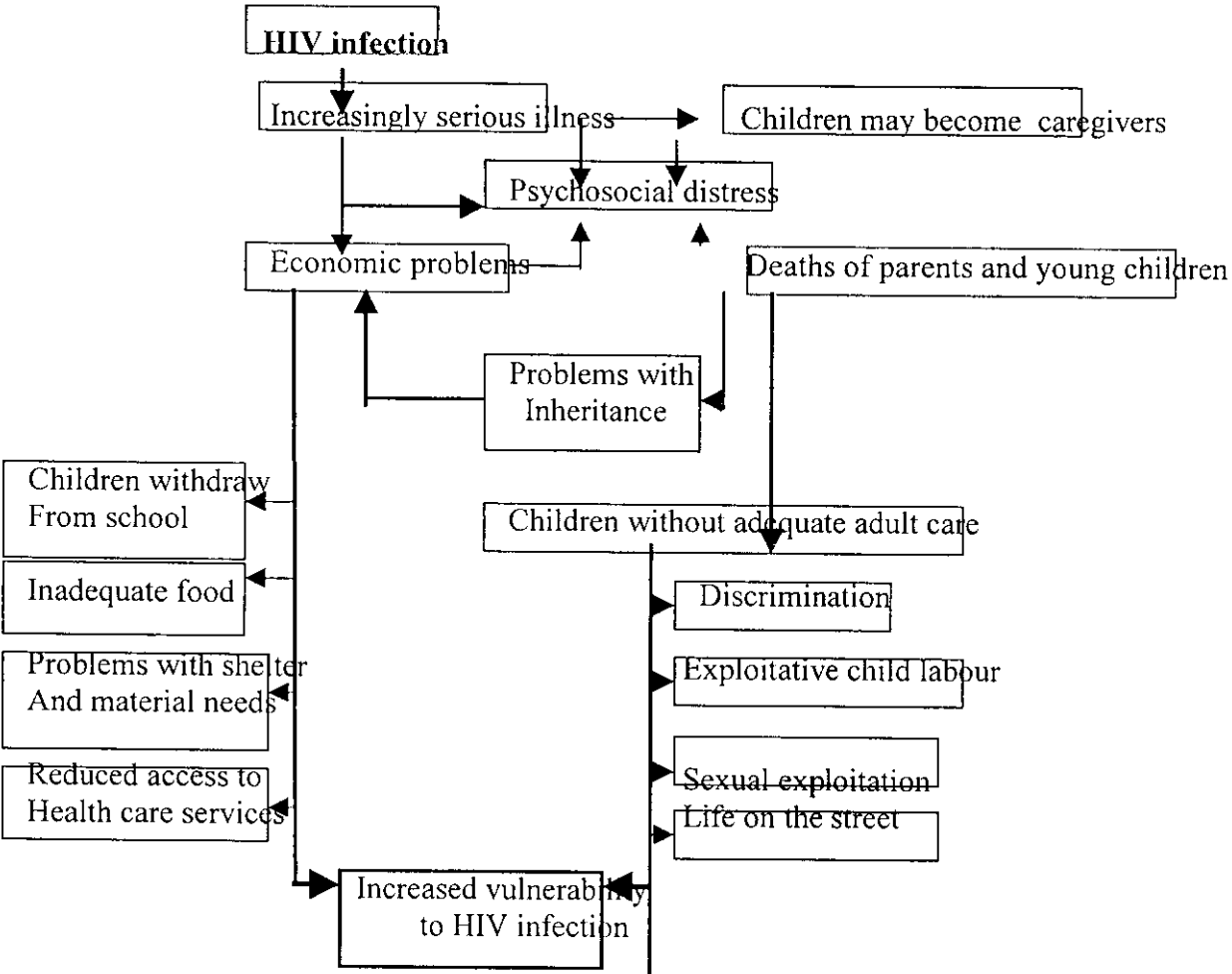
The global AIDS pandemic is still in its prime stage and having enormous impacts in Africa and Asia (USAID, 2004). Due to the large population in Asia and the rapid increase in international migration, the number of people in many of the largest Asian nations with HIV/AIDS threatens to surpass the numbers in some of the most severely affected African countries. Even a small increase in the prevalence of AIDS in these countries would lead to a massive increase in HIV/AIDS infection

among the population and the impacts would be broadly felt in various sectors of society (<http://usgovinfo.about.com>, 2004).

The HIV/AIDS epidemic in the Mekong Sub-region is severe: Thailand (740,000), Cambodia (210,000), Myanmar (510,000), Viet Nam (99,000) (Wiwat Rojanapithayakorn WHO, 2000). The region lacks adequate health services and there are high rates of cross border migration. Nowadays the culture of ‘free sex’ has changed the life style of some people who have no true knowledge about HIV/AIDS. Economics problems, sex trade, and drug-use are all factors that have all contributed to an increase in HIV/AIDS. In particular, poverty, low levels of education and illiteracy forces people to migrate in search for better paying jobs, and there are few opportunities or choices available to them. Some works, such as illegal business, sex trade and trafficking, drug trade makes them vulnerable to health problems and violence. These are reasons why HIV/AIDS has increased in this part of the world. HIV/AIDS affects not only infected people but also their families, communities and has negative impacts on development and the growth of a country. The seriousness of the outcomes of HIV/AIDS is summarised in figure 1.

Strategies for the prevention of HIV/AIDS have to involve various dimensions, including education, economics, health care systems, law, and society and culture. This means we have to build up networks from each of the nodes (dimensions) listed above in a participatory manner to produce policies for the prevention of HIV/AIDS. Developing a healthy cities network must include both top-down and bottom-up approaches.

Figure 1. Problems among people and family affected by HIV/AIDS



Source: Williamson, J. (2004) A family for life (draft), USAID and the Synergy Project, Washington.

In terms of bottom-up approaches, the researcher has to build up a network by facilitating the interaction between AIDS impact groups, NGOs and GOs in order to find common grounds for action which raise key policy issues that need addressing by authorities. This would also enable the development of a sustainable long-term plan. The main objective of a healthy cities network is to build a shared vision, promote activities to improve health care and the well-being for people living and working in cities, improve the conditions which mitigate AIDS infections and influence our health, promote healthy lifestyles, improve treatment of illnesses, and reduce the inequalities in access to health care. Approaches to fighting and preventing HIV/AIDS have to be holistic and participatory network strategies must be employed.

Objective of the study

To develop a healthy cities network for the prevention of HIV/AIDS in the Mekong region.

Specific objectives of the research are to:

- 1). Examine, analyse and assess the needs and health problems of people in the Mekong region by creating a participatory action network in each city of the Mekong region.
- 2). To develop a one stop service for the prevention of HIV/AIDS by developing a healthy cities network in each city of the Mekong region.

Methodology

The development of a healthy cities network for the prevention of HIV/AIDS in the Mekong region will use participatory action research methods. The cities network are composed of nodes that represent various dimensions such as education, economics, health care systems, laws, social and cultural factors, and AIDS impact groups. The healthy cities network will participate to produce holistic action in HIV/AIDS prevention, problem solving, and one stop service organization for people affected by AIDS using top-down and bottom-up approaches.

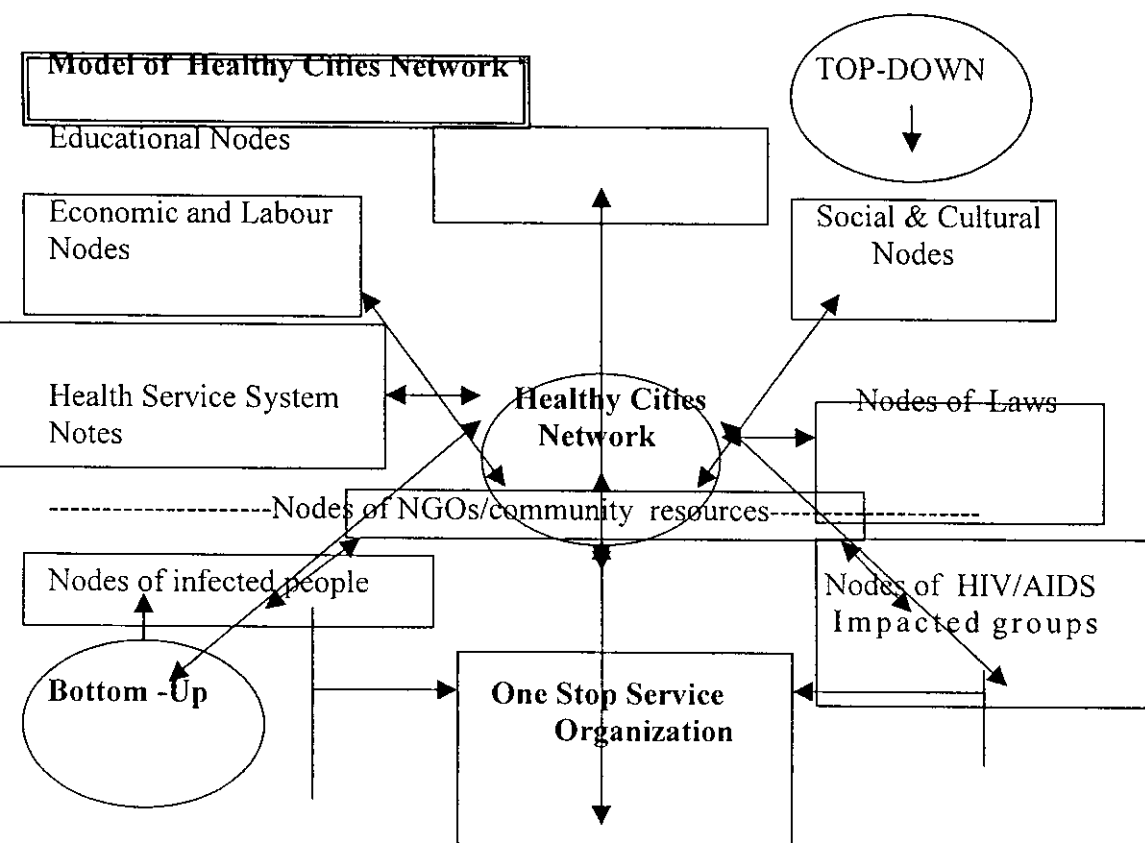
Developing a healthy cities network

- Set up a customer focused working group of volunteers with representatives from each node (dimension).
- The working group will participate in determining the details of the action required and one year targets that will measure progress.
- Representatives in the working group will make sure that they liaise with the relevant network partnerships.
- The core of the healthy cities network will function as a one stop service unit for HIV/AIDS prevention at every level. Both top down and bottom up approaches will be used.
- The financial support will come from government budgets and some from NGO and community resources.

The framework for a healthy cities network is a shared basis for developing collaborative action by all groups concerned for the safety and well-being of vulnerable people. Its implementation will require a broad partnership among many government sectors, donors, and civil society organizations, individual groups and organizations that apply its guidance to their programs in support of vulnerable people. Figure 2 shows a model for a healthy cities network.

Figure 2. Model for a Health Cities Network

Developed by Dusadee (Ratanalangarn) Charoensuk, 24/05/2005



Network Development

Networks are only the skeletons of complexity, the highways for the various processes that make the world run. To describe society we must dress the links of the social network with actual dynamical interactions between people. Communities are essential components of human social networks. AIDS activities could use community knowledge and resources in social networking group systems to prevent, help and mobilize those who care passionately about the disease, molding them into an effective lobbying and action group. (Albert-Laszlo Barabasi, 2002:170, 223-225). Therefore, this participatory action research will create a healthy cities network and activities will develop into a management system to deal with HIV/AIDS prevention. These activities will help to empower people and provide psychosocial support, build capacity and a network for vulnerable people to be a self-help group. The healthy cities network will thus channel necessary resources to affected groups.

A healthy cities network is a bunch people and their duties and relations. A network contains nodes and lines, where each node represents a dimension such as health division, welfare, education, laws, society and culture, impacted groups, NGOs and communities, etc., and a line is a duty and social relation.

People maintain social networks through practice, discussion, and sharing and exchanging ideas, information, knowledge and resources (Sadao Kudo, 2002:16). Participatory action is the main method for building up a healthy cities network for HIV/AIDS prevention. This framework considers peoples who volunteer to work to combat HIV/AIDS .We also consider volunteers from families and

communities to be the foundation of an effective scaled-up response, and includes children and young people as key partners. The Framework provides a shared basis for developing collaborative action by all groups concerned with HIV/AIDS prevention the safety and well being of HIV/AIDS patients.

Its implementation will require a broad partnership among researcher teams, local GOs and NGOs. Activities should be based on literature reviews, experiential learning from facilitator teams, and local GOs and NGOs will develop group networks from group interactions. The author's pilot participatory action research study on "Needs, Self-esteem and Health Impact Assessment" in Khon Kaen (2003), it was found that, first of all, children have to trust facilitator teams because of the AIDS stigma. This led to a reassessment of the project design to include participatory activities that are based on literature reviews and experiential learning reflections from facilitator teams which support psychosocial problems with a focus on the empowerment of sample groups, - people whose lives are affected by HIV/AIDS. This was then applied to the action research project supported by the Rajchaprachasamasai Foundation.

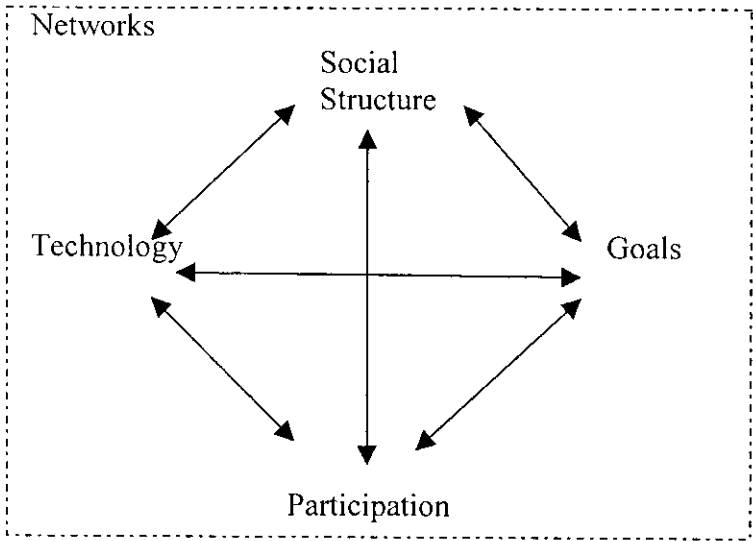
This practice should be done with infected and impacted groups in order to assess their needs and problems. However, as mentioned previously, it is necessary to gain their trust before the network can be developed to include other management and activities.

The healthy cities network will employ a holistic, multilevel approach toward HIV/AIDS prevention and alleviating negative impacts. As Dr. Pravej Wasi stated, "the network will start with a group of people [who] band together to fight a common cause to solve a problem of survival. It is a co-dependent relationship, and when people get together into a community, learning to solve the problems happens" (Wasi, P., 1993b:29).

Elements of the Network

Figure 3. Network Elements

Environment



Model adapted from Leavitt (1965, in. Richard Scott, 1992: 16-21)

Social Structure

Social structure refers to the organizations (local GOs, NGOs), communities, concern with AIDS orphans in the aspects of the relationships existing among participants in a social network.

Technology

Technology refers to the information and communications system among networks.

Participation

All social groups in the network need to actively participate for the net work goal to be realized. For this study, the network goal means “the quality of life of AIDS orphans”.

Goals

The concept of network goals is important but it is also the most contested. Goals are tentatively defined as conceptions of desired end-conditions that participants attempt to effect through their performance of task activities.

Purpose of Network:

1. Create a platform for information, resource and material sharing among network partners for thematic psychosocial support, evaluation, revision and development of materials, etc.
2. Jointly develop resource materials on PSS (psychosocial support). Some network partners have specific strengths and experiences that can be strategically combined to enhance community responses in the region.
3. Provide technical PSS program support in the region by building a regional pool of grassroots based program consultants. This will enhance program capacity for participating organizations and supports new initiatives with accelerated learning opportunities and support.
4. Facilitate targeted program to program learning exchanges. Such learning exchanges are the most cost-effective way to increase program responses in the region.
5. Develop a regional training program for PSS for qualified staff to train others/monitor/evaluate and support other programs in their locations.
6. Ensure quality of PSS providers. There is need to establish minimal standards of psychological support services.
7. Influence existing programs in the region to scale up through capacity building.

Ekamol Onsri (2001:24-26) studied factors that make network successful in middle and northern parts of Thailand. Groups examined included an urban environmental network in the slum areas of Bangkok and a highland women's network. Some of the factors that led to 'network success' are:

- Networks group members share a similar way of life and problems.
- Network group members share a common view about the end goal/ purpose of the network.
- Good leaders to coordinate, communicate and link all the nodes and during network processes that allows all parts to work together tow achieve common goals.
- Network members are devoted and enthusiastic and share a good relationship between members of network.
- Political structures and policies support their activities.

- They share resources, work in a democratic way, are open-minded, and have good decision-making and management structures in place.
- Networks have good will and are accepted by outsiders and the broader community, both horizontally and vertically.

Network need to be representative, they need to communicate, exchange resources, bring about help, share knowledge, solve problems, empower people inside the network and also form links between the network and the broader community. Effective networks help and empower *all* members of network. The above factors can be used as an index for measuring the success of network. Identifying best practices and disseminating lessons learned will contribute to the program's improvement and the expansion of responses that work.

Network Types and Networking Benefits

There are many types of networks and some people have tried to classify them by their membership, their geographical scope, their main activities, their objectives and their organizational structure. All such classifications have some merit, but the diversity of networks is such that no system of classification is entirely satisfactory. Illustrations of some of the network types are given in the diagrams below (Paul Starkey, 1997:18-19).

Diagram I :

The organizations or individuals cooperate in a highly centralized network or institutional outreach programme. All of the above involve reciprocal relationships with the secretariat, but they do not network with the others.

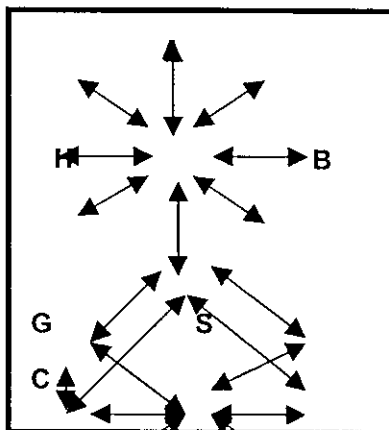


Diagram II:

Network model with secretariat. The network members interact with each other (not all possible lines are shown) and with a central secretariat that facilitates linkages between members.

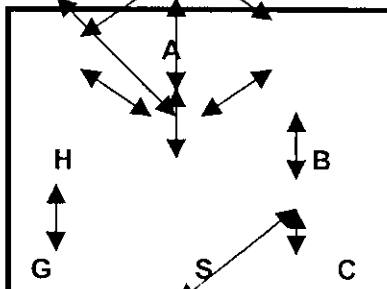
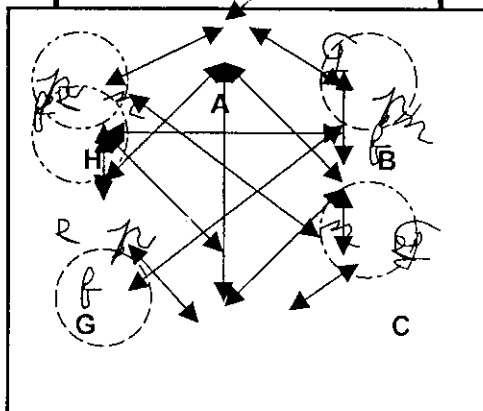


Diagram III:

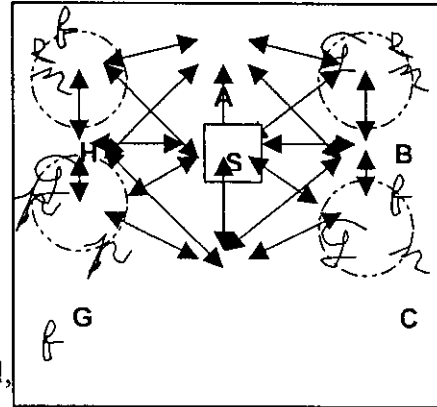
Decentralized network model. Active national networks interact with each other and with resource organizations (not all possible lines are shown). Secretariat responsibilities are delegated.



This participatory action research aims to develop a healthy cities network resembling the model in diagram IV. In diagram IV 'S' should represent the core of the healthy cities network that will be the center of multi-level management linkage (MML) and function as one stop services for the prevention and treatment of HIV/AIDS.

Diagram IV :

The network will have a central secretariat to facilitate linkage between members. The features of network will be integrated depends on the capacity of leaders and members of each nodes. After at the end of each project, participatory performance, assessment, monitoring, evaluation, will take place. (Thiengkamol,



Benefit of networks

Healthy cities networks orientated towards development provide benefits in several interrelated ways depending on specific objectives, membership and activities. Some immediate and rapid benefits for HIV/AIDS infected people in the network are likely to occur. Longer-term benefits become apparent as development and programmes become more effective, know-hows are transferred and systems evolve.

Benefits of networks can be summarised as follows (Starkey Paul;1997:20):

- Networks facilitate the exchange of information, skills, knowledge, experiences, materials and media, through meetings, workshops, publications and cooperative programmes. Sharing of skills and experiences increase the overall competence of network members, whether individuals or organizations.
- Network information exchange and coordination leads to less duplication of work and effort. With less duplication, faster progress and a wider overall impact should be possible.
- Network can effectively link people of different levels, disciplines, organizations and backgrounds who would not otherwise have an opportunity to interact. For example, they can bring together researcher teams, policy makers, staff, stakeholders and orphans for having policy and activities that support quality of life of AIDS orphans.
- Networks can create awareness among people and organization that they have similar concerns and face similar development challenges.
- Networks can provide the critical mass needed for local, national or international advocacy, action and policy change.
- Networks can help address complex development problems and issues that seem overwhelming to those working at village level.
- Network can bring together funding and technical cooperation agencies to those in need of resources and support.
- Networks can provide members with a source of peer support, encouragement, motivation and professional recognition. This can be particularly important to those outside the normal hierarchies of government, education and international research.

What the healthy cities network plan to do

We are committed to building healthy cities and have set up a “City Health Partnership” which will distill specific activities for improving the HIV/AIDS situation. These occur in 10 key domains: policies and strategies, education, health, nutrition, psychosocial support, family capacity, community capacity, resources, protection, and institutional care and shelter that need to be addressed and monitored at the national level. This is what we plan to do:

- Carry out a health and lifestyle surveys across the Mekong region.
- Develop a comprehensive City Health Profile to allow us to agree on the most important health needs within a city.
- Assess how policies and programs promote community cohesion and can build a vision of unity, citizenship, civic and community pride and then develop a network program to realize that shared vision.
- Develop a city health plan to tackle causes of ill-health and the ‘health divide’ (The ‘health divide’ between the rich and the poor continues to grow in this area .Our ability to be healthy depends on employment, housing, transport, local crime and safety problems, education, levels of poverty and how easy it is to get access to healthcare services in cities within the Mekong region).
- Improve health services in less well-off areas of the city.
- Improving health services for vulnerable groups such as homeless people, including better care and treatment for those infected or are affected by HIV/AIDS.
- Raise awareness about health issues and provide better and more accessible information and advice.
- Trying to reduce alcohol, smoking, and promote sufficient economies to the city people.
- Reduce the number of teenage pregnancies in the city and set up better social and educational support for teenagers and AIDS impacted people.
- Make sure that the most disadvantaged areas have a child center offering good quality childcare, early years education, health services and family support.
- Make sure that respite childcare is included in a package of support for vulnerable families.
- Work with community and voluntary organizations to set up and strengthen local groups for knowledge and positive attitude development about HIV/AIDS.
- Make sure that the needs of vulnerable adults, children and their families concerned about AIDS are identified and met, with their involvement.
- People should be empowered to interact and engage with the wider community and influence decision-making.
- Help break down barriers for AIDS prevention in areas such as gender, race, homosexuality (lesbian and gay), bisexuality and transexuality, as well as categorise HIV infected people into status, nationality, marital status, and employment. Networks can help to overcome such problems by allowing people and organizations (their nodes) to exchange information and experiences with those outside their working environment and cooperate with them in a legitimate and democratic way.

Expected Outcomes

- A healthy cities network will provide basic needs to people in the Mekong region who suffer from the impacts of HIV/ AIDS.
- People in the Mekong region have access to local health services that are easy to use, and find local solutions to community safety issues.
- A healthy cities network will be a package of services that meets a whole range of needs, so that people will not be passed from one agency to another.

- This network organization will provide one-stop services for the prevention of HIV/AIDS and problem solving from AIDS impacts. It will significantly contribute to the fight against HIV/AIDS because of pool resources strategies and the structure of the network that has been built up from multiple levels and dimensions.

References:

- 1.สุภางค์ จันทวนิช(2539). การย้ายถิ่นข้ามพรมแดนไทย-พม่า และสถานการณ์เสี่ยงต่อเอดส์ในผู้ย้ายถิ่น. โครงการพัฒนาภูมิปัญญาและการวิจัยเพื่อป้องกันและแก้ไขปัญหาเอดส์ ทบวงมหาวิทยาลัย
- 2.Carolyn Knapp .(2001). HIV and Partner Violence: What are the implications for voluntary counseling and testing?. Horizons Report, USAID.
- 3.Horizons Report. (2001). Reducing HIV Infection Among Youth: What Can School Do?. USAID.
- 4.DFID,UNESCO, UNAIDS.(2003).HIV/AIDS & Education: A Strategic Approach. Paris.
- 5.Dusadee Charoensuk.(2005).draft for “Participatory Action Research for Network Development of AIDS Orphans.
- 6.Dusadee et al.(2004). Needs, Self-esteem, and Health Impacts Assessment of AIDS orphans in Thailand: Case Study in Khonken.
- 7.”Healthy Cities Network” in Brighton & Hove.
([http:// www.newnet.org.uk/nhcp/better.htm](http://www.newnet.org.uk/nhcp/better.htm).(20/05/05).
- 8.Nongnapas Thiengkamol.(2004). Development of a Learning Network Model for Energy Conservation. Dissertation for Ed.D (Environmental Education). Faculty of Graduate Studies, Mahidol University.
- 9.Robert Longley.(2546).AIDS Worsens Global Orphan Crisis.
[http:// usgovinfo.about.com/library/weekly](http://usgovinfo.about.com/library/weekly)
- 10.Steve Sternberg. (2002). Report: AIDS...to orphan...25 million children.USA Today
<http://www.usatoday.com/news/health/aids>.
- 11.Unicef ,UNAIDS. (2004). Children on the Brink. A Joint Report of New Orphan Estimates and a Framework for Action. United Nations Children’s Fund, New York, U.S.A.
12. Unicef calls for Urgent Global Action on AIDS Orphans.
(<http://www.arabia.com/newsfeed/print/article/english-11/8/46>).
- 13.UNAIDS.(2001). India: HIV and AIDS-related Discrimination ,Stigmatization and denial,Geneva, Switzerland.
- 14.UNAIDS.(2004).Report on The Global AIDS epidemic. Geneva Switzerland.
- 15.UNDP.(2001).Mae Chan Workshop on Integrated Community Mobilization Towards Effective Multisectoral HIV/AIDS Prevention and Care.

