

**MODEL OF CRIME PREVENTION AND SUPPRESSION ON
HUMANTRAFFING IN BORDER LIAISON OFFICE (BLOs)
CASE STUDY FOR CHILDREN AND YOUTH**

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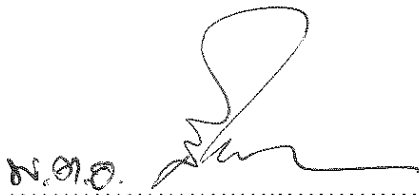
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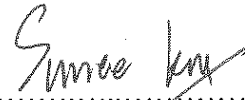
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entitled
**MODEL AND DIRECTIONS OF CRIME PREVENTION AND
SUPPRESSION SYSTEM ON CHILD SEX EXPLOITATION**



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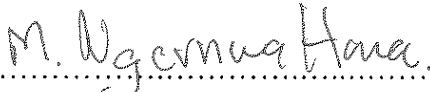



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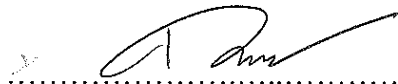
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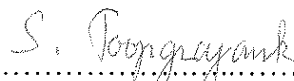
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MODEL AND DIRECTIONS OF CRIME PREVENTION AND SUPPRESSION SYSTEM ON CHILD SEX EXPLOITATION

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ABSTRACT

The main objective of this study was to explore the policies and collaboration to prevent and suppress children and youth sexual exploitation, as well as investigate problems and setbacks that may obstruct the operation, The research also included learning how different countries collaborated to prevent and suppress such crimes in order to develop a model and the guidelines to formulate preventive system in view of the country becoming a members of the ASEAN Economic Community. The research employed both qualitative and quantitative methods. The quantitative data were collected from 229 officers comprised of police officers who had been working under the Anti-Human Trafficking Division, Royal Thai Police and officers of the Ministry of Social Development and Human Security in charge of prevention and suppression of sexual exploitation of children and youth from the central and regional divisions. The qualitative data, were collected from 20 experts in the prevention and suppression of sexual exploitation of children and youth.

The findings from the study suggested that Thailand had consistently improved and developed the laws relevant to prevention and suppression of sexual exploitation of children and youth. The problems and setbacks that obstructed the operation and collaboration between countries still persisting, were; the drawbacks on policies and management planning, including the practitioners themselves.

This research recommended that the 2. dimension International Model for the prevention of sexual exploitation of children and youth should be incorporated in the plan to eliminate such problem from the society, including the suppression through protection, assistance and returning the victim to society as the well as apprehension of the perpetrator to bring them to justice.

KEY WORDS: MODEL AND DIRECTIONS / CHILD SEX EXPLOITATION

122 pages

รูปแบบและแนวทางการสร้างระบบการป้องกันและปราบปรามคดีล่วงละเมิดทางเพศเด็กและเยาวชน
MODEL AND DIRECTIONS OF CRIME PREVENTION AND SUPPRESSION SYSTEM ON CHILD SEX
EXPLOITATION

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บทคัดย่อ

การวิจัยครั้งนี้มีวัตถุประสงค์เพื่อศึกษานโยบายและความร่วมมือในการป้องกันและปราบปรามคดีล่วงละเมิดทางเพศเด็กและเยาวชน สภาพปัญหาอุปสรรคในการดำเนินงานและความร่วมมือระหว่างประเทศในการป้องกันและปราบปรามการกระทำผิดในคดีล่วงละเมิดทางเพศเด็กและเยาวชน เพื่อนำไปสู่การพัฒนาารูปแบบรวมทั้งแนวทางการสร้างระบบความร่วมมือในการป้องกันและปราบปรามคดีล่วงละเมิดทางเพศเด็กและเยาวชน เพื่อให้สอดคล้องกับก้าวเข้าสู่การเป็นประชาคมอาเซียน ซึ่งเป็นการวิจัยเชิงปริมาณและเชิงคุณภาพ โดยการศึกษาเชิงปริมาณได้ทำการเก็บรวบรวมข้อมูลโดยการเก็บแบบสอบถามกับเจ้าหน้าที่ตำรวจสังกัดกองบังคับการปราบปรามการกระทำความผิดเกี่ยวกับการค้ามนุษย์ สำนักงานตำรวจแห่งชาติ (บก.ปคม.) และเจ้าหน้าที่ศูนย์ปฏิบัติการป้องกันและปราบปรามการค้ามนุษย์ กระทรวงการพัฒนาสังคมและความมั่นคงของมนุษย์ที่ปฏิบัติงานเกี่ยวกับการป้องกันและปราบปรามการกระทำผิดในคดีล่วงละเมิดทางเพศเด็กและเยาวชนทั้งในส่วนกลางและส่วนภูมิภาค จำนวน 229 คน ส่วนการวิจัยเชิงคุณภาพ โดยใช้แบบสัมภาษณ์เชิงลึกเป็นเครื่องมือในการเก็บข้อมูล ผู้วิจัยได้คัดเลือกจากผู้เชี่ยวชาญด้านการป้องกันและปราบปรามการล่วงละเมิดทางเพศเด็กและเยาวชน จำนวน 20 คน

ผลการศึกษาพบว่า ประเทศไทยได้มีการปรับปรุงและพัฒนากฎหมายที่เกี่ยวข้องกับการการป้องกันและปราบปรามคดีล่วงละเมิดทางเพศเด็กและเยาวชนมาโดยตลอด แต่ก็ยังคงสภาพปัญหา อุปสรรคในการดำเนินงานและความร่วมมือระหว่างประเทศในการป้องกันและปราบปรามคดีล่วงละเมิดทางเพศเด็กและเยาวชนได้แก่ การกำหนดนโยบายและแผน การบริหารจัดการ และผู้ปฏิบัติงาน

ดังนั้น รูปแบบระหว่างประเทศในการป้องกันและปราบปรามคดีล่วงละเมิดทางเพศเด็กและเยาวชนนั้น ควรประกอบด้วย 2 มิติดังนี้ มิติด้านการป้องกัน ซึ่งเป็นการวางแผนเพื่อไม่ให้คดีล่วงละเมิดทางเพศเด็กและเยาวชนเกิดขึ้นในสังคม และมิติการปราบปราม โดยให้การคุ้มครอง ช่วยเหลือ และส่งผู้เสียหายกลับสู่สังคม รวมทั้งจับกุมผู้กระทำผิดเข้าสู่กระบวนการยุติธรรม

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CHAPTER I

INTRODUCTION

1.1 Background and Rationale

According to the United Nations on Drug and Crime report (United Nations on Drug and Crime: UNODC) Thailand is found an origin, a major transit hub for drugs and a destination for sex trafficking of woman and children to exploit them by coercing them into prostitution and pornographic industry which has become the nation main attraction luring the tourists. Moreover, poverty and social inequality. It is not only the economic reason that tempting the children and youth into tourism industry but also the influences of materialism as well. Despite Thai government attempt to eliminate sexual exploitation among children and youth for tourism industry, problems are still occurring from law enforcement, whereas certain numbers of police officers are corrupted and unwilling to prosecute these cases. Nonetheless, the penal code, section 279 (amended by Thailand Penal code Amendment Act (No.19) B.E. 2550) defined the Children and Youth sexual abuse as rape by (1) doing any act of violence (2) causing such child to mistake him for another person (3) forcible gang-rape on female or male (4) sexual Act between the married couples that may happen to both children and youth, male or female.

Such report has tarnished Thailand image, and if the country is unable to prevent and suppress sexual abuse among children and youth quite seriously, severe impacts in many areas would soon follow, not only on the victim, family, society and the country. The impacts on children may be appear as the physical injury where children suffered bodily harm and injury at the reproduction organ and problems at Urinary System, bleeding at the vagina and unwanted pregnancy, including physical illness from mental trauma. As for emotional impact, Children would react emotionally differently from being abused sexually depended from the family background and emotional state. At primary stage, a child may be hallucinate, keep on seeing the sexual violation scene over and over again, having acute anxiety and

frightfulness, insomnia. Adolescent may develop inappropriate behavior such as aggressiveness, alienation, extreme anxiety, depression and hopeless, thinking of committing suicide or bodily harm as well as having psychiatric symptoms after being violated sexually such as, posttraumatic stress disorder (PTSD), attention deficit/hyperactivity disorder (ADHD), anxiety hyper-arousal symptoms and depressive symptoms. When such person reached adulthood, he would develop depressive disruptive and acting out behaviors as well as using drugs and sexual behavior disorders, alienated from society, fear and high anxiety, which directly resulted from traumatic experiences in the past, leading to drinking habit or drugs abuse because this is the age where the children developed own unique identity. Moreover, the children would feel that they have been betrayed by someone when they trusted so they are no longer trust anyone since most sexual violation committed by close acquaintances. As for impact on the family, the findings suggest that the family soon develop extreme anxiety, anger, sorrow and hopeless. Some family had unbearable guilt and shame until they moved away from previous resident and settle elsewhere with new occupation.

For the impact on society and the nation, the findings suggest that the children and youth sexual abuse caused the government huge budget spending in numerous activities such as, medical care, assistance on children livelihood, finding shelters and providing occupational training, or even cost of litigation More important, this tends to degrade the future human resources potential.

The annual report of World Health Organization mentioned that sexual abuse victims such as, children and youth is the group with more health burden globally. Each year, estimated 79,000 cases or 0.1% of the deceased population, over 800 million of sexual abuse worldwide. Out of this number, over 500 million were raped in U.S.A. According to the statistical records of National Child Abuse and Neglect System (NCANS) in 1996, the findings revealed that sex child abused were 12 percent and in the year 2007, the number increased to 23.9 percent in which the age span most found between 12 - 15 years. According to the statistical record of One Stop Crisis Center, Ministry of Public Health the number of child sexual violence from 2004-2001 are shown on the table below:

| Number of Children and Youth Exposed to Sexual Violation (Persons) | | | | | | | |
|--|-------|-------|-------|-------|-------|-------|-------|
| 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| 2,158 | 4,087 | 5,298 | 6,020 | 9,175 | 8,140 | 9,374 | 8,518 |

Source: Rescuing Children and Women Victimized by Violence (One Stop Crisis Center), Ministry of Public Health, 2011

However, Thailand has seen the need to combat and suppress the child sex exploitation extensively such as, recognize the Universal Declaration of covenant against child sex exploitation at Stockholm on 1996 and Yoghama on 200. Furthermore, Thailand had enacted the preventive and suppressive measures the women and children sex exploitation and Criminal Penal Code (No.19th) B.E.2550, including the Anti-trafficking Act B.E. 2551, in order to prosecute the perpetrator truly in line with the justice system.

The prevention and suppression of sex child exploitation must be done continuously and actively, the integration of 10 ASEAN countries, so-called, “ASEAN Economic Community”, could facilitate travelling or conducting business , but ASEAN members must cope with enormous problems, especially, the child sex exploitation which the world communities keep a close watch on all countries in this region. Therefore, the researcher is interested in studying the policy and collaborate in preventive and suppressive the child sex exploitation, problem conditions, and setbacks in the operation and collaboration between countries so that the outcome could be used as the guidelines to develop model and system to prevent and suppress child sex exploitation for those in charge performing more effective.

1.2 Research Questions

1.2.1 Are there any policy and cooperation in forming preventive and suppressive measures against youth and children sexual violation?

1.2.2 Are there any problems and setbacks during the operation and collaboration between countries in formulating preventive and suppressive measures against youth and children sexual violation?

1.2.3 What are the recommendations for developing model and formulating the preventive and suppressive measures against youth and children sexual violation?

1.2.4 What are the developed models for preventive and suppressive measures against youth and children sexual violation?

1.3 Research Objectives

1.3.1 To study policies and collaboration in formulating preventive and suppressive measures against youth and children sexual violation.

1.3.2 To investigate problems and setbacks during the operation and collaboration between countries in formulating preventive and suppressive measures against youth and children sexual violation.

1.3.3 To explore the model in formulating preventive and suppressive measures against youth and children sexual violation.

1.3.4 To study international models on preventive and suppressive measures against youth and children sexual violation.

1.4 Research Scope

1.4.1 Scope of contents focus on studying policies and collaboration in formulating preventive and suppressive measures against children and youth sexual violation among ASEAN members' countries as well as investigating problems and setbacks during the operation and collaboration between ASEAN countries, including seeking recommendations to the guidelines and exploring models among ASEAN countries to prevent and suppress children and youth sexual violation.

1.4.2 Population selected in this study are the police officers under the Anti-Human Trafficking Division and the officers from the National Operation Center on Prevention and Suppression of Human Trafficking in Person who had experienced in preventing children and youth sexual violation.

1.4.3 The study focus on the agencies involving in the prevention and suppression of, mainly the anti-Human Trafficking Division in Thailand and the Operation Center on Preventing and Suppression of Human Trafficking in Persons.

1.5 Research Glossary

1.5.1 Children and youth sexual violation is defined as the act of raping children and youth by: (1) using violence (2) making the victim misunderstood the rapist as other parties (3) the men gang-rape (4) between married couples

1.5.2 Model and guidelines represent the communication and coordination between the organization for referral to assist each other in formulating preventive and suppressive system against.

1.5.3 Problems and setbacks conditions refer to the barrier happened during the formulation of preventive and suppressive measures against children and youth sexual violation between countries, including the drawbacks on personnel, administration and data system

1.5.4 Preventive measures against children and youth sexual violation refer to the formulation of any measure to stop children and youth sexual violation.

1.5.5 Suppressive measures against children and youth sexual violation refer to the apprehension and prosecution of children and youth sexual offender by the police officers.

1.5.6 Between countries refer to Ten ASEAN countries, mainly, Thailand, Indonesia, Malaysia, Philippine, Singapore, Brunei Darussalam, Vietnam, Myanmar, Laos, and Cambodia.

1.6 Expected Benefits

1.6.1 To be informed of the policies and collaboration in prevention and suppression of child sex exploitation

1.6.2 To explore the problems and setbacks during the operation and collaboration in the child prevention and suppression sex exploitation

1.6.3 To develop the international model in prevention and suppression of the child sex exploitation

CHAPTER II

LITERATURE REVIEW

The study entitled “Model and Directions of Crime Prevention and Suppression System on Child Sex Exploitation” involved the study of laws, concepts, theories relevant to prevention and suppression of child sex exploitation in the following areas:

- 2.1 Definitions concepts and laws relevant to Juvenile
- 2.2 Definitions concepts and laws on child sex violation
- 2.3 Definitions concepts and laws on Human Trafficking
- 2.4 Definitions concepts and Crime Victims Theories
- 2.5 Policies in prevention and suppression child sex exploitation and collaboration between countries in child sex violation
- 2.7 Human trafficking especially women and children
- 2.8 Relevant Researches
- 2.9 Research Conceptual Framework

2.1 Definitions Concepts and Relevant Laws on Juvenile

2.1.1 Definitions of Juvenile

According to Thai Government Gazette B.E. 2525, the youth are individuals older than 14 years, but not nearly 18 years or becoming legal age through marriage. These groups are still at the young age and therefore, the punishment must be different from the adult.

The Enforcing Act and Court Procedures for Children and Family defined “Children” and “Youth” as in Article 4 refer to individual over 7 years old but under 14 years old and youth are individual over 14 years old, but under 18 years old.

Apparently, the definition of “Youth” in the Enforcing Act and Court Procedures for Children and Family changed from the meaning in the former Children and Youth Laws because the former laws neglecting to include in individual who came to ago by marriage in which the Civil Laws gave the definition as individual 17 years old and over who could get married so in the sense such person is considered reacting maturity by marriage, and if such person committed wrongdoing, even he is under 18 years old, the former considered such person as adult and must be trial as adult as well. In the new law, the mature individual through marriage is entitled to similar physical and emotional protection same as single person. The provision is then omitted from the definition for young person. It is implicitly stated in the Enforcing Act and the criminal procedures that individual under 18 years old even though reaching maturity through marriage is also include in this act.

When the law committed to include children under 7 years old in the definition of “Children”, it is perhaps in the procedural code, section 73, states that children under 7 years old, if committed a crime would not be subjected to punishment and the court could not apply the same procedure as the children, quite different from children older than 7 but under 14 years old. Nonetheless, the code of law, Article 74 may omit such person from punishment, the court may choose the punishment for children. Therefore, it is not necessary to conduct the court hearings for children under seven years old so the Enforcing Act and Court Procedures for Children and Family _____ had chosen not to include court procedures for children under seven years old.

The United Nations (Supak Arneekul, 1996) refer to youth as the young people aged between 15-25 years or in the young age.

The Royal Thai Gazette, 1999 gave the meaning for youth as a person over 14 years old but under 18 years old.

The Child Protection Act, B.E. 2003 defines youth as a person under 18 years old excluding the one reaching maturity through marriage.

The amended Act on the code of Laws (No.21) B.E. 2551 states that if a child is under 10 years old, the court would not be able to use own discretion. In this case, there is no need for court prosecution, but keep in mind. A Child’s entitled to welfare protection based on Article 40(3) of the Child Protection Act B.E. 2546.

Then, the inquiry officer must inform the officer as required by the Child Protection Act B.E. 2546 in order to arrange appropriate welfare protection.

To sum up, a child is an individual over seven years old but under fourteen years old whereas a youth represents an individual over 14 years old but not reaching 18 years. However, to define exact meaning of the word, children and youths depended on legal definition, especially in the amended Act on the Code of Laws (No.21) B.E. 2551 states that if a child is under 10 years old, the court would not be able to use own discretion. In this case, there is no need for court prosecution, but keep in mind. A Child's entitled to welfare protection based on Article 40(3) of the Child Protection Act B.E. 2546. Then, the inquiry officer must inform the officer as required by the Child Protection Act B.E. 2546 in order to arrange appropriate welfare protection.

To sum up, a child is an individual older than seven years younger than fourteen years whereas a youth represents an individual older than 14 years, but younger than 18 years. However, to define exact meaning of the word, children and youths depended on legal definition, especially in the Enforcing Act and Court Procedures for Children and Family.

2.1.2 Concepts and laws related to the child and youth Convention on the Rights of the Child This convention originated from 5 major principles, namely, citizen rights, politics, economics, social and cultures. As for child welfare and Child's rights protection as states in Geneva Convention in 1923 by "Save the Children Fund International Union" which considered as the initial attempt gather information related to the child's rights under one document.

Later in 1948, this convention was revised and included in the Universal Declaration of Human Rights, which had become the foundation of ten statements in the Universal Declaration of the child that received unanimous votes from the United Nations General Assembly on November 20, 1959.

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The need for Convention on the Rights of child is the key element of human rights that identified clearly in the Universal Declaration of Human Rights B.E. 2491 and the international covenant, including other documents enforceable by laws in order to formulate and truly protect human rights. Then protection on the Rights of the child should stand on the exact legal basis that widely accepted as equal. With this rationale background Poland had proposed the Convention on the Rights of the child before the International year of the child (2522) to push for the standard rights of the child as well as incorporate the existing information, minimize the loopholes in the statements and then evaluate results carefully to finalize and combine a single international document, which could be enforceable by laws.

The convention on the Rights of the child was prepared by the United Nations after Poland presenting the Draft of Convention in 1978. The United Nations Commission on Human Rights had reviewed the Draft carefully and decided to appoint the Draft Convention Committee on the Rights of the Child comprised of representatives from forty-three member countries of Commission on Human Rights with the representatives from other countries as the Parties to the United Nations may participate in the conference as the “Observer” including the opportunity to fully participate in the discussion.

Furthermore, the international organization and private organization that have been in touch with the Economic and Social Council may sent own representative to attend the conference. In such case, the representative from the private organization would be allowed to participate in the discussion regarding this convention.

Nonetheless, the conference between the committee are opened to the general public so they would be aware that this convention had been reviewed by the United Nations Commission on Human Rights and certified by the countries attend the

conference of United Nations General Assembly in November 1989. The reason for selecting 1989 because it was the 10th Anniversary of International year of the child and the beginning of Drafting Convention. Furthermore, it was also the 30th Anniversary of the Universal Declaration of the child.

Convention Essential Framework

This convention contains 54 items, which has been separated into 3 parts, namely, part 1 involves the principles and contents related the child lawful rights, whereas part 2 contains the rules and protocols that the countries ratified the convention must comply with and part 3 related to the convention mechanism as the approach to the ensure the countries comply with the rules as well as provided conditions to enforce the laws.

As for the content in part 1 on the principles and the Right of the Children that should receive comprised of the following six principles as follows:

1. General Principles is the protection of freedom of individual to express the opinion on religious, culture and equality under the same laws, education and others. Any issue apart from that is the general protection of a child as stated in the appropriate practice of the State Parties.

2. The principle of protection on the child life, freedom and welfare, aiming for the child 's right not to be violated over body, life and freedom, or any harm that may come to the child, get kill or sex abuse, sex trade or gain benefit from sex trade or treat the child as the object for buying and selling or mistreat the child until becoming the disadvantages of the child, including the protection to remedy and rehabilitate the abused child to return to normal stage.

3. Provide social welfare to the children that direct at providing the social assistance, as well as making certain the child received information appropriate for his development as well as healthcare through social security system as well as having the access to the education to develop personality and human relations with self-responsibility and the responsibility to society and the natural environment, recreation and promotion of Arts and Cultures.

4. Civil right protection is directed at child protection which he or she entitled as a citizen of the state, with the nationality as well as living with the

parents and the family is available for contacting: a child lived with or has been raised by the parents or guardian and the state provided support and guarantee.

5. Protect the child with problem behavior or committed crime, who should receive different treatment from adult offender. He shall receive less import from the prosecution and detention. For the child with problem behavior as committed crime he shall have the opportunity to remedy for growing up to be good citizen of the society. It is assumed that the child behaved badly or committed the crime due to his immaturity, thus allowing the influential elements weighted heavily on his action. Furthermore, there is the guarantee for the child not to receive life imprisonment or death penalty.

6. Protection for the underprivileged children, children without sponsor, children fallen into danger, and disabled children to receive equal care as other children.

Legal provision for the child Rights promotion and protection

The Rights of the child are part of human rights, children deserve more protection than regular person due to physical and intellectual immaturity. Therefore, they should receive special protection to ensure their growth and development becoming the valuable human reserve for society.

Thailand is one country recognized the Rights of the Child which in turn directly impact ASEAN country members because it involves the minimum standard protection as equal as the requirements in the convention or better that all member countries need to upgrade own standards in order to guarantee the high survival rate for all children under the state jurisdiction. With the physical and emotional and emotional development to ensure a child growing into a competent, healthy adult with good physical and mental becoming valuable assets to the community to the country economically and socially, which considered crucial and essential for the nation advancement. Without good protection under the convention jurisdiction on the Rights of the child, a child would grow up the worthless, instead of being the nation valuable resources. As a matter of fact, certain number of children may become the burden of the Nation. Therefore, Thailand has passed the following laws to promote and protect Rights of the Child:

Constitution of the Kingdom of Thailand B.E.2550

Constitution of the Kingdom of Thailand B.E.2550 is the supreme legal authority that focuses on protection of individual's rights including the rights of the child which considered the expression of the country's intention to protect the Rights of the child as well as identifying the other laws relevant to the protection of the Rights of the child as stated in the constitution in numerous sections regarding such issues

Chapter 3 Right and Liberties of Thai People

Part 2 Equality

Section 30

“All persons shall enjoy rights and Liberties subject to the Provision of the Constitution Man and woman shall have equal rights Discriminate practice on a person due to the differences in birthplace, nationality, language, gender, disabled, physical appearance, or health, individual status, economic status, economic or social status, religious belief, educational training or political opinion with no conflict to the provision of the Constitution are prohibited.”

The state provisions to eliminate or promote individual exercise the rights and liberties as other is not considered the practice of discrimination based on paragraph 3”

Part 3 Right and Liberties of Thai People

Section 32 “Individual has the Rights and Liberty in own life and body.

Torture, duress or punishment with force or any cruelty shall be prohibited, but the punishment by the court sentence or the provision shall not be considered as cruel punishment or inhumane as stated in this paragraph.....”

Part 4 Rights to Justice System

Section 40 “Individual has Rights to Justice System as follows:

... (6) Children, Youths, women, elderlies or deformed or disabled shall have the right to receive protection and appropriate judicial process, fair treatment in the case related to sexual violence... ”

Part 8 Rights and Liberty in Education

Section 49 “Individual has the same rights to receive compulsory education not less than 12years. State shall provide the fundamental education evenly in good quality

with no cost to the destitute, deformed or disabled or suffered hardship. They shall receive the rights as stated in paragraph 1 and the State shall provide the support for individual to receive equal education as others.

Arrange training by the vocational organization or private organization as well as provide alternative education, self-learning and lifetime learning shall be provide by the State.”

Part 9 Rights to receive State Health Services and Welfare

Section 52 “Children and Youth have shall have the rights to survive and receive physical and emotional and intellectual development in the appropriate employment by the most concern in the child and youth involvement.

The child, youth and family member shall have the right to receive protection from the State, to be free from violence and unfair practice as well as the right to be rehabilitated in such case.

The intervention and limited the rights of children and youth and the family members shall be prohibited, except in the case of legal provision implication to preserve the family status or individual maximum benefit.

The child and youth without the guardian shall be entitked to appropriate upbringing and education provided by the State.”

Chapter 5 State fundamental policies

Part 4 Religious, Social, Health, Education and Cultural Policies

Section 80 “State shall proceed as social, health, educational and cultural plans as follows:

(1) Protect and develop juvenile, support the child upbringing and provide early childhood, promote equality between man and women, strengthen institutes, family and community positions, including support the welfare for the elderlies, destitute, deformed or disabled, aiming for better life and self-dependent....”

Part 7 Economic Policies

Section 84 “State shall proceed economic policies as follows

... (7) Encourage working people to be employed, protect child and woman labor, arrange labor relations system and Tripartism that allow the worker choose own representative, arrange social security system, including rewarding hard working employee with fair remuneration, benefits and welfare with indiscrimination....”

The Child Protection Act B.E. 2546

The Child Protection Act B.E. 2546 is the law that promote and enhance awareness on the Rights of the Child in which became effective on March 30th, 2004 by implementing the concepts and principles of the Rights of the Child as the main concept in the preparation of Laws and assigned four main Ministries the responsibilities to oversee the operation. These Ministries are the Ministry of Interior, Ministry of Education, Ministry of Justice, and Ministry of Social Development and Human Security.

The Child Protection Act B.E. 2546 is the Administrative Law for facilitative, preventive and protective by supporting the collaboration between all agencies to identify the procedures and appropriate child treatment for the child to have good upbringing and proper development as the approach to promote family stability, as well as preventing child from being abused or becoming the object of exploitation or unfair treatment. In addition, improving the method to promote collaboration for child protection between the government and private agencies to be in line with the Constitution of the Kingdom of Thailand, the Nation Economic and Social Plan and the Convention on the Rights of the Child, having the mechanism for main operation, that is the Nation Child Protection Committee, the Provincial Child Protection Committee, Bangkok Child Protection Committee and the Child Protection Fund by identify the child treatment in any case to consider first the child maximum benefit. As a matter of fact, discrimination is prohibited in the treatment of children as well as specify the general child treatment, caring and protecting the welfare, including promoting desirable behavior in order to eliminate problems and prevention problems from occurring among the children.

National Child and Youth Development Promotion Act B.E. 2550 (2007)

The National Child and Youth Development Promotion Act B.E. 2550 is the law that established the guidelines and approach to promote a child and youth development appropriate and in line with the present social situation. The District Child Youth Center together with the Child and Youth Council were established for effective development. Furthermore, the private organization and the local Administration organization have participated in the development of a child and youth as well. This Act is effective on April 18, 2008, and the Ministry of Social

Development and Human Security has been assigned the responsibility to oversee the operation.

Domestic Violence Victims Protection Act B.E. 2550

This act is the law that promoted good relationship within the family, using the criminal measure on the Criminal penal code to enforce the law relating to domestic violence. It includes the Rights of the child, youth and family members to receive protection from the state, free from domestic violence and unfair treatment. This Act is effective on November 12th ,B.E. 2550 as well as assigning the Ministry of Social Development and Human Security to oversee the operation

In conclusion, the child and youth protection is focused on the protection of life, liberty and welfare of a child, not to be violated in any way, whether inflicting harm to the body, kill to assault sexually or gaining profit from sex trade or buy and sell a child or inappropriate treatment until damaging a child's welfare, including the protection for remedy, rehabilitation a child who had been exposed to such violation to return to normal stage because this is the group that required the most protection due to the physical incapability and intellectual are not fully mature as an adult. The child needs special protection so he could develop and grow up to be a well-behaved adult, being a valuable human resource for the society, especially the present time, Thailand is one of the State Parties members on the Rights of the Children, in which the benefits would directly go the State Parties countries because it involves setting the fundamental child protection that the member countries must upgrade their standard to match the requirement in the convention or higher. It is as if being the guarantee for all children under the state jurisdiction would have high rate of survival. Since then, there have been many Acts related to the child and youth protection, including the convention so that the child and youth protection could be done effectively and efficiently as intended for the law to truly enforce.

2.2 Definitions Concepts and Relevant Laws on Child Sex Exploitation

2.2.1 Definition of Sex exploitation

United Nations (cited Natheerun Vieojrit, refers to sex exploitation as the “Unwelcome” and “Unwanted” behavior on the victim either by verbal or physical touching the body parts and the surrounding.

Hega and Enriquez (2000: 1-2 cited in Romana Viriyaparakob, 2011: 13-14) define sex exploitation as undesirable or cause the victim to feel uncomfortable, uneasiness. The sex exploitation are listed as follows:

1. Sexual Harassment: Generally, Sexual Harassment is defined as speech or behavior that displayed insult on sexual preference such as criticism of sexuality, telling dirty joke, making slurs remark, mimicking others sexual manners, displaying pornographic picture in public, which disturbed peaceful public atmosphere

2. Seductive Behavior is inappropriate action either displaying through gestures or verbal, including intentionally touching without a person consent such as patting on the back or sexual teasing and physically other's body relentlessly.

3. Sexually bribery is the manipulation or invitation to engage in sexual acts to exchange with reward or bribe.

4. Sexual coercion is forcing other parties to have sex unwillingly through the use of authority.

5. Sexual Assault is having sex by forcing others to obey.

Mulryan, Cathers and Farign (2004 cited Nidarat Chuvichien, defines “the child sex harassment” as the adult using a child to fulfill their sexual fantasy, with or without physical touching. The child sex exploitation consisted of variety of sexual acts, including sexual verbal expression with the child, employ the child to make pornographic movies or showing the child sexual act or pornographic pictures such as oral sex, sexual act on other body parts, having sex with the child or performing other sex acts.

To sum up, sexual harassment is the act that makes other person feeling uncomfortable and uneasiness, which could be physical, mental and verbal abuse.

2.2.2 Type of Sexual Harassment

Pongsathorn Vathanasirisook (2005: 39) categorized sexual harassment into 5 types as follows:

1. Verbal sexual harassment such as, criticizing on individual appearances, dress with profanity, story-telling on dirty jokes, stories that indicate profanity making a pass non-stop, making sexual gestures and indication of sexual suggestion even knowing that other party despise such act, making sexual advance verbally, erotic speech.

2. Sexual harassment without physical contact such as staring at a person private part, exhibit pornographic materials, peeping at the lavatory sneak in the dressing room or lavatory to take obscene pictures, displaying sex organs, distributing obscene pictures through internet, pornographic clips.

3. Sexual Harassment is the visible action such as, touching the body without permission, making indecent act (to others such as, embrace, kiss and petting the body to reveal sexual desire, asking for sexual intercourse, forced intercourse and sexual assault.

Orapin Sopchokchai (1998) mentioned that sexual harassment may include.

1. Insert sex organ in the vagina, anus or mouth, including objectives or equipment or electrical appliances.

2. Use the mouth with vagina or anus or mouth, tongue, or tongue with female or male sex organ.

3. Masturbation by both parties willing committing such act or either side was forced into it.

4. Physical touching such as chest, bottom, private parts, thigh and anus.

5. Using a child for sexual exploitation, child prostitution for adult sexual gratification, aiming for financial gain or profit.

6. Taking obscene photograph of the child by engaging the child sexual act for adult enjoyment.

7. Kissing between adult and the child is the sexual expression. Exhibiting private part, disrobing intentionally in public, showing sexual organ, chest or bottom.

8. Peeping such as secretary watching the child taking a bath or getting dress.

Wooden (1942 cited Romena Viriyapraborb 2011:18-19) studied and collected information on child sex trafficking by interviewing hundreds of sexual offenders. The findings reveal many approaches to sexual offenses:

1. Lured by loving relationship and trust, the perpetrator is usually trusted adults or someone close such as family member, relatives, teacher, caregiver, medical doctor or even monk.

2. Lured with gift or bribe, a child may receive the offers such as sweets, toys or other rewards.

3. Lured with playing children games that would lead to touching with sexual intention such as poking, wrestling, hide and seek in secluded place.

4. Lured with bad news by creating the situation, a plot to lessen the friction. At the same time, the perpetrator created the plot of story to confuse the child and also caused anxiety as well.

5. Lured by lying to the child that he is the officer. Because the perpetrator often dress like the police officer or security guard, the child is usually afraid of the uniform.

6. Tempted the child with the promised to make him famous or a female child was given the promise to become model or enter the beauty agent provided that she must spend time alone with him just to do as he commanded and most of times, the perpetrator ordered the child to keep it a secret not to tell the parents.

7. Lured with the promise of good job with high pay, which is the main trick to attract the adolescent by arranging the interview in the secret place

and the job classify is announced unclearly, without identifying position or details of employee, only have the Post Office Box number or telephone number to contact.

8. Around the child's sexual desire by showing the pornographic materials or Video until the child could not control his sexual need.

9. Lured the child by pretending to be naïve and asking the child to help out such as, asking the child to show him how to get to the place that most people know how to get there, or asking the child to help him carrying the package to his home or his car.

10. Brainwash the child with super natural story or change his belief. This type of luring often disguises as magic or unnatural with ritual that has the psychological influence on the child's belief as well as reducing the child's objection. This is the easiest approach to brainwash the child so when the child become infatuating with the ritual, the child sexual harassment could be permanent.

2.2.3 Cause of Sexual Harassment

Criminology Theory (Vipaporn Kongcharoen, 1990, page 13-16) proposed that there are three key factors caused of crime and one element as follows:

1. Physical Factors refer to the cause of crime that has been influenced by the human surrounding, including hygiene affecting human behavior and living conditions. Few examples are surrounding of living quarter, climate and narcotics.

2. Social Factors are the social surroundings, which considered as the crucial factors contributed to crime as much as the other element. Few examples are family conditions, congested society and social inequality, media and pure.

As for the family, family members are immoral persons, lack of parents to supervise or someone to control his behavior and no compassionate feeling for one another.

As for peer group, friends, could encourage other friend to commit wrongdoing or venture into mischief and activities that created excitement and joint benefits.

Society creates inequality between male and female in which make often take advantages of female and male sexual advancement on the female victim.

Regarding mass media, when the mass media refuse to accept the responsibility in presenting news such as pictures, improper message, which could lead to terrible things that involve wrong value and inappropriate behavior in public.

3. Mental Factors: Due to the differences in each person background, one could understand why a person behave in such a way, starting from his origin, rearing and surrounding from childhood. The person’s life experiences and the surroundings that he had been exposed to earlier in life would mold him into different behavior patterns. The vast majority of psychiatrists agree that criminal acts are resulted from mental abnormality or personality deformity.

4. Besides the physical, social and mental causes contributed to the cause of crime, other crucial element to commit crime is the opportunity for wrongdoing, especially, when the perpetrator sees the chance to avoid the arrest. If one could eliminate that chance, crime problems would be subsided. Obviously, crime prevention could be done by eliminating the opportunity to commit crime.

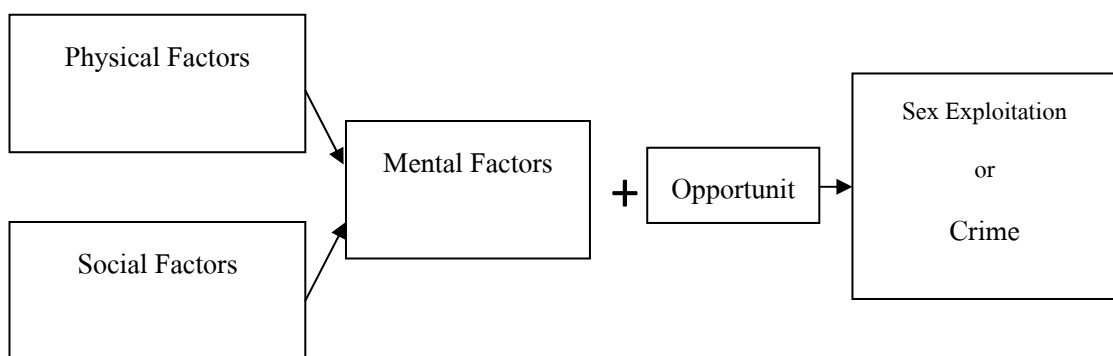


Figure 2.1 Cause of Sexual Exploitation According to Criminology Theory

Hega and Enriquez (2000 cited Romna Viriyaparakob, 2011:14) gave his explanation on sexual harassment that it is complicated matter.

Most theories and samples refer to the sexual harassment as the action to become sexually arousing or abuse of power.

Three types of sexual harassment

1. Natural Biological Model is the sexual harassment that came naturally through the urge between a man and a woman. Presumably, man has more sexual drive than woman, which contributed to male displaying his aggressiveness.

2. Organizational Model is specified as the cause of sexual harassment in the organization power.

3. Socio-cultural Model agreed that sexual harassment reflecting from the distribution of power quite different in large societies and sexual status

The Center for the Protection of Children (unknown year cited in Supka Sirisup, Police Major, 1999:22) specified that the cause of sexual harassment originated from the following origins:

1. Mental abnormality or defective personality

- A mental disorder person, a person with cerebral palsy or aggressive person with uncontrollable emotion when being stimulated sexually by pornographic materials such as magazines, video, and movies, including consuming alcohol, leading to lack of self-restraint.

- A Person with mental health problems due to the sexual harassment or brutally tortured during his childhood.

- A Person with mental health problems, psychosis, schizophrenia and antisocial.

- A Person with sexual deviation.

2. Social Psychology

- Individual could learn number of things from the surroundings and anything he had been exposed to such as relationships between family members and their behaviors, lifestyles, especially a person who had been brought up improperly during the children such as being neglected, tortured, bashed

and constantly nagging, which embedded the feeling of loneliness, no one to turn to, lack of love, develop the feeling of hatred and offensive behavior accumulated underneath is subconscious. Once becoming the adult, his hidden hatred soon surface and expressed as uncontrollable personality, including his immoral rearing that made him over-indulging in sex so he developed the habit of child sexual harassment in various forms because the child victim has less will power and potential for self-defense.

- Society is full of available sources for vices and narcotics, stimulants and thus led to the child sexual harassment.

- Being exposed to violence constantly.

3. Socio-Cultural

- Sexual harassment could happen in all levels of society, especially in the family with only one household leader as the main source of income, including the low-income groups due to poverty, insufficiency or debt, which would lead to tension, unreasonable act and take out on the child in various form such as sexual harassment.

- Society views male and female differently whereas it expects male to lead and be the boss, well above opportunity as appearing in the society in every era.

- Society that lacking awareness on human rights and denying equality for all men as well as thinking the one with superiority should have more rights than others. Therefore, female and children should have equal rights as male because of their lower status. This is why they are susceptible to become the victim of sexual harassment.

2.2.4 Impacts from Sexual Harassment

The Woman Foundation (2008:48) mentioned the impacts from violence against woman, physical, mental family and society as follows:

1) Physical Impacts

- Injuries of deformity are impacts that originated from semi-violence act to deformity: the World Bank mentioned the cause of violence against women and disability of the reproductive age woman as critical as cancer, as well as

leaving the scar and illness as high as the number of traffic accident and sickness from malaria combined together.

- Unwanted pregnancy is the pregnancy that has not been planned or being raped that lead to the termination of pregnancy. Women and Children subjected to sexual violence or sexual abuse are prone to unwanted pregnancy during the reproduction age, especially among teenagers.

- Caught sexual diseases, including AIDs. Presently, female is very likely contacting sexual diseases as well as high risk of complication during pregnancy, natural abortion, and premature delivery. Thai researchers found that one of ten of women who had been assaulted sexually caught sexual transmitting diseases.

- Prone to other sicknesses because women who subjected to serious violence are easy to develop sickness, partly because of low immunity and subjected to abuse.

2) Mental Impact

- Suicide: Female who had been subjected to physical injuries would develop tension, stress and worried. Sometimes, physical symptoms occurred without apparent reasons such as headache, insomnia or depressed, especially among women as the victims of sexual assault and sexually abused by someone close and other most trusted figure would not be able to cope with physical and emotional stress until eventually committed suicide. The study outcomes in USA suggest that female victims who had been battered by the husbands developed the risk for suicide 5 times higher than the general female population compared with the female whose husband never used the domestic violence.

- Mental problems: Females who had been battered even without physical wound or the visible marks on the body in the mild cases may disappear, but the mental trauma would be unable to erase, and perhaps remain buried inside the victim's subconscious. This effect is also affected personality of the victim who needed remedy. The impacts may extend to the victim's daily livings, livelihoods or work. There are data confirmed that many women who have been exposed to extreme violence became depressed or anxious resulting in mental disorder. Meantime, some developed tension and persisting discouraged. The vast majority of women lost self-confidence, afraid of social unacceptable, feeling of humiliation,

worthless and unclean (especially sexual assault cases). Many victims increased mental symptoms from being repeated sexually abused. Some exhibited fear or uneasiness although the incident happened long time ago. The victim is still affected by the violence abused such as sexual assault and sexual abuse. Even with only one time, the impacts could be extremely high, enough to produce negative image that would embed in one's mind for the rest of the victim's life, especially with the child.

3) Social Impact

Violence is the endless cycle that the child who has been exposed to the domestic violence would develop same mental problems as the child who had been abused physically and sexually directly. The girl often exposed to the domestic violence between father or stepfather and mother has more tendency to accept that domestic violence is the normal part of married life than those from non-domestic violence family. Meantime, the boy who witnessed similar domestic violence is likely to use violence on his wife once he became the adult and started his own family. Furthermore, some children imitate the violent behavior. For example, a boy threatened his younger sister to stop crying with a peeler. This type of behavior is the result from a child imitating the father action against his mother. The persistent and repetition of social problems, the female who had been the victim of domestic violence for long time, if survive, she would retaliate such as, killing the husband and receiving jail sentences until no one looking after the children and eventually becoming the unsolved social problem.

2.2.5 Laws related to Juvenile Sex Exploitation

Thailand has continued to amend the relevant act on the prevention and suppression of the child sex exploitation since the country becoming a member of convention on the Rights of the child by appointing the Sub-committee on amending the Children Laws to meet the standard requirements of the Constitution and Convention on the Rights of the child comprised of lawyers, experts and child specialist in multidisciplinary team, including representatives from the concerned public and private agencies in order to revise and draft legislation relevant to child laws to agree with Thai Constitution and Convention on the Rights of the Child as a result, Thailand at present day has the following laws, rules.

- Prevention and Suppression of Prostitution Act, B.E. 2539 (1996)

Prevention and Suppression of Prostitution Act, B.E. 2539 (1996) is designed specifically to prevent and suppress prostitution, particularly on Children Trade and Prostitution by prohibiting any person from conducting activities related to prostitution such as selling sex, solicit, sex advertising, including the procurement, deceitful or forceful means, using force or physical injury or violence or luring any person into prostitution. A person caught violating such act shall be liable to imprisonment in **two** clearly separated penalties, namely, the offence in relation to a child not over fifteen years of age, and a child aged between fifteen to eighteen years. Furthermore, the laws has imposed the penalties for the parents or a child guardian who conspired such act, both fine and imprisonment.

- Prevention and Suppression of Prostitution Act, B.E. 2540 (1997)

Prevention and Suppression of Prostitution Act, B.E. 2540 (1997) has imposed the penalties on violation related to women and children trafficking, procure, buy, sell or distribute, including transporting women and children from one place to another, harboring or detaining women and children against their wills or arrange women or children to satisfy one's sexual gratification or indecent act of other exploitation for own benefits or benefits to others, with or without the consent of a woman or child. These acts are considered against the criminal Penal Code on Prevention and Suppression of Prostitution, Juvenile Welfare Act or this Act, so the official by the virtue of this act should proceed in accordance with the law (Section5) to apprehend the offender as well as any person preparing to violate the laws as stated in section5 is subjected to fine or imprisonment as those who violated the law (Section 6). Moreover, any person conspired with each other to form a group over two person with the intention to violate the law as stated in section 5 shall be subjected to imprisonment, no less than 3 years or paying fine not exceeding ten thousand baht or both (Section7).

- Anti-Money Laundering Act, B.E. 2542 (1999)

Anti-Money Laundering Act, B.E. 2542 (1999) has imposed penalties based on the violation of the Penal Code (specifically on the procurement, deception or manipulation for indecent act and gratifying others sexual desire and taking children illegally) and the Prevention Act (specifically on the procurement, deception or

manipulation for such person to commit prostitution act, and the offence on being the owner of establishment conducting prostitution, caretaker or manager of the prostitution business or prostitution establishment or organize prostitution ring). This is the violation of criminal laws subjected to legal punishment, whether the criminal act was done locally or outside the Kingdom of Thailand, including the provision for confiscating the assets derived from such activities as a person is laundering money.

Criminal Penal Code No. 21 B.E. 2551

Sexual Assault is the horrendous crime and brought great sorrow to the public. Thailand has set the priority for this problem and established the criminal measures to prosecute the offender as being stated in section 276-287 under the Penal Code (Criminal Penal Code No. 21, B.E. 2551) as follows:

- 1.) Sexual Assaults on others
- 2.) Sexual Assaults on a child not yet over fifteen years of age
- 3.) Sexual Assaults on a child not yet over thirteen years of age
- 4.) Sexual Assaults on a child over thirteen year, not yet over fifteen years of age, special case
- 5.) Commit indecent act on a person over fifteen years of age
- 6.) Commit indecent act on a person not yet over fifteen years of age, whether the child consent or not
- 7.) Commission to procure, seduce, deceive for indecent act a child over fifteen years, not yet over eighteen years of age, even with a child consent
- 8.) Commission to procure, seduce, deceive for indecent act a child not yet over fifteen years, even with a child consent
- 9.) Commission to procure a child over fifteen years, not yet over eighteen years of age to gratify sexual desire of others
- 10.) To gratify sexual desire of others by procuring a child not yet over fifteen years of age
- 11.) To provide lodging, procure or support offence against minor under section 283 paragraph two and three with intention to gratify others' sexual desire.
- 12.) To take away a child over fifteen years of age for indecent act even with a child consent

13.) To take away a child over fifteen years of age for indecent act even with a child consent

14.) To take away a child not yet over fifteen years of age for indecent act even with a child consent

15.) To hide a child who had been taken away for indecent act under section 283 bis paragraph one and two

16.) Offence on taking away a child not yet over fifteen years of age for indecent act even with a child consent could be settled between both parties

17.) Offence on hiding a child over fifteen years of age for indecent act could be settled between both parties

18.) Offence under Section 276, Section 277, Section 277 bis 277 tri, Section 278, Section 279, Section 280, Section 282 or Section 283 is the act against the descendants, students under care, subordinates or state officials under care

19.) Offence on trade, distribute, produce or import in and export out of the Kingdom or take away or with intention to distribute with any mean.

Remedy for Victims of Sex Exploitation

The reason to remedy victims of sex exploitation because sexual assault caused severe physical and mental impacts whether being sickness, fear or death, and emotional up and down. Therefore, the rehabilitation as well as remedying body and soul returning to the normal stage is a must and extremely crucial, even though it takes quite a while for a person to heal, which may be life time remedy for some,

The situation from sexual assault on the child and youth could result in changing life pattern. Not only the beginning period of individual adjustment after the incident, but also the impact from sexual assault would alter the child and youth, victims of sexual assault as well as the mental impacts.

- Physical Impact: when a child was violated sexually, no matter which way, it is considered as sexual violation. Therefore, after the sexual assault, a child would soon develop the sickness symptoms such as physical injuries (neck, arms, legs) and bruises on the neck, chest, thigh, bones or muscles, irritation in the urinary system, and reproduction system. Furthermore, there is the long-term problem in infection of reproduction system and pregnancy which affected the unborn child.

- Mental Impact is found after the incident at the primary state and long-term stage such as constantly dreaming of the incident or similar nightmare.

Furthermore, this creates unreasonable fear such as afraid of being alone or fear of others knowing about own sexual assault or afraid of being in public with lots of people.

- Social Impact occurred when the impact from sexual assault disrupting a child normal lifestyle such as, he/she may return to school, but unable to participate in school activities as usual because he/she may be embarrassed and afraid that others knew about the incident. As a result, some may remain inside the home and develop the weakness, form own opinion that the whole incident was own fault. He/she would feel worthless and distrust the others even close associates and stranger.

-Sexual Impact happened from a child developing mental weakness and stress. If it happened to an immature person, his/her personality and lifestyles may change. This is the time a person needs full support and sympathy from family, friends and others to alleviate the pain and remedy the problems, help the victim to develop strength to overcome problems and remain in the society peacefully (Thongsamut Theppanya, 2009:66-69)

2.3 Definitions Concepts and Human Trafficking Laws

2.3.1 Human Trafficking Definitions “Human Trafficking” according to the understanding of concerned entities gave different definitions. Presently, the widely popular definition appears in the “Protocol to Prevent, Suppress and Punish Trafficking in Person, Especially Woman and Children, supplementing the United Nations Convention Against Transnational Organized Crime” included the definition of “Human Trafficking” in Article 3 as follows”

(A) Human Trafficking is to provide, transport, refer, harbor or detain the individual by threat or force or by any form of coercion, kidnapping, fraud, using authorized power or exploit individual weakness, though bribing or promise to give other benefit to exchange for someone agreed to control the other with intention to gain-benefit from prostitution or other type of sexual activities, forced labor or

services, slavery or acting as if putting someone into slavery or any act leading to a person under the other's control or.

(B) In case where any method listed in (A) was used, it is not necessary to obtain the consent of human trafficking victim for the purpose of exploitation as specified in (A) for consideration.

(C) In the cases dealing with the providing, transporting, agreement, referring harboring or caring for the child with the intention to exploit are considered as human trafficking although these definitions had not been specified in (A).

(D) The child is a person under 18 years.

The definition of human trafficking mentioned above and used in the protocol is widely accepted and being mentioned frequently in the academic documents or other writings related to human trafficking. Besides, such definition has been used as the standard criteria to define human trafficking as appeared in Thailand Laws or legal issues. For example this definition is included in the Anti-Trafficking in Person Act, B.E. 2551 (2008), including the definitions that appear on the Memorandum of Understanding on Anti-human trafficking that Thai government had signed with the neighboring countries, namely, Cambodia, Laos, Myanmar, and Vietnam. The definition also appears in all four MOU in which the definition of Human Trafficking is coincided with the one included in the Protocol, as a matter of fact, the definition is almost identical.

The definition of "Human Trafficking" as shown in the "Anti-Trafficking" in the Persons Act, B.E. 2551 (2008) is not only mentioned only single definition, instead other definitions has been presented as well, such as the following meanings:

- Wrongful exploitation defines as exploitation from prostitution, production or dissemination on pornographic materials including sexual exploitation in other venues, put others as slaves or beggars, forced labor or removed certain body organs for sale or similar purposes as if doing the extortion whether that person is willing or unwilling.

- Forced labor or services is to have someone working or providing services against his will without being afraid that his action could become serious threat to life, body freedom, name or asset of that person or other, using threat, force or any action that makes such person unable to resist.

- Organized crime is defined as a group of associates with three members and over got together either temporary or certain period of time, whether or not the structure is visible and identify role of the member, or membership consistency. Nonetheless, the objective is to commit the offense that has the imprisonment terms or breaking the laws that impose serious imprisonment over 4 years or committed offense as stated in this Act in order to seek financial gain or other benefits illegally direct or indirect.

- A child is a person younger than 18 years.

And in paragraph 1 General Provision, Article 6 refers to human trafficking as whoever for the purpose of exploitation.

1. Making own business to find, sell and distribute from the origin to the someone against his/he will, arrange the shelter, harbor the person or hold a person against his will, use the threat, force, kidnap deception or wrongfully use the power or paying or giving favor to the parents or guardian in order to gain permission from the parent to exploit the child.

2. Making own business to find, sell and distribute from the origin to hold someone against his/he will, arrange the shelter, harbor the child or holding him against his will

- The Section 6 on such Act has similar details in line with the definition of Human-trafficking as appeared in the Protocol of Human-trafficking in Person, in addition to the United Nations Convention against Transnational Crime established as the visible organization, only the differences in Thai Act contains more elaborate details than the additional Protocol to explain the definition of other words relevant to human trafficking.

Somehow, looking back, Thailand already established the Anti-trafficking Women and Children Act B.E. 2540 clearly stated that the state officials could prosecute the person committing the offence on women and children trafficking, buying or selling, vending, bringing from or sending to, detaining or confining or harboring or receiving a child to gratify others sexual desire, or indecent exposure or exploitation for own benefits or benefits of others, with or without a child or a woman consent in accordance with the Penal Code on the prevention and suppression of Prostitution, the Juvenile Welfare Act or this Act.

2.3.2 Human Trafficking Types found in Thailand

- 1) Forced Prostitution
- 2) Forced other sexual businesses
- 3) Forced labor
- 4) Household servant
- 5) Begging
- 6) Marriage
- 7) Fake child adoption

2.3.3 Cause of Human Trafficking

- 1) Poverty

Two types of poverty:

- True poverty family is a low income family that a child growing in this family would be urged to find employment outside home to relieve financial burden of the family when a child has grown up and became self-independents.

- Fake poverty is when the family has more expenses than income so there is a need to increase the family income to meet the family expense. This family is usually spent money in excess or beyond the normal income and expected to earn extra income from the child. There is high tendency to the parent to send the child in sex services or to work illegally or work outside home. Therefore, if the origin country is unable to find appropriate work for these migrant workers, they would cross the border to search employment in other countries just to survive.

- 2) Lack of education

Due to lack of education, the child must find work outside home, but the employment they could find is unskilled work for those without education and skills necessary for work perhaps the parents themselves are also less educated.

Therefore, the parents would not use see the importance of education as well as failing to recognize that education is the venue to increase income and good occupational skills could lead to better

- 3) Family Relation

When the family neglecting the child as well as failing to make future life planning for him, under this circumstance, the child is being completed to seek

employment at the early age, including the parents inability to give the child proper advice which indicates the distant, cold and uncaring family relation in which the parents pay no attention to the child whereabouts, his working conditions, his employer or even the work environment. Eventually, this child would become the victim of human trafficking and in some cases, problems may result from family disputes, cruelty, sexual abused or neglecting until the situation is unbreakable so he decided to run away from home, and perhaps becoming the sex victim or risk human trafficking.

4) Sexual discrimination

Because of sexual discrimination, the burden of generating family incomes the female's members, responsibilities. It has driven women and children to work outside the homes. Due to supply side, more Thai female labors preferred to work in the Industrial Factories than working as the housemaid because those who works in the factory are not being tied down as the housemaid. But looking at the demand side, the employers preferred to hire more female housemaids than males. As mentioned, earlier, being housemaid sometimes lacks of freedom, without definite day-off and break period, Thai female laborers then decided to work in the industrial factory. These reason create more needs for migrant worker and alien child working at homes, which in turn, pave the way for woman and children trafficking.

5) War and Unrest in the country

In some area of curtain country, especially the neighboring country with the internal conflict and fighting each other with heavy weapons or having violated Human Rights. For example, Myanmar's military government that violated Human Rights by extortion and forced labor without remuneration forcing the minorities to move out from their settlement, as well as applying cruelty and sexual abused. In addition, with the disable and inefficient governing the country, the locals could not find employment in own area, it forced them to seek employment elsewhere, leading to migration even they turn into illegal labors, refugees or migrant works and risk human trafficking.

6) Cultures and Values

Both cultures and values are the main causes for human trafficking. For example, some society pushes the women into human trafficking due to the family

believing it is the daughter duties to feed the family at any cost. Then this burden may end when the daughter get married and started her own family. Nonetheless, if all daughters married, when the parents at the old age have no one to look after, the burden of caring for parents would become the daughter burden, leading to family conflict and dispute with husband. In some case it end up with the divorce and the daughter would become the only wage earner, looking after the entire family, own offspring and aging parents. Therefore, the woman who lived in this type of society must work outside to support the parents, children and other family members.

7) Concepts of Consumerism and Globalization

Bothe concepts are significant factors since the society that used money to indicate social status has widely accepted throughout the urban and rural societies, especialy the rural society where the locals respect the wealthy family, with no consideration whether such wealth came from. This is one of the social values that driven the woman and children to human trafficking process.

2.3.4 Human Trafficking Laws

Anti-trafficking in Person Act B.E. 2551

Anti-trafficking in Person Act B.E.2551 is the law amended from the Preventive and Suppressive Measures on Women and Children Act B.E. 2540 that had not identified the nature of wrongdoings to cover the exploitation, not only limited to women and children, but also included the public with many different technique such as bringing a person into the Kingdom of Thailand and sending out of the country for the purpose of prostitution, forced cutting off body organ for trade or improper exploitation. At present, this type of crime has been practiced among the transnational crime organization as well as setting up the preventive and suppressive Human Trafficking fund, including providing the appropriate assistance protection for the victim by focusing on maximize the victim's benefits.

Anti-trafficking in Person Act B.E. 2551

In essential elements

Section 6: Whoever, for the purpose of exploitation, does any of the following Act:

(1) Procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or used of force, abduction, fraud, deception, abuse of power or of the giving money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control; or

(2) Procuring buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving a child is guilty of trafficking in persons.

Section 7: Whoever commits any of the following acts shall be punished likewise as the offender of an offence of trafficking in persons:

(1) Supporting the commission of an offence of trafficking in persons;

(2) Aiding by contributing property, procuring a meeting place or lodge, for the offender of trafficking in persons;

(3) Assisting by any means so that the offender of trafficking in persons may not be arrested;

(4) Demanding, accepting or agreeing to accept a property or any other benefit in order to help the offender of trafficking in persons not to be punished;

(5) Inducing, suggesting or contacting a person to become a member of the organized criminal group; for the purpose of committing an offence of trafficking in persons.

Section 8: Whoever prepares to commit an offence as aforesaid by Section 6, shall be liable to one-third of the punishment stipulated for such offence.

Section 9: Whoever from two persons upwards, conspires to commit an offence as aforesaid by Section 6 shall be liable to no more than one-half of the punishment stipulated for such offence.

Section 10: In case where an offence stipulated in Section 6 is accrued by the commission of person as from three persons upwards or of the member of an organized criminal group, such offenders shall be liable to heavier punishment than that prescribed in the law by one-half.

Section 11: Whoever commits an offence mentioned in Section 6 outside the Kingdom shall be liable for the punishment stipulated in this Act in the Kingdom. The provision of Section 10 of the Penal Code shall apply *mutatis mutandis*.

2.4 Definitions Concepts and Crime Victims Theory

2.4.1 Definitions of Crime Victim

“Victim” or “Crime Victim” in which the academics and criminologist gave different meaning as follows: (cited Nidarat Chuvichien, 20:10)

The American college Dictionary (1959: 1355 cited in Tantawan Kaewsom , 2010:26) gave the meaning of victim as the one who had been suffered from being injured, deceived or any opposing action/

Black Law dictionary (1959: 1355 cited Tantawan Kaewsom, 2010: 26) explained the meaning of “Victim” as the one received damages or injury or the person who is the object of crime or tort.

The Task Force on Service for victim of crime of New South Wales, Australia gave the meaning for “victim” as an individual or associates who had been injured physically, mentally or damages to the property or take away the rights from unlawful act, including the abuse of power.

Purachai Piemsomboon et. al. (1988) gave the meaning of “ Victim” or “ Crime Victim” was those who had been injured by the action of offender, not only the one received direct impact, but all also the parties involved who would be affected from the damage.

Juytharat Aieumnuay (2008) stated that the crime victim is an individual or the association who had been injured, physical, mental and property damages from criminal act or loss of rights from criminal wrongdoings such as physical injury, homicide, sexual assault, stolen property and robbery.

To conclude, crime victim is a person received injury, physical, mental and damages to the assets as the direct result from the offenses.

2.4.2 Type of Crime Victim

Stephen Schafer (cited in Tanyaradee Triwahunawong, 2010:14) measurement criteria on sex victim) classified the victim or crime or crime victim into seven types as follows:

1. Unrelated Victims refer to the victims that had not been involvement with crimes or wrongdoings in which anyone could become the victim.

2. Provocative Victims refer to the victims that provoke the perpetrator to response in certain degree such as the victim transgressed on the promise and belittle others.

3. Precipitate Victims refer to the victims whose actions unintentionally provoke, encourage or motivate the perpetrator to commit crimes or the victims' actions sometimes opened up perpetrator to commit crime such as walking alone in the secluded spot, woman dressed provocatively which should be the woman's responsibility as well.

4. Biologically Weak Victims refer to the victims who are prone to become crime victims due to the physical and member weaknesses of some people such as patients, children, elderlies, women and disabled.

5. Socially Weak Victims refer to the victims who had not been fully accepted as community's members, makings this the group at the disadvantage such as, new immigrants, religious sects and minorities.

6. Self-Victimizing Victims or Victimless Crimes are those becoming the criminals and victims at the same time whereas typical crime produced the criminal on one side and the victims on the other. These self-Victimizing Victims are drugs addicts Women subjected to abortion, and gambler in which some societies may specify these activities as illegal actions.

7. Political Victims refer to individual who have been affected by Political or ideological opponents such as the public becoming the victims of political riots.

In addition, the direct and indirect crime victims are characterized based on the criminal Procedure Code, Section 2 (4) according to Jutharat Aieamnuay (2008) as follows:

1. Direct victims refer to the victims resulting from any violation or the sufferers directly affected by illegal violation.

2. Indirect Victims refer to the proxy who had the authority based on Criminal Procedure Code, Section 4,5, and 6 which is the third party affected

by the laws violation although such violation have not directly involve such individual. These individuals indirectly received the impact are as follows:

- Family, relations and close acquaintances of crime victims, including those related to victims' lifestyles and work. These are victims indirectly suffered spiritual impact and property damages as a result from the relations or love ones became the direct crime victims.

- Witness to the crime or the one person in specific crime scene this indirect group of victims comprised of good Samaritan who had accidentally seen the criminal violated the victim in any which way and willingly assisting the official by coming for interviewing or becoming the witness in which the witness from this group may be troubled, annoyed or wasted time until the case is over. Sometimes, he may risk danger life and assets safety from huge threat involved serious offense.

- General public/society/community are members of large group that had been exposed to violence until they felt threat to their lives and assets from living in the society full of crimes. They are constantly exposed to the direct impact and unable to predict when they themselves and families may become the crime victims again.

2.4.3 The cause of a person becoming crime victim originated from "Victim" own action. According to Sudsaguan Sutheesorn (2000) who took the type of crime victims into consideration when analyzing the cause in which a person fall to crime victim as follows:

1. The victim's gestures may be seductive and inviting or perhaps initiate the perpetrator's action or the victim's lifestyles could be the cause of being the victim.

2. Majority of victims are individuals with weak personality and lack self-confidence. In addition, the victim soon developing inferiority complex and surrendering to everyone who confronted him in all situations. Moreover, he may form the negative idea of himself and afraid to reveal his true needs.

3. Biological Characteristics which categorized women children and elderies in riskier than other groups of becoming crime victims due to their weakness nature.

4. Location is the cause of individual becoming the crime victims based on the crime scene which could put whoever appeared in such situation becoming the crime victims as well.

5. Social and economic conditions derived from the Theory of Positive School which has led to crime, namely, physical, biological, surround social and economic factors. Therefore, if society is in good order, social members live well, it is very likely that crime problems would subside.

6. Judicial process if the crime was already committed and unable to punish the perpetrator legally and prevent crime effectively, the perpetrator would not be afraid of breaking the law and used the legal loophole and judicial process to commit the crime again and in turn increasing the crime victims.

2.4.4 Theories of Victimization

The concepts on being crime victim are divided as follows:

1. Victim Precipitation by Marvin Wolfgang who suggests that criminal violence may be encouraged by the behavior of its victim leading to injury or death. The victim's behavior may be either passive or active. For example after the incident, the victim may display the threat or use challenge speech or provoke the other parties or initiate the fight. This so-called victim-precipitation crime or crime that victim get involved could be seen from the brawl in Karaoke parlor or wife threatening to kill the husband. Another frequent crime pattern is when the victims is being categorized in the group that make the perpetrator feeling unsafe, damaging reputation, prestige, status, including economic or well-beings, so-called, Hate Crime such as the case when the immigrants settled in the established community in U.S.A., the Americans felt as if they had to compete finding employment with the new comers, apart from threatening their life security, interrupting ways of living. As a result, the refugees became the targets or victims of hatred such as a group of white males with paper bags covered their heads entered the groceries stores owned by a Chinese man whom the perpetrator had not known before, and destroyed most of the merchandises.

2. Life style theory of Gary Sensen & David Brownfield suggests that individual's lifestyle contributed to her being victimized. It is found that

the victims of Human Trafficking are destitute, but tried to escape poverty to comfortable life, wealth. Therefore, when someone manipulated here to work with a promise of high-pay job, the victim decided to accept the offer.

Collaboration Policies between countries in Crime Prevention and Suppression System on Child Sex Exploitation

Crime Victim Theory

The concept of being Victim at present time are divided into the following section:

1. Victim Precipitation by Marvin Wolfgang explained that some victim puts himself into the vulnerable situation, leading to physical injuries or death in which the victim may react to the situation or motionless, The victim may display behavior such as using challenge or threaten word or provoke the fight, so-called, "victim- precipitation crime or the crime that involved victim directly as being seen from the fight occurred in Karaoke stores or an injured wife making the threat to kill the husband and actually killed the husband.

Another violence frequently happened is a group that caused fear, individual feeling unsafe, ruining the reputation, fame and status or so-called "Hate Crime" such as the case of refugees who moved to resettle in U.S. A., making the Americas felt as if their jobs had been taken, their life security were under threats. They could feel in their lifestyle and start to form hatred and disassociation. Therefore, a group of refugees is the target group or victims of harsh treatments such as the case when a group of white males covered their head with the bags before entering the unknown Chinese grocery store and trashed the store merchandises.

2. Life style theory of Gary Sense and David Brownfield who believed that individual lifestyle contributed to his being the crime victims. The finding suggest that victim of human trafficking lived in poverty, but desired for better living, wealth, comfort or escaping poverty. Therefore, when a recruiter persuaded the victim to work for him by promising good pay, the victim decided to take up the offer, but eventually fallen into the victim of human trafficking as forced labor, slavery or prostitution.

3. Route Activity Theory (RAT) by Lawrence Cohen and Marcus Felson who had conducted the research on human daily activities so these people could become crime victim. Type of horrendous crime on individual or property could result from each individual daily activities in which comprised of three elements. With this reason, RAT is being called the fundamental crime triangle, the elements of crime are suitable Target, Absence of a Capable Guardian and Likely Offender.

The Routine Activity theory gave the explanation that the victim put herself into that position or in the surrounding that easily inviting crime, including the opportunity to aid crime

2.5 Preventive and Suppressive Policies on Child Sex Exploitation

In the past Thai lifestyles had been arranged as the kinship system with extended family where the close relatives participating in upbringing of the children apart from the family helping each other within the community. From the country past development, Thailand focused more on economic development instead of social improvement, whereas the present society is heading toward socialism and materialism, leading to economic competition with labor migration to seek better life which resulted in the family pattern changing from the extended family to more single family. In urban society where the parents go to work every day to support the family. A child is staying more with the babysitter or at the Daycare Center, whereas, in the rural society, many children are left in the elderly care, and because of the progress in transportation, a group of greedy investor was formed to exploit the naïve and underprivileged, especially the children group risk group susceptible to sex exploitation.

Child sex exploitation is the destruction of the nation human resources, especially a child who became the victim of human trafficking and sexual exploitation. When he growing up, he could abuse other children because of lacking the opportunity in education and occupational training since childhood. It is then obstructed the child victims from accessing and developing as stated on the Rights of the Child Convention in which Thailand has been aware of the situation so she arranged for prevention and

and seeking solution to the problems constantly (Office of Welfare Promotion and Protection and Empowerment of Vulnerable groups, Unknown Year,35) as follows

2.5.1 Education

The government has clearly identified the policy to prevent the child from becoming the victim of sexual exploitation since the constitution of the Kingdom of Thailand earlier and the current one stated that all Thai citizens are entitled to education on.

According to the Nation Education Act B.E. 2542 specified that the state must arrange for all Thai Children to receive fundamental education at least 12 years without paying expenses. Moreover, the compulsory Education Act B.E.2545 required all children who were been in Thailand must attend the school to learn at least 9 year to guarantee the children beginning of good life, Furthermore, the Strategic Development committed was appointed to combat child poverty and underprivileged child on long-term and medium term, including the guidelines to accumulate resources from various sources and manage them effectively as well as pushing for policy to meet the requirement of the Nation Education Act B.E.2542

On July 5th ,2005,the Cabinet had passed the solution to expand the educational opportunity as well as allocate the budget to the Educational Institution that could arrange education for a group of person without house registration or Thai Nationality, starting from pre-primary level to upper secondary level, including assigning the Ministry of Education to find the appropriate education pattern for the refugee children escaping the battle and temporary staying in the country. The Ministry of Interior was assigned to prepare the database of the unofficial residents or without Thai Nationality as well as ensure them to travel and complete the entire course.

Furthermore, there was the reformation of education and long-life learning through the improvement of teachers' qualifications to ensure the instructor capable of arranging the instruction that centered on the learner, Moreover all the educational institutions must arrange guarantee teaching quality within the educational establishment. In addition, extended education was arranged for the family, community, NGOs and Religious Institute.

Moreover, the Royal Thai Policy has arranged for the public Relations officers visiting different schools as the parents and children guarantee could be informed about Human Trafficking process and child sex exploitation and ways to prevent it such as well the children not to talk to stranger or playing alone in the secluded place and when meeting stranger, the children were ware to be extra careful.

2.5.2 Tourism

At present time, many foreigners travelled to Thailand and take advantages from the issue of Visa on arrival. They could easily find a job as language teachers .Some sexually exploit children in which the Royal Thai Police has set up the preventer measures for the foreigners coming to the Kingdom and acting suspicious. Only leaving the intention to commit offence state in section12 (7)(8) of the Immigration Act B.E. 2522.and the guidelines for handling foreigners travelling to the Kingdom of Thailand and became the crime victims or offenders. When the division found the incident, it must present the findings to the Immigration Committee and if, the Committee agreed to withdraw the permit or Visa, the Committee should inform the Minister of Interior to withdraw the permit issued to the foreigner. Furthermore, the Tourism Authority of Thailand, Ministry of Tourism and Sport have promoted the operation to prevent child sex tourism by focusing on the report of travelling and transportation agencies that arranged child sexual services to the tourists. Any violation should be reported to the responsible division to prosecute the offender.

As for the Royal Thai Police, the surveillance officers are assigned to patrol the area , investigate and support the information to the Tourist Police Division that has been assigned the main responsibility of look after the well-being of tourists at tourist attraction all over the country.

As for the Royal Thai Police , the surveillance officers are assigned to patrol the area , investigate and support the information to the Tourist Police Division that has been assigned the main responsibility of look after the well-being of tourists at tourist attraction all over the country.

2.5.3 Developing policies and Preventive Human Trafficking and Child Sex Exploitation.

In order to ensure the smooth and efficient operation to prevent human trafficking and child sex exploitation, including the integration between the agencies involved and the Sub-Committee for Solving Women and Children Trafficking. There are the preventive plan one out of seven areas of the National Policies and Plan regarding the prevention suppression and seeking solution to eradicate women and children trafficking locally and transnational as if being the guidelines to implement such plan in all levels, starting from community, provincial and international levels , as well as developing of individual potential, family, community and society to be aware, learn and understand and get involved in preventive and suppressive women and children trafficking by setting up the operation plan:

1. Arrange social services evenly with the standard to promote educational areas in formal and informal school system, and informal education, eliminate poverty , career promotion; giving guidance , health and recreation.

2. Publicize campaign through various media , such as ,radio, television, publication , electronic media, including publishing media for women and children in order to educate the public on human's rights , the Rights of the Children and women and the relevant laws and the severity of the human trafficking problems as well as informing the senior executives, children , families of the state officers performing the duties and NGOs.

3. Arrange training to increase knowledge and skills for the police officers, trader, social workers, psychologists, immigrate officers, prosecutors, health personnel , NGOs personnel, mass media, including the family and community to instill proper values in the treatment of children, and women , especially the victims of human trafficking.

4. Reinforceing family strength, including community and organization solidity by welcoming the public to participate in public stage for decision making , problem solving and community planning , as well as increasing potential among Local Administration ,NGO and Watch dog group, especially in priority area.

5. Develop proactive measures by sending the woman and children , victims of human trafficking to coordinate with foreign division , as well as sharing experiences from performing duties between countries or arranging officers to assist women and children living aboard per the request of Ministry of Foreign Affairs.

6. Push for including content on human rights , the rights of the child and women in the educational curriculum and the curriculum for all Government Agencies , including knowledge on family education, life skill ,sex education, understanding life problem, enabled to solve the problem.

7. Public campaign to reduce demand for women and children sex services and child labor.

2.5.4 Measures and law enforcement

There are the amendment and issue of new law to match the current situation , as well as being the instrument to being the perpetration to justice as well as protecting human right, mainly for women and children , victims for human trafficking and child sex exploitation such as Prevention and Suppression of Prostitution Act B.E.2539 , Anti Human Trafficking Act in Person B.E. 2540, Criminal and Procedural Code (No. 20) B.E. 2542, Criminal and Procedural Code as amended until code (No. 14) B.E. 2540, Money Laundering Control Act B.E 242 and Anti Human Trafficking in Persons B.E. 2551.

And to make the laws enforceable, MOU on the practical guidelines between the agencies involved in assisting women and children, victims of sex trade as the operational guidelines for state agencies to work together. At the same time, MOU was signed as the operational guidelines for the state agencies and NGOs to work on the issue.

2.6 International Collaboration between countries to prevent and suppress the child sex exploitation

2.6.1 Prevention

The State and Private Agencies in Thailand have collaborate with the government in numerous countries International Non-government Organization, United Nations and International Organization in developing and solving problems through activities promoting collaboration between countries to eliminate the root of problems such as, poverty and under development as the cause of the child weakness and vulnerable position to become the victim of sex exploitation, sale of child pornographic materials and Child sex tourism.

In 2001, the campaign against the child sex exploitation in Asia Region, so-called Asia against trafficking (Asia ACTs), which is the continuous campaign that focused on building awareness and community capabilities to prevent child sex exploitation. The organizations involved in this operation are the Local NGOs from numerous countries in the region, including certain number of local NGOs in Thailand.

The signing of MOU between the Government of Lao People's Democratic Republic in July 2005 and Socialist Republic of Vietnam on March 24, 2008 has focused on the victim repatriation and rehabilitation, as well as training the agencies involved to prosecute the violator effectively. Furthermore, Thailand and Yunnan Provincial in China established the Focal points to combat the Transnational Crime, including the Human Trafficking. In Thailand, the Royal Thai Police is being assigned to oversee this operation, whereas, the International Cooperation Division, Yunnan Provincial Public Security Department of People's Republic of China.

The Ministry of Tourism and Sports in collaboration with the Ministry of Social Development and Human Security under the Greater Mekhong Sub-regional (GMS) to combat Human Trafficking by arranging the seminar together with the Business and Tourism Sectors on similar topic, in which the representatives from the counties under the Greater Mekhong Sub-regional had participated as well.

Furthermore, the Ministry of Tourism and Sports had prepared the national strategy to prevent the child sex exploitation from tourism business.

Moreover, the Tourism Authority of Thailand together with the government representatives of the government in the origin country that employed tourism for child sex exploitation. Meantime, the United Nation Organizations (World Tourism Organization : WTO and UNICEF), including the international NGOs such as, ECPAT International and Global Business organization attempt to seek solution to the problem of child sex exploitation in tourism business such as, change the image of Thailand to become the tour destination for the family by informing the tour operators worldwide Thailand's position against sex tourism to have intercourse with the child, as well as encouraging law enforcement outside own restriction and training tourism police. Moreover, the Tourism Authority of Thailand agreed to implement the code of conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism as the operational tool.

The UNICEF has applied the policy to gain local and international collaboration in order to encourage learning and training, including formulating child protection system to reduce poverty and prevent the child to risk child sex trade in various forms, having UNICEF collaborated with the state during 2007. In the same year, Thailand had set up the child protection system in twenty-five provinces of Thailand (2007-2011).

In the year 2007, such system began with six provinces that had been affected by Tsunami before extending the project to another 19 provinces in the next year just to prevent physical injury, abandoning and child sex exploitation in numerous ways by collaborating between the state and private sectors to provide and assist the child thoroughly and effectively. Moreover, the collaboration between local agencies to formulate measures and guidelines for child prevention especially the child had been targeted of sex trade and exploitation such as Aranyaprathet and Sa Kaew Provinces, including the meeting between Thai and Cambodian government in order to find the preventive measures for child sex exploitation such as, Children Trafficking, Children beggars, child sex trade, as well as providing assistance in each country, including enhancing safe migration just to prevent the child exploitation.

2.6.2 Law Enforcement

Thailand has entered the agreement between countries, and operation at bilateral, multilateral operation and State Parties as follows:

- Memorandum of Understanding on Joint Declaration of the Coordinated Mekong Ministerial Initiative Against Trafficking COMMIT was signed on October by the government of six countries, namely, Cambodia, China, Myanmar, Laos, Vietnam and Thailand on October 29, 2007 at the Union of Myanmar and the 5th COMMIT meeting and the 2nd Cabinet Meeting on 12-14 December, 2007 at the Republic of China by all Ministries of all six countries signed the COMMIT Joint Declaration to display Joint Declaration in combating human trafficking as well as overlooking the Second COMMIT Plan (2008-2010) comprised of the following seven main topics:

- (1) Training and developing potential
- (2) National Operational Plan
- (3) Bilateral and Multilateral Collaboration
- (4) Legal framework and Law enforcement
- (5) Victims separation and protection
- (6) Preventive measures
- (7) Tourism collaboration

Therefore, each country should set priority of the issue and identify the projects/activities as set, leading to further practice.

- Memorandum of Understanding between the Government of Kingdom of Thailand and the Kingdom of Cambodia and Lao PDR on the Bilateral Collaboration on the elimination of women and children trafficking as well as providing the assistance for the victims by making the operational plan to prevent and suppress Human Trafficking problems as follows:

- - The treaty to assist each other on criminal affairs in which all ASEAN members, including Thailand has signed this treaty to cover extensive measures such as investigation and inquiry, finding the lawsuit and execute the plan as to promote the effectiveness of law enforcement in suppression the crime, including human trafficking. Meantime, Thailand had satisfied the treaty to become one of the country member parties, besides filing lawsuit and successful operation.

2.6.3 Financial , academics and others assistance

Thailand received assistance through Bilateral, Multilateral projects or others projects with international collaboration in financial , academics areas and others issues such as :

1. Collaboration campaign to strengthens the community in Payao in order to combat the labor movement of women and children for sex trade (office of social Development and Human Security Payao Province with the budget support from The International Labor organization (I.W.O))

2. Collaboration project to prevent and support women and children trafficking for forced labor and sexual exploitation (The Foundation of child Understanding Chiang Mai ,Budget support from I.W.O)

3. Drafting the Nation Action Plan on the protection, rehabilitation, and prevent measures on the use of child labor at the extreme hardship (I.W.O-IPEC together with the Department of Labor Protection and Welfare , Ministry of Labor)

4. Workshop to educate the risk group children along the borders, especially the Stateless children, migrant children and children of migrant workers (I.W.O-IPEC together with the Educate and council)

5. Drafting on the practical guidelines to prevent and suppress laborer trafficking as well as arranging the training for the labor department officers throughout the country (I.W.O-IPEC together with the child, youth, underprivileged and elderly Welfare Promotion and Protection Division, Department of Labor Protection and Welfare, Department of Employment , Ministry of Labor)

- 6.I.W.O-IPEC Regional Program on Combating child Trafficking for Sexual and Labor Exploitation (I.W.O-IPEC support the operation of Center for the Protection of Children's Rights Foundation with the budget support from the Ministry of Labor U.S.A (USDOC))

7. Increasing knowledge campaign and servicing for- Reproductive Health for Youth with the assistance of Communities in the North and South region (International Planned Parenthood Federation with the support budget from UNEPA)

8) Training legal volunteer for rural women project (Female Study Center, Chiang Mai University with the support budget from Vithetpattana Foundation (CIDA CANADA)

9) Building potential of the Network to prevent sex exploitation from women and children (Stop Sexual exploitation) among children from Chiang Rai with the Budget support from group Development / British Embassy and the European Union)

10) Broadcasting the access to Human Trafficking of Victim (Child Development Foundation with the support budget from UNIAP).

11) Arrange training for the officer of Supanimit Foundation and the officers of agencies involved so they could learn and develop necessary skills (collaboration at Chiangrai (Collaboration between Supanimit Foundation and UNIAP)

12. Issue Newsletter UNIAP in Thailand in order to distribute was on human trafficking

13. Arrange Radio shows and television shows to raise the people awareness and understand the problem on human trafficking (TRAFCORD) with the support budget from U.S. the Asia Foundation)

14. The Royal Thai Police received the assistant from ARCPPT in Australia to provide training on Human –trafficking covers by arranging for ARCPPT lecturers.

15. As for ASEM or ASIA-Europe ,the Action plan to combat trafficking in Person especially in Women and Children has been arranged such as, the report on the study demand in Human trafficking, seminar on the viewpoint on sex as related to Human trafficking, seminar on promoting, collaboration to develop social policy assisting women,

To summarize, the study on Model and Direction of Crime Prevention and Suppression System on Child Sex Exploitation is the integration of guidelines to form the preventive and suppressive measures on child sex exploitation locally and overseas together with the nearby countries. Thailand has been aware of such situation and arrange the operation to prevent and solve the said problems consistently on certain areas, namely, education, tourism, development policy and preventive plan to

combat human-trafficking and child sex exploitation as well as formulating measures and enforcing laws. Furthermore, the collaboration between countries is done to prevent and suppress child sex exploitation, enforce the laws, assist financially, on academics and other areas in order to eliminate entire child sex exploitation completely from the society, especially when Thailand in ASEAN Economic Community with liberalization, the crime rate would certainly increase if any concrete prevention has not been arranged.

2.7 Current Situation on Women and Children Human Trafficking

Current Situation

Women and Children Trafficking are categorized into sex services, children sex services, human trade for household labor, for marriage, forced marriage, forced labor and for begging (Balis Center for women, Cambodian Women's Crisis Center, Solidarites, Perempuan, Tengnita-CARAM-Asia, 2002: 10-25 cited in Kitti Intarakul, 2010:38) including child sex tourism).

Thailand has been affected from the migration and influx of woman and children who are seeking better economic opportunity, in which Thailand is being scrutinized as the origin, transit and destination country of women and children as the victims of sex trade (Department of Social Development and Welfare, 2007:98-207), having women and children traveling routes locally and transnational routes as being shown in figure 2.1 below:

According to the report on worldwide human trafficking of UNODC (2006 cited Chaiporn Piboonsiri 2007:51) mentioned that the Human Trafficking situation in Thailand is extremely critical as being the origin, transit and destination country as being explained in the following details:

Women and children sex trafficking comprised of women sexual services, children sex trade, human trade for household works, for marriage or forced marriage, forced labor, being beggar (Batis center for women, Cambodian Women's Crisis Center, Solidaritas Perempuan, Tenaganita-CARAM-Asia, 2545 : 10-25 cited Kitti Intarakul , 2010: 38), including Child sex tourism.

Thailand has been affected from the influx of migration and the relocation of women and children to seek better economic opportunity, which in turn making Thailand being named as the origin, destination and transit country of the women and children sex trade victims (Ministry of Social Development and Human Security, 2008 : 98 -207) with the trafficking local and trans international route for women and children as shown in the figure down below:

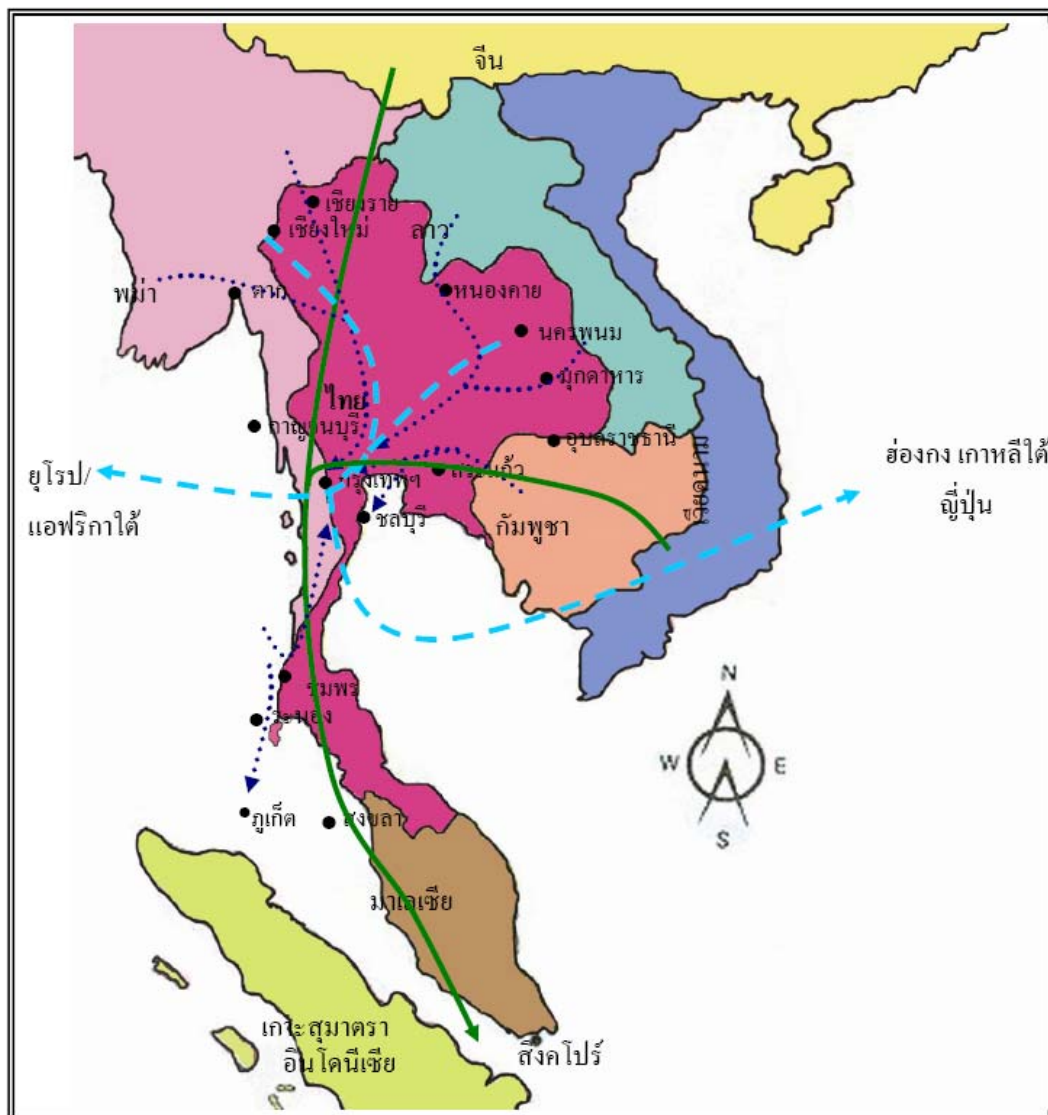


Figure 2.2 Traveling Route of Women and Children Locally and Transnational

The report of Worldwide Human Trafficking of UNODC (2006 cited in Chaiporn Piboonsiri, 2008: 51) stated that Human Trafficking situation in Thailand is extremely critical as being the origin, transit and destination country:

2.7.1 As for being the origin country, the findings suggest that the destination countries with severe problem in Thai women becoming the human trafficking victims are Australia, Japan, Taiwan, United Kingdom and United States of America, whereas the destination countries with fair amount of Thai women becoming Human-trafficking are Canada, France, German, Malaysia, Netherland, New Zealand, Singapore, South America and Switzerland.

As for the destination countries with low level of Thai Women becoming the victims of Human trafficking are Austria, Belgium, Brunei, Cambodia, China, Cyprus, Denmark, Greece, Hong Kong, Laos, Burma, Norway, Saudi Arabia, Spain, Sri Lanka, Sweden, Vietnam.

2.7.2 Thailand as the critical transit area

Thailand has been named as the transit country for human trafficking with high degree of activities where most victims came from China, Laos, Myanmar, Philippine, Russia to pass to Japan.

Majority of victims want to travel further to U.S.A., Western Europe Taiwan and Malaysia.

2.7.3 Thailand as the critical destination area

The countries identify as the origin countries and mostly used Thailand as the destination countries are Cambodia, China, Laos, Myanmar, and Vietnam, whereas the countries named as the origin countries and fairly used Thailand as the destination country is Russia.

The countries identify as the origin countries and least used Thailand as the destination countries are Czech Republic, Ethiopia, India, Kenya, Maldives, Nepal, Pakistan, Poland, Senegal, Serbia, and Montenegro, Slovenia, Sri Lanka, Uganda, Tanzania, Ukraine, Uzbekistan.

Additional details display in the table below:

Table 2.1 Human Trafficking Situation in Thailand

| | |
|--|---|
| <p>Country of Origin : Very High Thailand</p> | <p><i>Reported Destination Out of the Country :</i></p> <p>High : Australia, Japan, Taiwan province of China, United Kingdom, United States of America.</p> <p>Medium : Canada, France, Germany, Malaysia Netherlands, New Zealand, Singapore, South Africa Switzerland.</p> <p>Low : Austria, Belgium, Brunei, Cambodia, China, Cyprus, Denmark, Greece, Hong Kong China SAR, Lao People’s Democratic Republic, Malawi, Myanmar, Norway, Saudi Arabia, Spain, Sri Lanka, Sweden, Viet Nam</p> |
| <p>Country of Transit : Very High Thailand</p> | <p><i>The Country is a Report Transit for Victims Trafficked :</i></p> <p>From China, Lao People’s Democratic Republic, Myanmar, Philippines, Russian federation to Japan.</p> <p>From China to United States of America, to Western Europe, to Taiwan Province of China, to Singapore, to Malaysia.</p> |
| <p>Country of Destination : Very High Thailand</p> | <p><i>Report Origin for the Country :</i></p> <p>High : Cambodia, China, Lao People’s Democratic Republic, Myanmar, Viet Nam.</p> <p>Medium : Russian federation.</p> <p>Low : Czech Republic, Ethiopia, India, Kenya, Maldives, Nepal, Pakistan, Poland, Senegal, Serbia and Montenegro, Slovakia, Sri Lanka, Uganda, United Republic of Tanzania, Ukraine, Uzbekistan, Zambia.</p> |

To sum up, the criminology point of view regards juvenile sexual violation, whether being verbal, without physical touching and sexual violation as the direct physical assault caused by the influential environmental elements surrounding human and social factors such as family conditions, congested and crowded society and social inequality, mass media, peer group, psychological factors such as the

background, growth, a child upbringing from the past, opportunity to commit the offence, especially with the chance of not being apprehended. These are the factors that aided those who have not been able to refrain from committing crime, then, the elimination of these factors could reduce the crime rate and thus became another solution to crime problems.

2.8 Relevant Research

Natkhan Jitkumsaeng (2006) studied the sexual harassment among Shan children and woman living along the border of Thailand at Mae Hongson province as well as exploring the real reasons of sexual harassment, including the impact from sexual harassment of the State Peace and Development Council. The research findings suggest that the sexual harassment caused by the genocide to ravish the resources, deliberate killing of a particular ethnic group, political conflict and drugs dealing problems.

Such violence brought the massive evacuation of the refugees to live along Thai Border. Meanwhile, Thai government had not set up any policy to establish the permanent refugee centers as well as providing assistance for these people. As a result these refugees became illegal migrant worker, who had inadequate basic essential life necessity. They were unable to access help from Thai government even with humanitarian and protections. Even though Thailand had not signed the United Nations Refugee Convention, Thailand as a country with legal obligation and humanitarian standard. Under the Human Rights on indivisible principle, Thai government is obligated to protect and assist the refugees to relocate in the refugee camp under the jurisdiction of the United Nation Refugee Agency, World Health Organization and other Human Rights Organization in Thailand and between countries, appropriate for refugees in accordance with the International Laws and humanitarian principles.

The Foundation for Woman (2003) reported on the follow-up of performance outcome based on the Cabinet Resolution on solutions to the child prostitutions that aim to learn the progress of operation related to five key measures, that is, prevention and protection, rehabilitation, adjustment for returning to society

and restructuring structure, mechanism and work system to monitor, control, follow-up and rush to seek solution to child prostitution based on the cabinet resolution in 1994 and 1996. The findings indicate that there are more children entering prostitution as well as seeking benefit from sexual exploitation with diversified patterns and intensity. Therefore, this became the critical factor luring male and female youth to prostitution. Therefore, the preventive measures through education and career path could not obstruct the child in prostitution. Without the integration of knowledge on prevention of the child prostitution with all levels teaching courses, including the communities and schools that lack of awareness in such matter, as well as lacking enthusiasm in participation to prevent sexual harassment.

Presently, this is one of the factors pushing the child to prostitution. Nonetheless, earlier guidelines to solve problems had focused on the child and the family, but neglected to solve the problem's origin such as, unfair distribution of economic income, economic development concepts that encourage more material consumption. Furthermore, the guidelines for eliminating such crime were unable to stop those who plan the child sexual exploitation such as, entertainment entrepreneurs, sex customers, and human trafficking domestic and overseas. These are key factors leading to the need for child sex services in prostitution. Moreover, the findings suggest that in the actual practice many government agencies failed to follow the practice as intended by the Cabinet Resolution even with the indication of collaboration from many Ministries and Departments, which reflecting the lack of true collaboration to accomplish the set goal. Therefore, it is crucial to integrate the solution to child prostitution problems in order to avoid the problems and protect the rights of the child as well as building collaboration to follow the operation plan in various measures, not only the central, Ministries, Departments/Bureau, but also the regional and provincial levels, including the local administration, civil society, domestic and foreign development organization, collaborated for referral and management for effective resources utilization. For example, there should be the referral group to support the vocational training for rehabilitated child as well as collaborating to allocate budget for the Civil Society, having the Occupational Protection Committee as the mechanism to quicken the operation as plan in the

National Policies on the prevention and suppression Transnational Women and Children Trafficking.

Suree Trongtrik (2005) studied the problems on the implementation of the Child Protection Act B.E. 2546 leading to practice and further studies on the development of operational guidelines of the Child Protection Act B.E. 2546. The findings suggest the problem are shown as follows: (1) The polices and plan to cope with the problem resulting from the operation of the Provincial Child Protection Committee or Bangkok Committee had not been clearly identified to be in line with the Child Protection Act B.E. 2546. (2) For Administrative Area, problems had surface from the lack of follow-up assessment and validation the findings. (3) On operation, the area caused the most problem is the child welfare protection due to the general public lacking knowledge and understanding the issue, including the collaboration of multidisciplinary team to save the children had not been done immediately. As for the guidelines to operate in accordance with the Child Protection Act B.E. 2546 reveal that: (1) The National Child Protect Committee members understood their own roles in the discipline.(2) The organization should make the resources available for operations as well as allocate adequate number of personnel to match the workload as well as.(3) There should be the publicity on the campaign as well as educated the General Public on their roles as stated in the Child Protection Act B.E. 2546.

Chutima Somprasong (2004) studied the guidelines to collaborate between organization to rescue women and children fall victims of human trafficking with the intention to study on the approach of assisting the victims, problems and setbacks during such operation. The findings indicated that the personnel who provided the assistance cases has moderate knowledge on how to find fact, protect the children, rehabilitation repatriation, coordination, inter-organization communication and referral, including working together as well as the lacking of dissemination of news in providing assistance to women and children, the victims of human trafficking.

Rungroj Rodsin (2002) studied the ability of the State Agency in solving the covert prostitution in the massage parlor in Muang District, Chiangmai Province with the intention to analyze the ability of state agency to solve prostitution problem, manage the problem, including the factors pushing the women to turn prostitute in the massage parlor. The findings suggest that the trouble shooting on covert prostitution

was unsuccessful due to the lenient polices and lack of rules, including the state officials paid less attention to solve problems as well as the influential figures conducting the sex service business and sharing benefits with officials so the problems are still persisting. As for the internal factors pushing the women to prostitution are broken family member worked as the prostitution earlier.

Therefore, the literature review and relevant research findings gave rise to the explanation that the formation and development of preventive and suppressive guidelines of child sex exploitation must begin with the study of problems, and setbacks in the operation and collaboration between countries to prevent and suppress of child sex exploitation, that is, the study involved personnel, administration and data system which should include the development of model and guidelines for preventive and suppressive measures of child sex exploitation with inter-organization communication, collaboration for referral and working together in more concrete practice.

2.9 Research Conceptual Framework

The research framework divided into 2 parts, namely, the quantitative study collected data from twenty experts and scholars in prevention and suppression child sex exploitation. As for the quantitative study, total two hundred ninety-nine police officers of the Anti-Human Trafficking in Persons Bureau and Ninety-six officers of the Anti-Human Trafficking in Persons, Ministry of Social Development and Human Security in charge of prevention and suppression the child sex exploitation.

Independent Variables

Dependent Variables

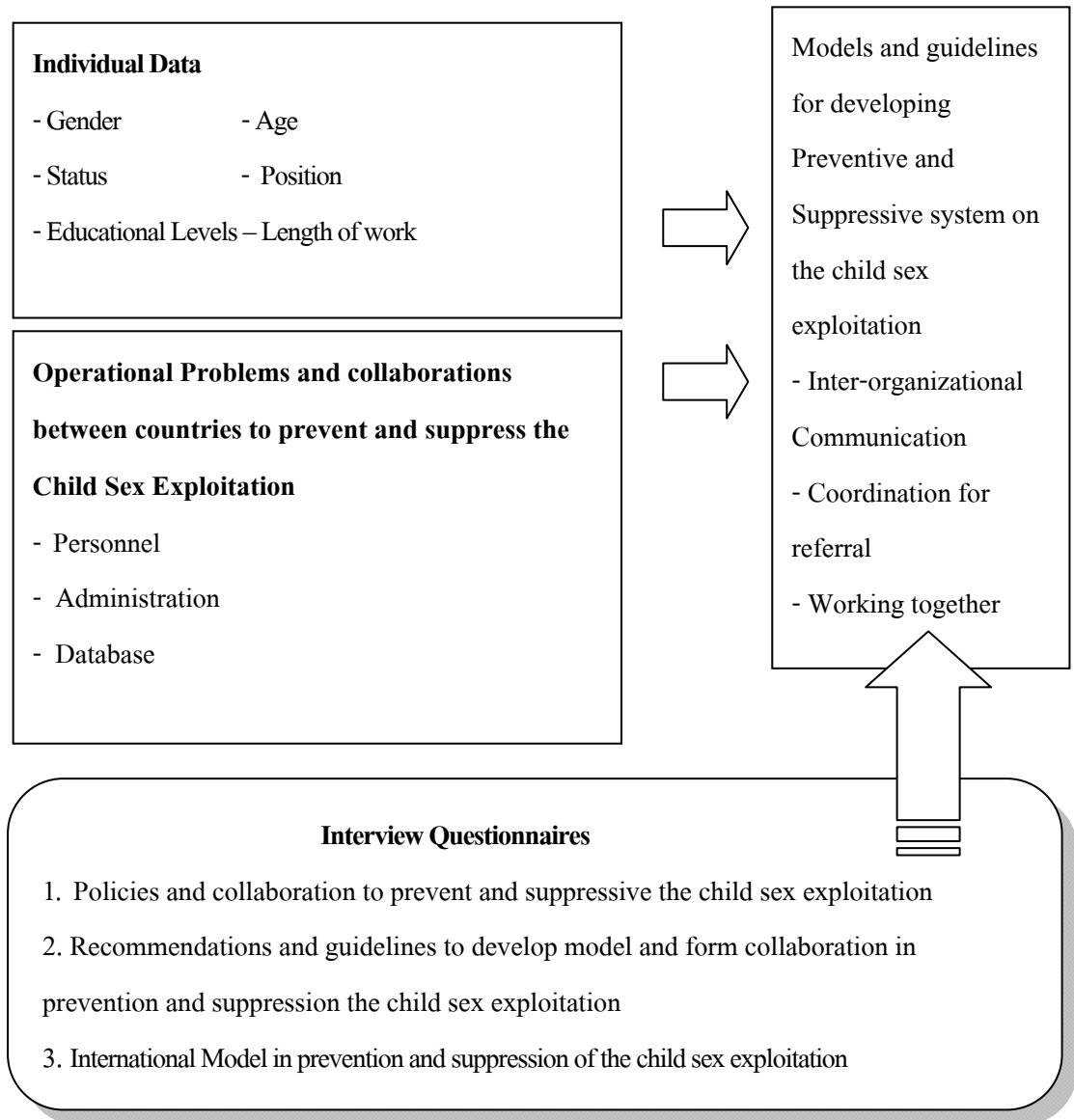


Figure 2.3 Research Conceptual Framework

CHAPTER III

METHODOLOGY

The research study entitled, “Model and Direction of Crime Prevention and Suppression System on Child Sex Exploitation” aims to explore the existing policies and collaboration to prevent and suppress children and youth sexual exploitation as well as investigate problems and setbacks that may obstruct the operation, leading to designing model and constructing preventive guidelines to be in line with Thailand in ASEAN Economic Community (AEC).

3.1 Population and Samples

3.1.1 Target population

3.1.1.1 Qualitative Research

Targeted population in this study were the scholars and experts in children and youth sexual abuse prevention.

3.1.1.2 Quantitative Research

Responses were collected from police officers working under Anti-Human Trafficking Division, Royal Thai Police and officers from the National Operation Center on Prevention and Suppression of Human Trafficking in Persons, Ministry of Social Development and Human Security who had experienced in preventing children and youth sexual violation.

3.1.2 Samples

Qualitative research samples were 20 scholars and experts in Prevention and Suppression of Human Trafficking.

3.1.2.2 Quantitative research samples were the police

officers working under Anti-Human Trafficking Division, Royal Thai Police and

experienced officers in preventing children and youth sexual violation from the Central and Regional Operation Center on Prevention and Suppression of Human Trafficking in Persons, Ministry of Social Development and Human Security.

Based on Taro Yamane, the formula was formed to use in the calculation of sample size:

$$n = \frac{N}{1+N(e)^2}$$

e = miscalculation on sample selection

N = population size

n = sample size

Total 229 samples

3.2 Research Instrument

3.2.1 Quantitative Samples

3.2.1.1 In-depth Interview

In-depth Interview was conducted with the scholars and experts in preventing children and youth sexual violation in the following issues:

- Policies and collaboration for preventing and suppressing of children and youth sexual violation.
- Problems, setbacks on the operation and collaboration for preventing and suppressing of children and youth sexual violation.
- Recommendations on model for developing and formulating collaborative system for preventing and suppressing of children and youth sexual violation.
- International model for preventing and suppressing of children and youth sexual violation.

3.2.2 Quantitative Research

3.2.2.1 Questionnaire

A set of questionnaire was developed to use with the police officers working under Anti-Human Trafficking Division, Royal Thai Police and experienced officers in preventing children and youth sexual violation from the Central and Regional Operation Center on Prevention and Suppression of Human Trafficking in Persons, Ministry of Social Development and Human Security.

The constructed Questionnaire is divided into 2 parts as follows:

Part 1: Samples demographic data, namely, age, gender, status, education, position, work duration on preventing children and youth sexual violation.

Part 2: A set of questionnaire on model and formulated guidelines for preventive and suppressive measures on children and youth sexual violation, which is divided into 3 part as follows: communication between organization, coordination for referred, and work collaboration. Questions were designed as closed-ended questionnaires.

| <u>Practical Level</u> | <u>Scoring</u> |
|------------------------|----------------|
| Most practice | 5 points |
| More practice | 4 points |
| Moderate practice | 3 points |
| Least practice | 2 points |
| Never practice | 1 points |

The criteria for interpretation MEAN of the preventive and suppressive the child sex exploitation (Ferguos, 1977) are as follows:

| | | |
|----------------|---|-------------------|
| Mean 1.00-1.49 | = | Least practice |
| Mean 1.50-2.49 | = | Less practice |
| Mean 2.50-3.49 | = | Moderate practice |
| Mean 3.50-4.49 | = | More practice |
| Mean 4.50-5.00 | = | Most practice |

Part 3: Questions related to the problems and setbacks in the operation and collaboration between countries in prevention and suppression child sex exploitation are divided into 3 parts: personnel, management, and data system. The question was designed as the closed-ended questionnaires to measure opinion in five levels:

| Problems Level and Setbacks_ | Scoring |
|------------------------------|----------|
| Mostly agreed | 5 points |
| More agreed | 4 points |
| Moderately agreed | 3 points |
| Less agreed | 2 points |
| Least agreed | 1 point |

As for the criteria for interpretation of MEAN of the preventive and suppressive the child sex exploitation (Fergus, 1977) are as follows:

| | | |
|----------------|---|--------------------------------|
| Mean 1.00-1.49 | = | Least problems and setbacks |
| Mean 1.50-2.49 | = | Less problems and setbacks |
| Mean 2.50-3.49 | = | Moderate problems and setbacks |
| Mean 3.50-4.49 | = | More problems and setbacks |
| Mean 4.50-5.00 | = | Most problems and setbacks |

Part 4: Opinions or additional recommendations

3.2 3.2 Developing Instruments

3.2.3 Qualitative Research

Qualitative Research was designed as Standardized or Structured Interview, which also engaged to find the reliability and also the expert's verification on content validity of the questions from the interview.

3.2.4 Quantitative Research

A set of questionnaire was developed to try out on 30 non-sample population with similar attributes to the selected samples in order to find the Reliability of questionnaire based on Cronbach Coefficient, which derived at the Reliability in each section as follows:

The designing and guidelines for formulating preventive and suppressive measures on children and youth sexual exploitation yielded reliability. 903

The problems and setbacks on the operation and collaboration between countries in preventive and suppressive measures on children and youth sexual exploitation yielded reliability. 955.

3.3 Data Analysis

3.3.1 Qualitative Research

Content Analysis was applied to sum up the following issues:

Policies and collaboration for formulating preventive and suppressive measures on youth sexual exploitation.

3.3.2 Quantitative Research

Content analysis was conducted with the application of computerized program SPSS for Windows to explain the general characteristics of samples, level of opinions on problems conditions and the situation severity on child sex exploitation in Thailand, including problems and setbacks in preventive and suppressive child sex exploitation. In addition recommendations are made to provide more effective guidelines, including Frequency, Percentage, Mean, and Standard Deviation as well as comparing the differences between variables by testing with t-test, having the statistical significance 0.05.

Ethical Consideration

This study had presented the research proposal to the Human Research Committee, the Faculty of Social Sciences (MU-SSIRB), after defending the Thesis proposal but before conducting the research. The research was approved and received the approval number for the research no. (MU-SSIRB 2013/286.2908 (B2)).

CHAPTER IV

RESEARCH RESULTS

The research on Model and Directions of Crime Prevention and Suppression system on Child Sex exploitation was conducted the quantitative and qualitative research, aiming to study policies and collaboration to prevent and suppress child sex exploitation as well as exploring problems and setbacks between countries on the same issue in order to develop the model and guidelines to form collaboration to be in line with Thailand in ASEAN Economic Community.

The population in this research for the purpose of in-depth interview, the research had selected the samples among the scholars and field experts, namely, the police and officers of the Ministry of Social Development and Human Society in charge of the prevention and suppression system on child sex exploitation for total 20 samples. As for the quantitative research, the police officers under the Anti-Human Trafficking in Persons Division, Royal Thai Police and the officers under the Center of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation were chosen for 229 samples (details as shown in Table 4.1).

Personal Data

Personal data offers the explanation on sample general characteristics, namely age, gender, status, education, position, work duration on the prevention and suppression of cases on children and youths sexual violation as shown in Table 4.1.

Table 4.1 Personal Data

| Personal Data | No. (n=229) | Percentage (100.0) |
|-----------------------------|------------------------|-------------------------------|
| 1. Gender | | |
| Male | 134 | 58.5 |
| Female | 95 | 41.5 |
| 2. Age | | |
| 21-30 Years | 49 | 21.4 |
| 31-40 Years | 82 | 35.8 |
| 41-50 Years | 70 | 30.6 |
| 51-60 Years | 28 | 12.2 |
| 3. Status | | |
| Single | 70 | 30.6 |
| Married | 158 | 69.0 |
| Divorced/Widow | 1 | 0.4 |
| 4. Educational Level | | |
| Lower than Bachelor | 12 | 5.2 |
| Bachelors' Degree | 189 | 82.5 |
| Master Degree | 24 | 10.5 |
| Doctorate Degree | 4 | 1.7 |
| 5. Position | | |
| Squad Leader | 46 | 20.1 |
| Sub-inspector | 46 | 20.1 |
| Inspector | 19 | 8.3 |
| Deputy Superintendent | 22 | 9.6 |

Table 4.1 Personal Data (cont.)

| Personal Data | No. (n=229) | Percentage (100.0) |
|---|------------------------|-------------------------------|
| 5. Position (cont.) | | |
| Psychologist | 10 | 4.4 |
| Social Worker | 34 | 14.9 |
| Social Developer | 36 | 15.7 |
| Child Welfare Worker | 2 | 0.9 |
| Others | 14 | 6.1 |
| | | |
| 6. Years of practicing prevention and suppression | | |
| Child and Youth sex exploitation | | |
| Less than 10 Years | 188 | 82.1 |
| 11-20 Years | 29 | 12.7 |
| 21-30 Years | 6 | 2.6 |
| Over 31 Years | 6 | 2.6 |

Table 4.1 displays personal data of 229 samples comprised of the police officers under the Anti-Trafficking in Persons Division, Royal Thai Police and the officers under the National Operation Center on Prevention and Suppression of Human Trafficking, Ministry of Social Development and Human Security, particularly handling cases of children and youths sexual violations. The findings suggest that majority of samples are 134 males (58.5%), 95 females (41.5 %), whereas 49 samples aged from 21-30 years (21.4%), 82 samples aged from 31-40 years (35.8%), 70 samples aged 41-50 years (30.6%), 28 samples aged 51-60 years (12.2%). Majority of samples or 158 married (69.9%), 70 singles (30.60%), divorce/widow 1 sample (0.4%). Regarding samples educational levels, 12 samples completed lower than Bachelor's degree (5.2%), Bachelor's degree 189 samples (82.5%), 24 samples earned Master degree (10.5%), 4 samples received Doctorate Degree (1.7%). As for the position of samples, there are 46 sub-inspectors (20.1%), 19 inspectors (8.3%), 22 deputy superintendents (9.6%), 10 psychologists (4.4%), 34 social workers (14.9%), 36 social developers (15.7%), 2 child welfare workers (0.9 %) 14 others (6.1%). For the years of

performing duties related to prevention and suppression of children and youths sex exploitation, 188 samples worked less than 10 years (82.1 %), 29 samples worked 11-20 years or (12.7 %), 6 samples worked 21-30 years (2.6%) and 6 samples worked over 31 years (2.6%) .

The data had been subjected to analysis and presented based on the research objectives as follows:

4.1 Policies and Collaboration in Prevention and Suppression on child sex exploitation

The key informants have given the explanation that prevention and suppression on child sex exploitation is extremely crucial since the child and youth have not been fully exposed to life experiences on earth which could lead to physical and mental danger. This is why the combat against child and youth sex exploitation is crucial to safeguard the child and youth all dangers in the society.

*“Because the child and youth lack of experiences, unable to understand the danger surrounding them in the society, cause of physical and emotional harm, including becoming social problem. Therefore, protecting the children form such violation is extremely crucial. Later, a child would grow up to be the nation main fore. If the child is learned, he should be protected from such action. In other words, children are vulnerable, with the sign of weakness, body, soul and idea. .”*¹

The statement is coincided with the data of one key informant who stated that in order to prevent and suppress child sex involved, initially, a witness should administer first aid and immediately inform the administrative officer or the police or those in charge of children welfare.

¹ Interview Police Officer June, 2015

After that, reporting the incident to the doctor or nurses, psychologist, social workers or health personnel to treat the child and after that informing the guardian or employer to pick up the child for further care, which is in line with the practice procedures listed in Section 24 of the Child Protection Act, B.E. 2546. Furthermore, the case which there is the criminal prosecution on the perpetrator with reason to believe that the defendant may violate the child sexually. The court would have the power to impose control on his behavior by issuing the restraint order, not allowing him to come in contact with the child within the court specified time in order to prevent such inappropriate action.

“Prevention and suppression on child sex exploitation must receive collaboration from the public and the state officials, including the assistance from agencies involved”²

Similar statement from the other key informant expressed as follows:

“At the present time the child and youth sex exploitation would be done in various forms such as, paying debt with labor and work in prostitution by being forced threaten, or deceived to seek bought, forced labor or sexual services”³

The key informants from National Operation Center on Prevention and Suppression of Human Trafficking, the Ministry of Social Development and Human Security mentioned that the member of case on sexual violation kept increasing each year, having the pattern of child sex exploitation still. However, the country has been aware of such problem, the Sub-committee under Anti-trafficking in Persons Committee was appointed to coordinate on solving problems on women and children trafficking.

² Interview Police Officer June, 2015

³ Interview Police Officer June, 2015

The plan is made to cover one out of seven approaches of policies and National Plan regarding preventive and suppressive measures for community , provincial and international levels as well as developing potential of individual family, community and society,

“Child sex exploitation is the destruction of the nation human resources, particularly the children who had fallen victims of human trafficking and sexual exploitation. It is very likely that those children once growing up, would soon become the child abused due to lack of opportunity in education and occupational training since childhood.”⁴

Similar statement from the other key informant expressed as follows:

“ Presently , the country has many policies and Acts to prevent and suppress the child and youth such as ,_Educational Promotional Policy, the educational policy Ante, such Women and children trafficking Act B.E. 2540, including the collaboration between the countries to prevent and suppress child sex exploitation more uncrate in order to eliminate problem at the cause such as poverty and under development that caused the weakness or the child would become vulnerable to child trade, child prostitution and child pornographic materials and child sexual services.....”⁵

⁴ Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

⁵ Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

4.2 Problems, setbacks in the operation and Collaboration between countries to prevent and suppress child sex violation

The findings from interviewing key informants suggest that all of them unanimously agreed upon the problems and setbacks during preparation of policies and plans in which at present time the concept on this issue had been updated and new laws had been issued to be in line with the current situation, including being the venues to punish the perpetrator and provide human rights protected for women and children, victims of human trafficking and child sex exploitation.

However, such policies and plans are intangibles less proportion in regard to the prevention and suppression of child sex exploitation.

*“Now we have many laws relevant to child rights protection and prevention sex violation such as Anti-prostitution Act B.E.2539 and Anti- Women and children and trafficking B.E. 2540 and Anti-human-trafficking in Persons B.E. 2551, but nine of the agencies took the matter seriously....”*⁶

*“Most officers in charge of prevention and protection child sex exploitation are the police officers under the Anti -trafficking in Persons Division and the police officers of National Operation Center on Prevention and Suppression of Human-Trafficking”*⁷

Furthermore, problems and setbacks in the operation and collaboration between countries to prevent and suppress child sex violation caused by administrative problems, lacking follow-up and validation, which are persistent problems due to poor administration, lack of follow-up and assessment. All of these problem could be solved with good management.

*“When we have policies and plans, but none of the leader or movement including the follow up on operation outcome which allows the passes in charge choose to do or not to do.”*⁸

⁶ Interview Police Officer June, 2015

⁷ Interview Police Officer June, 2015

⁸ Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

*“..Because we don’t have the real key performance indicator in the organization, without the follow-up on prevention and suppression which turn out to be the weakness in the operation.”*⁹

It is also included the practitioner lacking holistic knowledge and understanding on preventive and suppressive of child sex exploitation as well as the multidisciplinary assistance had not been done on time . Furthermore, the practitioners’ lack of knowledge, technique, and preventive and suppressive measures, particularly in child sex exploitation, quite complicated and crucial problems.

*“The practitioners still have difficulty learning understanding how to prevent and suppress child and youth sex exploitation, thus making the operation less effective.”*¹⁰

*“The practitioner must update the body of knowledge to keep up with the child and youth sexual exploitation because today the offenders are more sophisticate with developed techniques and methods of diversified sexual violation.”*¹¹

From key informant data, conclusions are revealed that problems and setbacks in the operation and collaboration between countries to prevent and suppress child sex exploitation have risen from 3 areas, namely, identifying policies and plans, administration and follow-up, results assessment, validation and practitioners. Because these problems are intertwined, problems solving must be done for the entire system to ensure the most efficiency and effective operation to prevent and suppress child sex exploitation.

⁹ Interview Police Officer June, 2015

¹⁰ Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

¹¹ Interview Police Officer June, 2015

It is the same as the analysis of problems and setbacks in the operation and collaboration between countries to prevent and suppress child sex exploitation that had divided into 3 parts, namely, personnel, administration and data system as shown in Table 4.2, Table 4.3 and Table 4.4.

Table 4.2 Problems and Setbacks in the operation and collaboration between countries to prevent and suppress the child sex exploitation regarding Personnel

| Personnel | \bar{x} | S.D. | Level |
|---|------------------------------------|--------------------|-----------------|
| 1. Lacking knowledge on guidelines to collaborate on giving assistance the child sex exploitation cases | 3.31 | 0.81 | Moderate |
| 2. Lacking legal knowledge on giving assistance the child sex exploitation cases | 3.31 | 0.85 | Moderate |
| 3. Organization lacks personnel to perform duties | 3.44 | 1.02 | Moderate |
| 4. Failure fails to cooperate in performing tasks | 2.93 | 1.05 | Moderate |
| 5. Lacking skills to analyze the child sex violation cases | 3.02 | 0.95 | Moderate |
| 6. Lacking initiative in solving problems | 2.95 | 0.93 | Moderate |
| 7. Lacking fundamental data of agencies involved in assisting the child sex exploitation | 3.00 | 0.93 | Moderate |
| 8. Lacking the follow-up on operational outcomes | 3.03 | 0.86 | Moderate |
| | $\bar{x} = 3.12$ | S.D. = 0.93 | Moderate |

Table 4.2 reveals the Mean in administrative area equaled to 2.97, indicating on problems and setbacks in personnel for prevention and suppression in Child Sex Exploitation prevention at moderate level.

Table 4.3 Problems and Setbacks in the operation and collaboration between countries to prevent and suppress the child sex exploitation regarding Administrative Area

| Administrative Area | \bar{x} | S.D. | Level |
|--|------------------------------------|--------------------|-----------------|
| 1. Management ignore the necessity of collaboration | 2.80 | 1.03 | Moderate |
| 2. Indecisive chain of command in administrative function | 2.99 | 1.01 | Moderate |
| 3. Unclear task responsibilities | 3.08 | 0.94 | Moderate |
| 4. Uneven division of work | 2.96 | 0.90 | Moderate |
| 5. Complicated administrative tasks | 2.97 | 0.84 | Moderate |
| 6. Lacking good administrative control | 2.99 | 0.84 | Moderate |
| 7. Organization rules and regulations against performing tasks | 3.03 | 1.01 | Moderate |
| | $\bar{x} = 2.97$ | S.D. = 0.94 | Moderate |

Table 4.3 reveals the Mean in administrative area equaled to 2.97, indicating on problems and setbacks in the operation and collaboration for prevention and suppression in Child Sex Exploitation prevention at moderate level.

Table 4.4 Problems and Setbacks in the Operation and Collaboration between countries in Prevention and Suppression on Child Sex Exploitation regarding Data System

| Data System | \bar{x} | S.D. | Level |
|---|------------------------------------|--------------------|-----------------|
| 1. Different data storage system | 3.27 | 1.08 | Moderate |
| 2. No central data and inferior quality | 3.10 | 1.00 | Moderate |
| 3. Out of date data | 3.09 | 1.01 | Moderate |
| 4. Lack of transferring data between the coordinated organizations | 3.07 | 1.03 | Moderate |
| 5. None of the Central Organization to assist the child sex exploitation cases | 3.38 | 1.06 | Moderate |
| 6. Lack of data in child sex exploitation cases to incorporate useful data in planning management | 3.26 | 0.98 | Moderate |
| 7. Data system has no connection with other organization data system | 3.32 | 1.00 | Moderate |
| 8. Lack of disseminating news to the public on assistance to child sex exploitation cases | 3.37 | 1.04 | Moderate |
| | $\bar{x} = 3.23$ | S.D. = 1.03 | Moderate |

Table 4.4 reveals the Mean in administrative data system equaled to 3.23, indicating on problems and setbacks in the data system for prevention and suppression in Child Sex Exploitation prevention at moderate level.

The Mean in administrative area equaled to 2.97, indicating on problems and setbacks in the operation and collaboration for prevention and suppression in Child Sex Exploitation prevention at moderate level.

Table 4.5 Overall Mean Standard Deviation of Problems and Setbacks on the operation and collaboration between countries for Crime Prevention and Suppression System Child Sex Exploitation

| Problems and Setbacks on the operation and collaboration between countries for Crime Prevention and Suppression System Child Sex Exploitation | \bar{x} | S.D. | Level |
|--|-------------|-------------|-----------------|
| Personnel | 3.12 | 0.93 | Moderate |
| Administration | 2.97 | 0.94 | Moderate |
| Data System | 3.23 | 1.03 | Moderate |
| Total | 3.11 | 0.97 | Moderate |

After considering the problems and setbacks in the operation and cooperation between countries in prevention and suppression of child sex exploitation, the findings suggest the Personnel yielded MEAN 3.12, which indicate moderate level of problems and setbacks. As for Administration, it yielded the MEAN of 2.97, which indicate moderate problems and setbacks and lastly, the Data system yielded MEAN 3.23, which indicated problems and setbacks at moderate level. Overall image of problems and setbacks in collaboration to prevent and suppress child sex exploitation in all 3 areas yielded MEAN 3.11, considering Moderate level.

The analysis of differences between Gender, Status and problems and setbacks in the operation and collaboration between countries to prevent and suppress child sex exploitation, using t-test to identify Statistical Significance 0.05. The results are summarized as follows:

Table 4.6 Comparison between Gender and Problems and Setbacks on the operation and collaboration between countries for Crime Prevention and Suppression System Child Sex Exploitation

| Problems and Setbacks on the operation and collaboration between countries for Crime Prevention and Suppression System Child Sex Exploitation | Gender | N | \bar{x} | S.D. | t-value | P |
|---|--------|-----|-----------|------|---------|------|
| Personnel | Male | 134 | 3.05 | 0.84 | 0.44 | 0.22 |
| | Female | 95 | 3.23 | 1.01 | | |
| Administration | Male | 134 | 2.98 | 0.84 | 0.40 | 0.07 |
| | Female | 95 | 2.96 | 1.07 | | |
| Data System | Male | 134 | 3.17 | 0.89 | 0.68 | 0.04 |
| | Female | 95 | 3.31 | 1.18 | | |

Table 4.6 display the t-test results. The findings reveal none of Statistical Significance 0.05 which indicate that female gender had problems in crime prevention and suppression system of child sex exploitation between countries in personnel similar to male.

The findings from t-test results reveal none of Statistical Significance 0.05 which indicate that male gender had problems and setbacks in crime prevention and suppression system of child sex exploitation between countries in administration similar to female gender.

The findings from t-test results reveal none of Statistical Significance 0.05 which indicate that female gender created problems in crime prevention and suppression system child sex exploitation between countries in data system different to male gender.

Table 4.7 Comparison between Status and Problems and Setbacks on the operation and collaboration between countries for Crime Prevention and Suppression System Child Sex Exploitation

| Problems and Setbacks on the operation and collaboration between countries for Crime Prevention and Suppression System Child Sex Exploitation | Status | N | \bar{x} | S.D. | t-value | p |
|---|---------------|-----|-----------|------|---------|------|
| Personnel | Single | 70 | 3.02 | 0.97 | 0.23 | 0.37 |
| | Married | 155 | 3.15 | 0.90 | | |
| | Divorce/Widow | 1 | 3.38 | 0.79 | | |
| Administration | Single | 70 | 2.98 | 1.07 | 0.95 | 0.11 |
| | Married | 155 | 2.97 | 0.88 | | |
| | Divorce/Widow | 1 | 3.43 | 0.88 | | |
| Data System | Single | 70 | 3.23 | 1.01 | 0.55 | 0.18 |
| | Married | 155 | 3.24 | 0.99 | | |
| | Divorce/Widow | 1 | 4.38 | 0.90 | | |

Table 4.7 display the t-test results. The findings reveal none of Statistical Significance 0.05 which indicate that male gender had problems in crime prevention and suppression system child sex exploitation between countries in personnel similar to Divorce/Widow status.

The findings from t-test results reveal none of Statistical Significance 0.05 which indicate that single and married status created problems in crime prevention and suppression system child sex exploitation between countries in administration similar to Divorce/Widow status.

The findings from t-test results reveal none of Statistical Significance 0.05 which indicate that single and Divorce/widow status created problems in crime prevention and suppression system child sex exploitation between countries in data system similar to Married status.

4.3 Recommendations on Guidelines for developing model and directions in collaboration for Crime Prevention and Suppression System Child Sex Exploitation

The key informant gave the opinion on the development of model and system to prevent and suppress child sex case that should focus on reinforcing children immunity by starting from building love and warmth family atmosphere so the children would not seek advice somewhere when they encountered serious problems.

“... When the child and youth encountered the problem. If the atmosphere in the family is warm and caring for each other, the children and youth would not turns to other source for heart support, which may not be sincere and good intention for the children as the family members.”¹²

Another key informant mentioned that the public network should be establish to assist in prevention and suppression child sex exploitation, including the Educational Institutes must educate and warn the children not to believe the stranger words. Moreover, the community should put up the surveillance and watch for strange

“The guidelines for prevention and suppression child and youth sex exploitation are focused on building watch dog network for the society especially , the state officers assigned to the duties by the law must find to approach to prevent the child from being lured into it .The community must be aware of the incident and get involved in child and youth sexual exploitation because it is operated as the movement .The following guidelines are the school involvement by building the immunity among child and youth as well as campaigning for the local communities to put up the area surveillance so they could detect irregularity in the community.”¹³

¹² Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

¹³ Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

Another key informant gave additional statement proposed more concrete operation in prevention and suppression of child sex exploitation due to the country welcoming more foreigner from becoming AEC members. There should be the regional campaign against children sex trade in Asia as well as arranging MOU between Thai government, Government of Cambodia, Laos PDR and Socialist Vietnam to eliminate women and children trafficking and provide assistance to the victims of human trafficking.

*“...The memorandum of association focused on repatriation or returning the victims of human trafficking back to the birthplace and return them to society immediately”*¹⁴

Moreover, Thailand should improve her image in tourism, particularly among the foreigners with commercial tour point of view, which considered as the effective prevention and suppression of child sex exploitation

*“The foreign tourists after look at tourism in Thailand involves sex tour and particularly asked for visiting the area that support sex tour”*¹⁵

4.4 International Model for Child Sex Exploitation Prevention and Suppression

The key informant suggested the international to prevent and suppress child sex exploitation that is the Sub-committees under Coordinating Committee and Director of the Prevention and suppression of Children and Women Trafficking must understand the roles in each occupation thoroughly by identifying the integrated framework of Multidisciplinary involved.

*“The prevention and suppression of child and youth sex exploitation is complicated and difficult to handle because it related to the child and youth affairs that have many legal protection laws and concerned agencies so the framework or guidelines must be in the clear direction.”*¹⁶

¹² Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

¹⁵ Interview Police Officer June 2015

¹⁶ Interview the officer of National Operation Center on Prevention and Suppression Human on August, 2015

Furthermore, the key informant gave additional opinion on the international model for prevention and suppression of child sex exploitation that the organization should provide resources in the operation as well as assigning ample personnel to perform duties.

“...Many operations, lack of resources, especially the modern communication instruments, delaying work coordination and assistance to the children.”¹⁷

The practitioners themselves should publicize and build body of knowledge and understanding for the general public, community and network involved with the elimination of child sex abuse because these groups are extremely crucial for prevention and suppression of child sex abuse as well as being the contributor to get rid of child abuse problems from society.

This is the indication of key informants whether being the police officers or the officers from the Center are in need of the integrated model to ensure maximum efficiency of the operation.

Similarly, the analysis of model and direction of crime prevention and suppression system of child sex exploitation divided into the following parts: Inter-organization Communication, Collaboration for Referral and Work together as shown in Table 4.9, Table 4.10 and Table 4.11

¹⁷ Interview Police Officer June 2015

Table 4.8 Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation on Inter-organization Communication

| Inter-organization Communication | \bar{x} | S.D. | Level |
|--|------------------------------------|--------------------|-----------------|
| 1. Coordinate work with other organizations through formal letter | 3.62 | 1.34 | มาก |
| 2. Coordinate work with other organizations through telephone | 3.95 | 1.01 | มาก |
| 3. Coordinate work with other organizations through telephone and formal letters | 3.70 | 1.28 | มาก |
| 4. Coordinate work with other organizations through e-mail | 2.93 | 1.23 | Moderate |
| 5. Coordinate work with other organizations with appointment for occasional meetings | 3.07 | 1.12 | Moderate |
| 6. Coordinate work with other organizations by appointment for monthly meeting. | 2.48 | 1.19 | Low |
| | $\bar{x} = 3.29$ | S.D. = 1.20 | Moderate |

Table 4.8 displays the level measurement of the model and directions of crime prevention and suppression system child sex exploitation on Inter-organization communication with MEAN 3.29, at moderate level.

Table 4.9 Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation on Collaboration for Referral

| Collaboration for Referral | \bar{x} | S.D. | Level |
|---|------------------------------------|--------------------|--------------|
| 1. Referral to other organizations on the case assistance child sex exploitation if it is beyond your organization ability | 3.84 | 1.08 | High |
| 2. Referral to other organization on the case assistance child sex exploitation if it is beyond your organization ability | 3.87 | 1.03 | High |
| 3. Provide basic assistance to the child sexual exploitation case before sending the victim to the welfare office to process further | 4.21 | 0.87 | High |
| 4. Coordinate work to pass on preliminary data on the child sex exploitation case to the welfare office | 4.15 | 0.82 | High |
| 5. Coordinate work to pass on data and evidence on the child sex exploitation case to the inquiry officer for prosecute the perpetrator | 4.31 | 0.89 | High |
| 6. Coordinate work to pass on preliminary data on the child sex exploitation case to the origin country for further assistance | 2.89 | 1.30 | oderate |
| 7. Coordinate work to pass on data on the child sex exploitation case to the origin country | | 1.33 | Less |
| 8. Coordinate work to pass on data on the child sex exploitation case to the origin country to prosecute the sex offender | | 1.38 | L |
| | $\bar{x} = 3.53$ | S.D. = 1.09 | High |

Table 4.9 displays the level measurement of the model and directions of crime prevention and suppression system child sex exploitation on collaboration for referral with MEAN 3.53, at high level.

Table 4.10 Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation on Work together

| Work together | \bar{x} | S.D. | Level |
|---|------------------|--------------------|--------------|
| 1. Collaborate with other organization when being informed of child sex abuse cases | 3.98 | 0.99 | High |
| 2. Collaborate with the Multidisciplinary team to protect the children, victims of sexual abuse when the case entering the judicial procedures. | 4.19 | 0.77 | High |
| 3. Having assessment on the status of child sex exploitation cases with other organizations. | 3.86 | 0.99 | High |
| 4. Arrange rehabilitation activities with other organizations | 3.70 | 1.02 | High |
| 5. Searching for the fact in child sex exploitation cases together with other organization | 3.87 | 0.93 | High |
| 6. Arrange the meeting together with other organization to plan assistance for child sex exploitation cases | 3.76 | 1.08 | High |
| 7. Arrange meeting with other organization to seek solution to problems | 3.68 | 1.03 | High |
| 8. Collaborate with other organization to assess the family readiness prior to repartition process local and overseas. | 3.48 | 1.15 | Moderate |
| 9. Collaborate with other organization to assess the readiness in case prosecution before initiating the repartition process | 3.51 | 1.14 | High |
| 10. Collaborate with other organization in repartition the child sexual assault victims | 3.47 | 1.16 | Moderate |
| 11. Follow-up on the operational outcomes with other organization when finishing the assistance. | 3.54 | 0.99 | High |
| | $\bar{x} = 3.73$ | S.D. = 1.02 | High |

Table 4.10 displays the level measurement of the model and directions of crime prevention and suppression system child sex exploitation on Work Together with MEAN 3.73, at high level.

Table 4.11 Overall Mean, Standard Deviation of Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation

| Model and Directions of Crime | | | |
|---|-------------|-------------|--------------|
| Prevention and Suppression System Child Sex Exploitation | \bar{x} | S.D. | Level |
| Inter-organization Communication | 3.29 | 1.20 | Moderate |
| Collaboration for Referral | 3.53 | 1.09 | High |
| Work together | 3.73 | 1.02 | High |
| Total | 3.52 | 1.10 | High |

Considering the overall picture of Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation on Inter-organization Communication with the MEAN 3.29, which indicate that Personnel issue remained at Moderate level. As for Collaboration for Referral, the MEAN is 3.53, indicating Personnel at high level. For Work together, the item yielded MEAN of 3.52, indicating Personnel at high level. The overall picture of Model and Direction System of Crime Prevention and Suppression System Child Sex Exploitation for all 3 angles yielded MEAN 3.52, considering High Level as shown in Table 4.11.

The analysis of differences from gender versus model and direction of Crime Prevention and Suppression System Child Sex Exploitation with the application of t-test, with the Statistical Significance 0.05 is being summarized as follows:

Table 4.12 Comparison of Differences between gender and model and directions of crime prevention and suppression system child sex exploitation

| Model and directions of crime prevention and suppression system child sex exploitation | | | | | | |
|---|---------------|----------|-----------|-------------|----------------|----------|
| | Gender | N | \bar{x} | S.D. | t-value | p |
| Inter-organization Communication | Male | 134 | 3.32 | 1.25 | 0.68 | 0.20 |
| | Female | 95 | 3.25 | 1.08 | | |
| Collaboration for referral | Male | 134 | 3.59 | 1.06 | 0.78 | 0.27 |
| | Female | 95 | 3.43 | 1.13 | | |
| Work Together | Mae | 134 | 3.68 | 0.99 | 1.13 | 0.44 |
| | Female | 95 | 3.80 | 1.24 | | |

Table 4.12 displays the t-test results. The findings reveal none of Statistical Significance 0.05 which indicate that male gender had similar model and directions of crime prevention and suppression system child sex exploitation in inter-organization communication as female gender.

The findings from t-test reveal none of Statistical Significance 0.05 which indicate that male gender had similar model and directions of crime prevention and suppression system child sex exploitation in collaboration for referral as female gender.

The findings from t-test reveal none of Statistical Significance 0.05 which indicate that male gender had similar model and directions of crime prevention and suppression system child sex exploitation in work together as female gender.

Table 4.13 Comparison in differences between status and model and direction of crime prevention and suppression system child sex exploitation

| Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation | Status | N | \bar{X} | S.D. | t-value | p |
|---|---------------|----------|-----------|-------------|----------------|----------|
| Inter-organization Communication | Single | 70 | 3.48 | 1.08 | 0.64 | 0.27 |
| | Married | 155 | 3.19 | 1.05 | | |
| Collaboration for Referral | Divorce/Widow | 1 | 4.00 | 1.22 | 1.46 | 0.28 |
| | Single | 70 | 3.55 | 1.11 | | |
| | Married | 155 | 3.49 | 1.06 | | |
| Work Together | Divorce/Widow | 1 | 3.63 | 1.06 | 1.87 | 0.19 |
| | Single | 70 | 3.96 | 0.97 | | |
| | Married | 155 | 3.29 | 1.00 | | |
| | Divorce/Widow | 1 | 4.63 | 0.92 | | |

Table 4.13 displays the t-test results. The findings reveal none of Statistical Significance 0.05 which indicate that the Single and Divorce/Widow status had similar model and directions of crime prevention and suppression system child sex exploitation in inter-organization communication as Married status.

In conclusion, the findings suggest that the number of child sex exploitation kept increasing every year by maintaining similar child sex exploitation

because both the child and youth lack of experiences to cope with life outside, which could damage the child and youth body and soul. With the aforementioned reasons, Thailand became aware of the urgent need to prevent and suppress the child sex exploitation as well as safeguard them from all other danger in the society by appointing the Coordinate Sub-committee to solve problem on the women and children trafficking ,including preparation for the preventive plan as the 1 out of severe approaches to the Nation Plan on Model and Directions of Crime Prevention and Suppression System on Child Sex Exploitation in order to seek preventive measures for community , provincial and international levels as well as developing potential of individual, family , community and society.

As for the collaboration in prevention and suppression of child and youth exploitation, it started from the witness providing initial assistance and notifying the state official or administrative personnel or the police officers or the officers in charge of child welfare. Immediately after that, the incident must be reported to the doctor or nurse, psychologist, social workers or health personnel who had admitted the juvenile for treatment including informing the teacher or guardian or employer to pick up the juvenile to put under their care in accordance with section 24 of the Child Protection Act B.E.2546. Besides, in the case with the lawsuit is up against the perpetrator besides having the reason to believe that the defendant intended to violate juvenile sexually. Then, the court would have the power to issue the restraint order, prohibiting the perpetrator not to approach a child within the court specified duration to prevent harm being done to a child.

Regarding problem, and setbacks in the preventive and suppressive child sex exploitation as well as collaboration between countries, the findings from interviewing key informants suggest that all of them unanimously agreed that problems involved the setup of policies and plans, including management problems from lacking the follow-up , result assessment and validation .In addition, the practitioners lack body of knowledge and understanding on preventive and suppressive measures on child sex exploitation ,including the coordination for assisting juvenile as the multidisciplinary team is delayed . Furthermore, the practitioners lack the desire to expand own knowledge boundary, technique and measures in prevention and

suppression child sex exploitation, which are complex, complicated and becoming significant problem.

Moreover, the key informants expressed their opinions related to the guidelines in developing model and collaboration system to prevent and suppress child sex exploitation by focusing on building immunity for children and youth against the incident by starting from the love and warmth in the family, particularly to the offspring in order to prevent them from seeking advice outside own home when facing life crisis. In addition, the public network for preventive and suppressive child sex exploitation should be established including the educational institutions reinforcing the attitude and immunity among children and youth so they would not believe the stranger's words as well as watch out for stranger presence in the community. Moreover, once the country joined ASEAN Economics Community, the country would allow more access, therefore , ASEAN Member countries should find the concrete approach to combat child sex exploitation based on the campaign against child sex exploitation in Asia and Bilateral Memorandum of understanding between the Government of Kingdom of Thailand and the Kingdom of Cambodia and Laos People Democratic Republic , including The Socialist Republic of Vietnam on the collaboration to eliminate women and children sex trade and assisting the victim of human trafficking.

Moreover, there should be the improvement on the country's tourism image especially among the foreigners who looked at Thai tourism as the access to commercial sex. So improving the country image should be one effective approaches to combat juvenile sex exploitation.

For the international model on prevention and suppression child sex exploitation, according to the key informants, the Sub-committee for Prevention and Suppression child sex exploitation should ensure the Committee of each progression understood own roles by setting up the conceptual framework for multidisciplinary integration as well as the organization should allocate adequate resources for operation and ample personnel to handle the operation. The practitioner should publicize and disseminate knowledge and understanding to the people community and networks relevant to the reduction of sexual exploitation among juvenile because they are the main group in the elimination of child sex exploitation from the society.

CHAPTER V

DISCUSSIONS

This research study aimed to study the policies and collaboration to prevent and suppress child sex exploitation as well as exploring problems and setbacks between countries on the same issue in order to develop the model and guidelines to form collaboration to be in line with Thailand in ASEAN Economic Community. The study was conducted as Mixed Research comprised of the In-depth Interview among the scholars and experts in the prevention and suppression of child sex exploitation. For the quantitative research, 20 samples were selected, namely, the police and officers of the Ministry of Social Development and Human Society in charge of the prevention and suppression system on child sex exploitation. As for the quantitative research, 229 police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of Anti-Human Trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation, Central and Provincial Division, were chosen. The discussion is being presented as follows:

5.1 Policies and Collaboration to prevent and Suppress Child Sex Exploitation

Thailand has continued improving and developing the laws relevant to the prevention and suppression on child sex exploitation since the country became parties to the convention by appointing the Sub-committees to amend the laws on children to be in line with the standard Constitution and Convention on the Rights of the Child. The sub-committees comprised of the lawyers, scholars and experts in multidisciplinary team, including representatives from the public and private sectors to review and draft legislation to comply with the Constitution and Convention of the Rights of the Child. At present, Thailand has passed many laws and regulations relevant to Protocol.

The findings also suggest that Thailand has focused on the Prevention and Suppression of the child sex exploitation in order to ensure the general public danger-free society by appointing the Sub-committees under Coordinating Committee and Director of the Prevention and Suppression of Children and Women Trafficking and including preventive plan as one out of seven national policies, mainly on Prevention, Suppression and Solving problems on domestic and transnational Children and Women Trafficking, enabled to implement in all operational levels from the community, provincial and international that mainly focused on preventing and developing the potential of individual, family, community and society.

The findings from the study also suggest that the collaboration to prevent and suppress child sex exploitation should start from the witness providing initial assistance and notifying the state official or administrative personnel or the police officers or the officers in charge of child welfare. Immediately after that, the incident must inform the doctor or nurse, psychologist, social workers or the health personnel who had admitted the juvenile for treatment including informing the teacher or guardian or employer to pick up the juvenile to put under their care in accordance with section 24 of the Child Protection Act B.E.2546. Besides, in the case with the lawsuit on the perpetrator and the reason to believe that the defendant intended to violate juvenile sexually. The court would have the power to impose disciplinary actions by passing the restraint order, not to approach a child within the court specified duration to prevent harm to a child.

At present, Thailand has amended the laws relevant to preventive and suppressive of the child sex exploitation locally. On the international level, the country has collaborated with other countries to combat child sex exploitation as being seen from the signing of Bilateral Memorandum of understanding between the Government of Kingdom of Thailand and the Kingdom of Cambodia on the elimination of women and children sex trade and assistance to the sex abuse victims on May, 2002 and MOU with Laos People Democratic Republic on July, 2003, including MOU with the Socialist Republic of Vietnam on March, 2008 in which the policies and collaboration focused on the repatriation and rehabilitation of the victims.

The findings also agreed with the Prevention and Suppression of Prostitution Act B.E. 2539 (1996), which is the specific law to prevent and suppress

prostitution, including the child sex trade and child prostitution by prohibiting individual from offering own sex trade, as well as prohibiting any one from advertising with the intention for own sex trade or others. This law prohibits procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power or of the giving money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control by clearly imposing the criminal penalty based on the children ages, under 15 years and 15-18 years. Moreover, this laws has enacted the provisions to punish parents or guardian who are well aware of the child wrongdoings. The penal code imposed the criminal penalty on child sex trade and child prostitution, boys and girls, including clearly set up the age limit of child offender based on the Predicate Offences, Criminal Offenses criteria that had committed against the child based on the age group.

The Anti-Money Laundering Act, B.E. 2542 (1999) has enacted the provisions for the sex offences (particularly on procuring, deceiving by having control over another person in allowing the offender to exploit the person under his control for sexual gratification or committing offence with the minor) and the Anti-prostitution Act (Procuring, deceiving or persuading a person to enter prostitution and being the owner of brothels or place to conduct prostitution, manage or in charge of such places) imposed the criminal penalty whether the crime was committed in the Kingdom of Thailand or outside as well as having the provisions to confiscate assets of the offenders derived from committing such offence as being the crime against the Anti-Money Laundering Act.

This finding is coincided with the Anti-Human Trafficking in Persons B.E. 2551 that mentioned the provision of appropriate assistance and protection for the victims to ensure maximum benefits.

Moreover, the finding is also in line with the report of the Foundation for Woman (2003) on the increasing number of children entering prostitution with the diversified patterns and intensity. It was found that preference in consumerism mainly contributed to the children entering prostitution. Therefore, the collaboration to operate as plan was the effort of all agencies involved, not only the Central

government, Ministries, Departments, Divisions/Bureau, Regional, Provincial and local Offices, Public sectors, Local and International NGOs in order to deliver the targeted group and share resources effectively as being done according to the National Plan on the Prevention and Suppression of Women and Children Transnational Trafficking.

Below is the summarized outcome from the study of policies and collaboration in prevention and suppression of the child sex violation:

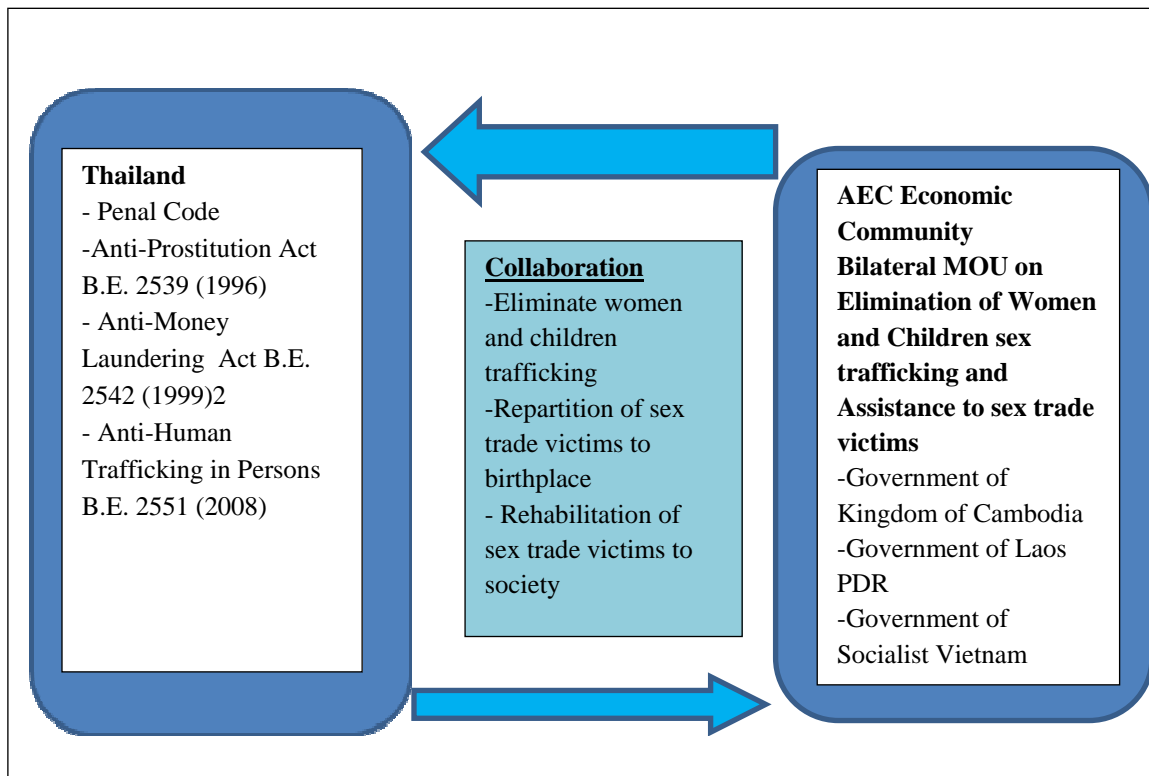


Figure 5.1 Policies and Collaboration to prevent and Suppress Child Sex Exploitation

5.2 Problems and Setbacks in the operation and collaboration to prevent and suppress child sex exploitation

This findings suggest that problems and setbacks from setting up policies and plans, including administrative problems, failure to follow-up make assessment and validate and problems from the practitioner lacking holistic knowledge and suppression of child sex exploitation, including the collaboration on helping the child and youth as multi-disciplinary team was not done immediately.

Furthermore, the practitioner had not developed holistic knowledge, techniques and preventive and Suppress measures, particularly the child sex assault, considering complicated task and the most critical problem.

The findings are corresponded with the outcome of quantitative study. The data were collected from the police officers under the Anti-Trafficking in Persons Division, Royal Thai Police and the officers from the National Operation Center on Prevention and Suppression of Human Trafficking , Ministry of Social Development and Human Security in charge of prevention and suppression of child sex exploitation. The findings suggest that problems and setbacks obstructing the collaboration are lacking knowledgeable staffs to assist cases in child sex exploitation and staffs have insufficient knowledge on legal issues related to cases on child sex exploitation. Besides, the responsibilities assigned to the officers are unclear so problems and setbacks occurred along the administrative functions, including none of the Central organization store the information on cases assisting child sex exploitation, which certainly affected the information in preventive and suppressive on sex child exploitation.

This finding is coincided with the study Rungroj Rodsin (2002) who suggested that problems-solving on prostitution had not been successfully done due to the lightweight policy, laws and the state performance. In addition, the state officials lacking interested in seeking solution to the problems, as well as the problems from influential entrepreneurs in sex industry protecting own business contributed to the cause of unsolved problems. The internal factors pushing the women to enter sex selling business are broken family, family with no objection to members in prostitution business and some family member were in prostitution business before.

Moreover, the study of Chutima Somprasong (2002) who found that the personnel who handled the task had fair knowledge in providing assistance to women and children, victims of human trafficking. Nonetheless, the fact-findings, protection, rehabilitation and repatriation, coordination and inter-organization communication, referral and collaboration, lacking women and children, victims of human trafficking to the public are the most concern issues.

In addition, the study of Suree Tuktrong (2005) found that the policies and laws have not identified the visible policies and plans as well as lacking the follow-up, results assessment and validation procedures, including the personnel knowledge and understanding on the performance were inadequate, including collaboration to assist children and youth as multidisciplinary model had been delayed. All of these factors affected the performances.

5.3 Recommendations for developing model and collaboration to prevent and suppress child sex exploitation

The findings suggest that in order to meet the objectives aforementioned, family should build home atmosphere full of love and warmth as a safe place for the children so they have a place to turn to when running into the problem instead of seeking advice outside own home as well as forming the public network to prevent such problems. Moreover, the Educational Institutes should enhance the child positive attitude, not to fall to victim of stranger and the community should look out for the community safety and warn the community about the presence of stranger in the community. Moreover, Thailand must change the country's tourism image, particularly among those foreign tourists who plan to visit Thailand with the intention to engage in sex commercial, which is considered as the effective prevention and suppression child sex exploitation.

In this case, the findings also suggest more substantial control on the prevention and suppression child sex exploitation based on the regional campaign against children trade in Asia and preparing Memorandum of Understanding on Bilateral levels between the government of Kingdom of Thailand, Kingdom of Cambodia, Laos People's Democratic' Republic including Socialist Republic of Vietnam.

Moreover, once the country joined ASEAN Economics Community, the country would allow more access, therefore, ASEAN Member countries should find the concrete approach to combat child sex exploitation based on the campaign against child sex exploitation in Asia and Bilateral Memorandum of understanding between the Government of Kingdom of Thailand and the Kingdom of Cambodia and Laos People Democratic Republic, including The Socialist Republic of Vietnam on the collaboration to eliminate women and children sex trade and assisting the victim of human trafficking.

The findings from literature review indicate that the child sex exploitation is the destruction of the nation human resources, particularly a child who had fallen the victim of human trafficking and child sex exploitation may become the sexual abuser himself due to the lack of opportunity in education and vocational training since childhood. Importantly, the limited access of a child victim to the rights and development as stated in the Convention of the Rights of the Child in which Thailand has been aware of such situation initiating the prevention and problem-solving and kept continuing the operation (the Office of Promotion and Protection of Children, Youth, Disabilities, the Elderly, and Vulnerable Groups, unknown year, 35). For example, on education, Thai government established clear policies to prevent the child becoming a victim of sexual abuse and exploitation since the past Constitution of the Kingdom of Thailand and current version (2007) has guaranteed the rights of all Thai citizen to education and the National Education Act B.E. 2542 specified the State to provide fundamental education at least 12 years to all children born in Thailand, with no cost, including Compulsory Elementary Education Act B.E. 2545 proclaims that it is the requirement for Thai children to complete at least 9 years as the guarantee for new beginning of children good life.

Moreover, the Royal Thai Police arranged for the officers to conduct the public relations at different schools to educate the parents and Children's guardian about the human trafficking and child sex exploitation as well as informing them on how to prevent those incidents. For example, teaching the children not to strike conversation with stranger or play in the remote area and they should be extra careful in the presence of stranger.

As for tourism, The Tourism Authority of Thailand, Ministry of Tourism and Sports has promoted the operation to prevent sex tourism by focusing on the operation that arranged transportation for clients in sex services, as well arranging the prosecution of the perpetrator. As for the Royal Thai Police, the police officers were assigned to survey the tour areas, investigate and search for interesting news for the Thailand Police Tourist Division, the main responsible agency to look after the tourists' safety in the tour sites throughout the country.

Regarding the development of preventive and suppression polices and plans in human trafficking, including sex exploitation in order to clearly prevent the incident from happening effectively. There is the integration of operation between the agencies involved, namely, the Sub-committee under Coordinating Committee and Director of the Prevention and Suppression of Children and Women Trafficking.

This includes the measures and law enforcement to amend and pass the new law to match with the current situation, including being the instrument for bringing the perpetrator to justice and providing protection for women and children on the Rights of Children, victims of a child sexual exploitation.

This finding is coincided with the study of Women Foundation (2003) on the integrated operation in preventive and suppressive women and children prostitution and protection of the Rights of a child that also required to collaboration to carry out operation as plan from the Ministries, Departments, and Bureau in the regional , provincial and local levels, including the Civil society, local and international NGO for referral the targeted groups as well as managing resources utilization effectively. For example, collaboration to refer the victim for vocational training instead of preparing for specific project to support the rehabilitation and vocation, including the allocation of budget to the public sector by appointing the Committee for Occupational Protection as the mechanism in facilitate the operational process to match the guidelines of the National Plan and Policy on the Anti-transnational women and Human Trafficking.

The outcomes from such study, after the analysis and synthesis suggest that the development of guidelines to construct model and collaboration to prevent and suppress sex child exploitation should be integrated in all dimensions from educational system, measures and law enforcement, the development of polices and plans and tourism.

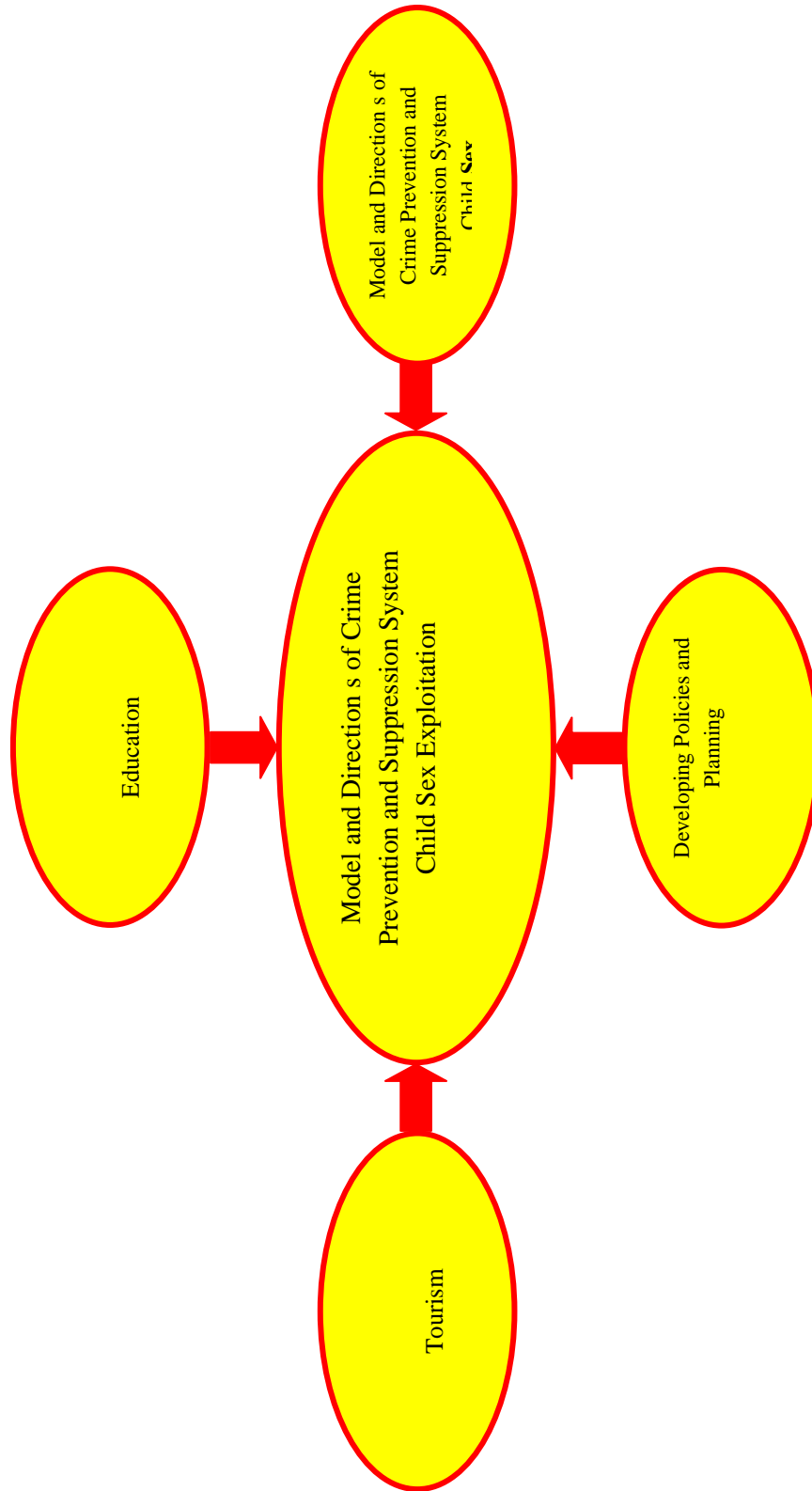


Figure 5.2 Guidelines for developing Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation

5.4 International Model on prevention and suppression child sex exploitation

The findings from studying the Preventive and Suppressive child sex exploitation Model suggest that the Sub-committee on Collaboration to prevent and suppress child sex exploitation must understand the roles of the committee in each profession by setting up the integrated framework of the correlated multi-disciplinary team. As for the organization's roles, the resources for the operation and recruitment of personnel and practitioners should be done to ensure adequate number of personnel to perform duties. There should be the Broadcasting and building body of knowledge and understanding among the general public, community and networks directly in charge of eradicating the child sex exploitation. These are the key groups contributed to the prevention and suppression of child sex exploitation and eliminate such problems from the society.

As for the quantitative study outcome among the police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation, Central and Provincial Division, the findings suggest that the current model and directs of crime prevention and suppression system child sex exploitation focused the most on collaboration for referral, followed by inter-organization communication.

This finding is coincided with the literature review on the international model for child sex exploitation as shown on the conclusion:

Preventive measure which is the plan to obstruct child and youth sexual violation. It comprise of the following activities:

(1) Training and developing potential to prevent the child sex violation should begin with training and increasing the practitioner's potential so they could be knowledgeable as well as truly understanding the policy and practice to prevent such problems.

(2) The National Plan and Preventive measures are included in the preventive and suppressive plan to seek solution to problems on the children and women sex trade domestic and overseas that currently Thailand has include this

problem as one out of seven issues in the Nation Policies and Plan as well as intended to implement in the community, provincial and international levels in order to prevent problems and develop potential of individual, family, community and society

(3) Bilateral and Multilateral collaborations where Thailand had made the agreement between countries and involved the operation at Bilateral, Regional and Multilateral between State Parties, which states in the MOU that the collaborations against Human Trafficking in the Mekong Sub-region between the government of sex countries, namely, Cambodia, China, Myanmar, Laos, Vietnam and Thailand is agreed upon by signing the agreement during the Coordinated Mekong Ministerial Initiative Against Trafficking : COMMIT), including MOU between the Government of Kingdom of Thailand, Kingdom of Cambodia, Laos on the Bilateral Cooperation on the eradication of women and children sex trade and assisting the victims of human trafficking so the planning is the joint to combat the problems.

(4) Legal framework and law enforcement from the Mutual Legal Assistance in Criminal Matters Treaty in which the ASEAN member countries including Thailand had made joint agreement to collaborate on criminal affairs with the extended measures such as investigation, interrogation, lawsuit and prosecution as the result of efficient collaboration in law enforcement to fight crime, including human-trafficking. Meantime, Thailand has prepared for ratification to become the state members, lawsuit and efficient operation.

(5) Screening and protecting the victims of human trafficking to prevent women and children fallen to victims of human trafficking in which the process of sex for sale divided into sex in the establishments where children selling sex came down from the mountain to settle along the border of Thailand and special sex sale as telephone escort services where there is the agent finding the client for the child. Sex workers are Elementary School students to Higher Education Students. Most of them came down broken families, parents no longer have control over their behaviors. Information derived from the coordination Unit to combat human trafficking on Upper North of Thailand (2003).

(6) Collaboration in tourism where Tourism Authority of Thailand has collaborated with the government representatives of the origin country of sex tourism or operating on child sex tourism. Other United Nations Divisions (World Tourism

Organization: WHO and UNICEF), ACPAC International and International Business Organizations enhance the effort to solve problems, exploit children commercial sex in tourism such as changing the image of Thailand to be the tour destination for the family by announcing to the Tour operators worldwide on the ground of Thai Government to combat sex tourism as well as arranging law enforcement outside the Kingdom and training the Tourist Police. After all, the Tourism Authority of Thailand agreed to the use of the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism as the operational instrument in prevention and suppression on child sex exploitation. Furthermore, the agencies and those involved should collaborate with each other to eradicate the problems by providing protection, assistance and returning the victim to the society, including apprehending the perpetrator so he could be brought to justice.

As for the suppression, when the child had been violated sexually, the agencies and individual involved should actively collaborate to prosecute the case as well as providing the protection, assisting the victims, including initiating the repatriation to the birthplace and rehabilitation for the victims so they could return to society and function normally as well as apprehending the perpetrator to bring him to justice.

The findings from this study enabled the police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation to include in the model to ensure the most effective operation and child sex exploitation prevention as suppression as being shown in figure 5.3.

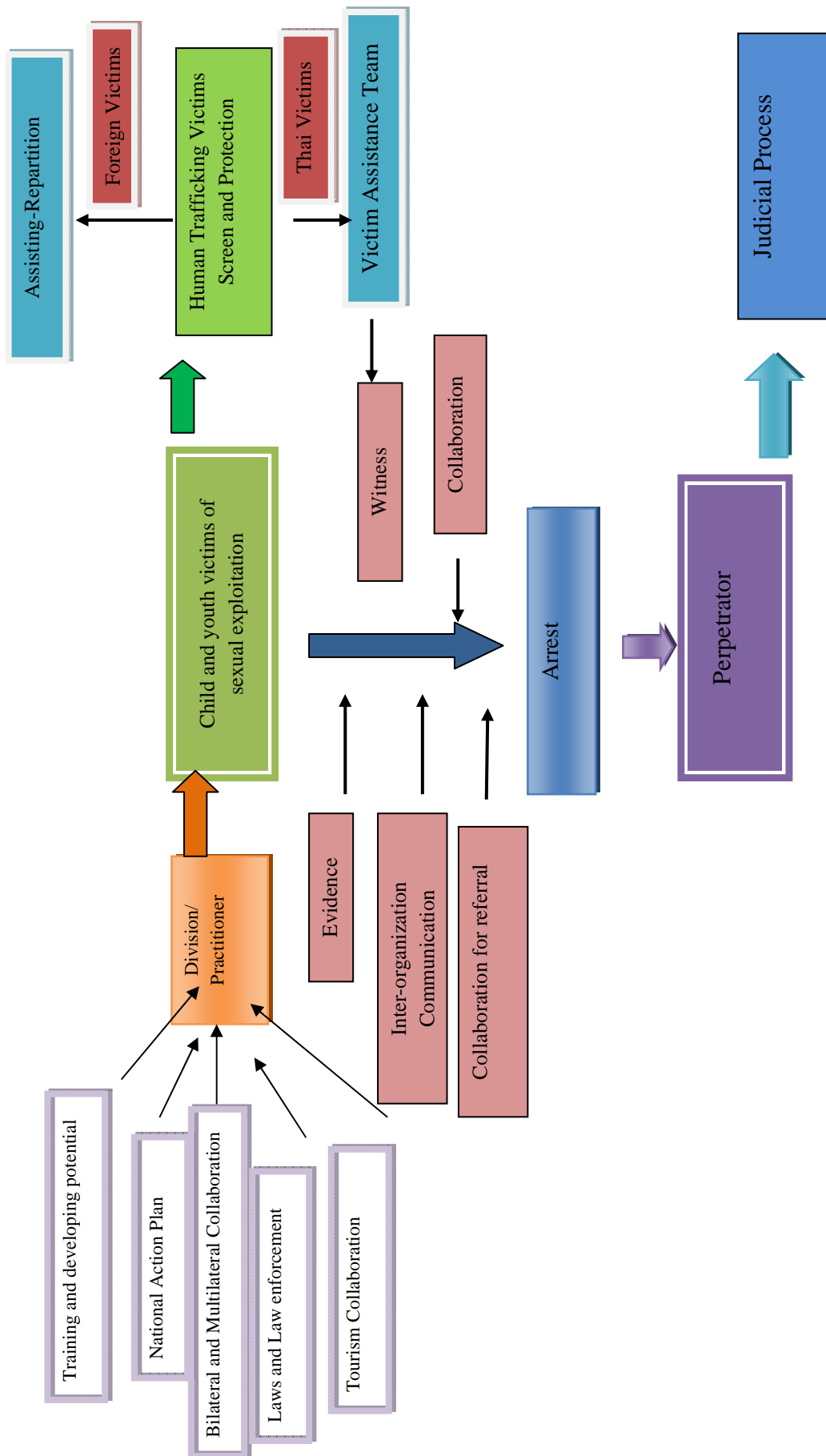


Figure 5.3 International Model for Prevention and Suppression Child Sex Exploitation

CHAPTER VI

CONCLUSIONS AND RECOMMENDATIONS

This research study aimed to study the policies and collaboration to prevent and suppress child sex exploitation as well as exploring problems and setbacks between countries on the same issue in order to develop the model and guidelines to form collaboration to be in line with Thailand in ASEAN Economic Community. The study was conducted as Mixed Research comprised of the In-depth Interview among the scholars and experts in the prevention and suppression of child sex exploitation.

For the qualitative research, 20 samples were selected, namely, the police and officers of the Ministry of Social Development and Human Society in charge of the prevention and suppression system on child sex exploitation. As for the quantitative research, total 229 police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation, Central and Provincial Division, were chosen.

The content analysis for qualitative study was conducted, whereas, the quantitative analysis engaged Frequency, Percentage, Mean and Standard Deviation, including the comparison in differences between variables through the application of t-test, having Statistical Significance 0.05.

6.1 Research Conclusion

6.1.1 Policies and Collaboration to prevent and Suppress Child Sex Exploitation

The findings suggest that Thailand has consistently improving and developing the laws relevant to the prevention and suppression on child sex

exploitation since the country became parties to the convention by appointing the Sub-committees to amend the laws on children to be in line with the standard Constitution and Convention on the Rights of the Child. The sub-committees comprised of the lawyers, scholars and experts in multidisciplinary team, including representatives from the public and private sectors to review and draft legislation to comply with Thai Constitution and Convention of the Rights of the Child. As a results, Thailand currently established many laws and regulations relevant to Protocol to ensure the public safety by appointing the Sub-committees under Coordinating Committee and Director of the Prevention and Suppression of Children and Women Trafficking as well as including preventive plan as one out of seven national policies, mainly on Prevention, Suppression and Solving problems on domestic and transnational Children and Women Trafficking, enabled to implement in all operational levels from the community, provincial and international that mainly focused on preventing and developing the potential of individual, family, community and society.

The findings also agreed with the Prevention and Suppression of Prostitution Act B.E. 2539 (1996), which is the specific law to prevent and suppress prostitution, including the child sex trade and child prostitution by prohibiting individual from offering own sex trade, as well as prohibiting any one from advertising with the intention for own sex trade or others. This law prohibits procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power or of the giving money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control by clearly imposing the criminal penalty based on the children ages, under 15 years and 15-18 years. Moreover, this laws has enacted the provisions to punish parents or guardian who are well aware of the child wrongdoings. The penal code imposed the criminal penalty on child sex trade and child prostitution, boys and girls, including clearly set up the age limit of child offender based on the Predicate Offences, Criminal Offenses criteria that had committed against the child based on the age group in which this law is being enforced in the Kingdom of Thailand only. In order to seek international collaboration, the government of Kingdom of Thailand had entered the Bilateral Memorandum of

Understanding between Thailand and the Kingdom of Cambodia on the elimination of women and children sex trade and assistance to the sex abuse victims on May, 2002 and MOU with Laos People Democratic Republic on July, 2003, including MOU with the Socialist Republic of Vietnam on March, 2008 in which the policies and collaboration focused on the repatriation and rehabilitation of the victims.

6.1.2 Problems Setbacks in the operation and collaboration between countries in Prevention and Suppression of Child Sex Exploitation

This findings suggest that problems and setbacks from setting up policies and plans, including administrative problems, failure to follow-up make assessment and validate and problems from the practitioner lacking holistic knowledge and suppression of child sex exploitation, including the collaboration on helping the child and youth as multi-disciplinary team was not done immediately. Furthermore, the practitioner had not developed holistic knowledge, techniques and preventive and Suppress measures, particularly the child sex assault, considering complicated task and the most critical problem.

The findings are corresponded with the outcome of quantitative study. The data were collected from the police officers under the Anti-Trafficking in Persons Division, Royal Thai Police and the officers from the National Operation Center on Prevention and Suppression of Human Trafficking , Ministry of Social Development and Human Security in charge of prevention and suppression of child sex exploitation. The findings suggest that problems and setbacks obstructing the collaboration are lacking knowledgeable staffs to assist cases in child sex exploitation and staffs have insufficient knowledge on legal issues related to cases on child sex exploitation. Besides, the responsibilities assigned to the officers are unclear so problems and setbacks occurred along the administrative functions, including none of the Central organization store the information on cases assisting child sex exploitation, which certainly affected the information in preventive and suppressive on sex child exploitation.

6.1.3 Recommendation on Model Development Guidelines and Collaborating system formulation on child sex exploitation on prevention and suppression

The findings suggest that in order to meet the objectives aforementioned, family should build home atmosphere full of love and warmth as a safe place for the children so they have a place to turn to when running into the problem instead of seeking advice outside own home as well as forming the public network to prevent such problems. Moreover, the Educational Institutes should enhance the child positive attitude, not to fall to victim of stranger and the community should look out for the community safety and warn the community about the presence of stranger in the community. Moreover, Thailand must change the country's tourism image, particularly among those foreign tourists who plan to visit Thailand with the intention to engage in sex commercial, which is considered as the effective prevention and suppression child sex exploitation.

In this case, the findings also suggest more substantial control on the prevention and suppression child sex exploitation based on the regional campaign against children trade in Asia and preparing Memorandum of Understanding on Bilateral levels between the government of Kingdom of Thailand, Kingdom of Cambodia, Laos People's Democratic' Republic including Socialist Republic of Vietnam.

6.1.4 Preventive and Suppressive child sex exploitation Model

The findings from studying the Preventive and Suppressive child sex exploitation Model suggest that the Sub-committee on Collaboration to prevent and suppress child sex exploitation must understand the roles of the committee in each profession by setting up the integrated framework of the correlated multi-disciplinary. As for the organization's roles, the resources for the operation and recruitment of personnel and practitioners should be done to ensure adequate number of personnel to perform duties. There should be the Broadcasting and building body of knowledge and understanding among the general public, community and networks directly in charge of eradicating the child sex exploitation. These are the key groups contributed

to the prevention and suppression of child sex exploitation and eliminate such problems from the society.

As for the quantitative study outcome among the police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation, Central and Provincial Division, the findings suggest that the current model and directs of crime prevention and suppression system child sex exploitation focused the most on collaboration for referral, followed by inter-organization communication.

Preventive measure which is the plan to obstruct child and youth sexual violation. It comprised of the following activities:

(1) Training and developing potential to prevent the child sex violation should begin with training and increasing the practitioner's potential so they could be knowledgeable as well as truly understanding the policy and practice to prevent such problems.

(2) The National Plan and Preventive measures are included in the preventive and suppressive plan to seek solution to problems on the children and women sex trade domestic and overseas that currently Thailand has include this problem as one out of seven issues in the Nation Policies and Plan as well as intended to implement in the community, provincial and international levels in order to prevent problems and develop potential of individual, family, community and society

(3) Bilateral and Multilateral collaborations where Thailand had made the agreement between countries and involved the operation at Bilateral, Regional and Multilateral between State Parties, which states in the MOU that the collaborations against Human Trafficking in the Mekong Sub-region between the government of sex countries, namely, Cambodia, China, Myanmar, Laos, Vietnam and Thailand is agreed upon by signing the agreement during the Coordinated Mekong Ministerial Initiative Against Trafficking : COMMIT), including MOU between the Government of Kingdom of Thailand, Kingdom of Cambodia, Laos on the Bilateral Cooperation on the eradication of women and children sex trade and assisting the victims of human trafficking so the planning is the joint to combat the problems.

(4) Legal framework and law enforcement from the Mutual Legal Assistance in Criminal Matters Treaty in which the ASEAN member countries including Thailand had made joint agreement to collaborate on criminal affairs with the extended measures such as investigation, interrogation, lawsuit and prosecution as the result of efficient collaboration in law enforcement to fight crime, including human-trafficking. Meantime, Thailand has prepared for ratification to become the state members, lawsuit and efficient operation.

(5) Screening and protecting the victims of human trafficking to prevent women and children fallen to victims of human trafficking in which the process of sex for sale divided into sex in the establishments where children selling sex came down from the mountain to settle along the border of Thailand and special sex sale as telephone escort services where there is the agent finding the client for the child. Sex workers are Elementary School students to Higher Education Students. Most of them came down broken families, parents no longer have control over their behaviors. Information derived from the coordination Unit to combat human trafficking on Upper North of Thailand (2003).

(6) Collaboration in tourism where Tourism Authority of Thailand has collaborated with the government representatives of the origin country of sex tourism or operating on child sex tourism. Other United Nations Divisions (World Tourism Organization: WHO and UNICEF), ACPAC International and International Business Organizations enhance the effort to solve problems, exploit children commercial sex in tourism such as changing the image of Thailand to be the tour destination for the family by announcing to the Tour operators worldwide on the ground of Thai Government to combat sex tourism as well as arranging law enforcement outside the Kingdom and training the Tourist Police. After all, the Tourism Authority of Thailand agreed to the use of the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism as the operational instrument in prevention and suppression on child sex exploitation.

For suppression measure, when a child was abused sexually, the agencies and the parties involved should collaborate to eliminate such incidents as well as providing protection, assistance and provide rehabilitation so the victim of sexual

abuse could return and function normally in society as well as apprehension of the perpetrator to bring him to justice.

6.2 Researches Recommendations

6.2.1 Policy Recommendations

6.2.1.1 The police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security should integrate the strategic plan with the annual plan to ensure consistency by arranging the interactive communication between the divisions through the meeting, seminar and other activities, including updated the operational techniques such as , setting the Internet, building web board and group line to facilitate the operation and thus provide quick assistance to the victims as well as speedy trial on the perpetrator.

6.2.1.2 The police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security should follow-up on cases, assessing outcomes and set up the system for referral to make the prevention and suppression of child sex exploitation working permanently.

6.2.2 Academic Recommendations

6.2.2.1 the police officers under the Anti-Human Trafficking in Persons, Royal Thai Police and the officers under the Center and Provincial division of anti-Human trafficking in Persons, the Ministry of Social Development and Human Security in charge of prevention and suppression child sex exploitation, Central and Provincial Division should receive extensive trainings, including arrange the stage to share learning experiences as the practical guidelines leading to concrete outcome.

6.2.2.2 Ministry of Education should focus on the course that build more life experiences for a learner so a child or a learner could build the defense toward the stranger, not to trust any stranger.

6.3 Recommendations for Further Researches

There should be a study on the model and directions of crime prevention and suppression system on child sex exploitation of each AEC country. For example, the model and direction in the same issue of Laos PDR because of her boundary adjacent to Thailand and both countries had signed MOU to collaborate in Anti-Human Trafficking, particularly, women and children so the model and directions for both countries could be found for effective and efficient elimination of child sex exploitation.

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APPENDIX

Questionnaire

Model and Directions of Crime Prevention and Suppression System Child Sex Exploitation

Explanation

This questionnaire prepared to gather data for studying problems and setbacks in the operations and collaboration to prevent and suppress child sex exploitation, leading to improving model and direction for forming the collaboration system in line with the country becoming one of AEC member countries. The researcher would like to enlist your assistance in answering all questions based on your judgment. Please provide information as you see appropriate.

Your answers are kept confidential and for the research purpose only. A set of questionnaire is divided into 4 parts as follows:

Part 1 Personal Data

Part 2 Questions on the model and direction on crime prevention and suppression system in which separated into 3 parts, namely, inter-organization communication, collaboration for referral and work together.

Part 3 Questions on problems and setbacks in the operations and collaborations between countries also divided into 3 parts as follows: Personnel, Administration and Data System.

Part 4 Opinion or Additional Recommendations

Part 1 Personal Data

Instruction: Please mark \surd in the provided or listing the fact as you see appropriate

1.1 Gender

Male

Female

1.2 Age..... Years

1.3 Status

Single

Married

Divorced/Widow

1.4 Educational Level

Lower than Bachelor's Degree

Bachelor's Degree

Master Degree

Doctorate Degree

1.5 Position (Specify)

1.6 Work duration (Tenure) in preventive and suppressive duties on child sex violation

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Part 2 Questions on the model and direction on crime prevention and suppression system in which separated into 3 parts, namely, inter-organization communication, collaboration for referral and work together.

Instruction: Please mark \checkmark in the provided on the right side to express your opinion toward the collaboration issue, considering from 5 practical scales

| <u>Levels</u> | <u>Scores</u> |
|------------------------|---------------|
| Most frequent practice | 5 points |
| Frequent practice | 4 points |
| Moderate practice | 3 points |
| Less practice | 2 points |
| Never practice | 1 points |

| No. | Particulars | Practice Levels | | | | |
|---|---|-----------------|---|---|---|---|
| | | 5 | 4 | 3 | 2 | 1 |
| Inter-organization Communication | | | | | | |
| 1 | Coordinate work with other organizations through formal letter | | | | | |
| 2 | Coordinate work with other organizations through telephone | | | | | |
| 3 | Coordinate work with other organizations through telephone and formal letters | | | | | |
| 4 | Coordinate work with other organizations through e-mail | | | | | |
| 5 | Coordinate work with other organizations with appointment for occasional meetings | | | | | |
| 6 | Coordinate work with other organizations by appointment for monthly meeting. | | | | | |
| Collaboration For Referral | | | | | | |
| 7 | 1. Referral to other organizations on the case assistance child sex exploitation if it is beyond your organization ability | | | | | |
| 8 | Referral to other organization on the case assistance child sex exploitation if it is beyond your organization expertise | | | | | |
| 9 | Provide basic assistance to the child sexual exploitation case before sending the victim to the welfare office to process further | | | | | |
| 10 | Coordinate work to pass on preliminary data on the child sex exploitation case to the welfare office | | | | | |

| No. | Particulars | Practice Levels | | | | |
|----------------------|--|-----------------|---|---|---|---|
| | | 5 | 4 | 3 | 2 | 1 |
| 11 | Coordinate work to pass on data and evidence on the child sex exploitation case to the inquiry officer for prosecute the perpetrator | | | | | |
| 12 | Coordinate work to pass on preliminary data on the child sex exploitation case to the origin country for further assistance | | | | | |
| 13 | Coordinate work to pass on data on the child sex exploitation case to the origin country | | | | | |
| 14 | Coordinate work to pass on data on the child sex exploitation case to the origin country to prosecute the sex offender | | | | | |
| Work Together | | | | | | |
| 15 | Collaborate with other organization when being informed of child sex abuse cases | | | | | |
| 16 | Collaborate with the Multidisciplinary team to protect the children, victims of sexual abuse when the case entering the judicial procedures. | | | | | |
| 17 | Having assessment on the status of child sex exploitation cases with other organizations. | | | | | |
| 18 | Arrange rehabilitation activities with other organizations | | | | | |
| 19 | Searching for the fact in child sex exploitation cases together with other organization | | | | | |
| 20 | Arrange the meeting together with other organization to plan assistance for child sex exploitation cases | | | | | |
| 21 | Arrange meeting with other organization to seek solution to problems | | | | | |
| 22 | Collaborate with other organization to assess the family readiness prior to repartition process local and overseas. | | | | | |
| 23 | Collaborate with other organization to assess the readiness in case prosecution before initiating the repartition process | | | | | |
| 24 | Collaborate with other organization in repartition the child sexual assault victims | | | | | |
| 25 | Follow-up on the operational outcomes with other organization when finishing the assistance | | | | | |

Part 3: Questions on problems and setbacks in the operations and collaborations between countries also divided into 3 parts as follows: Personnel, Administration and Data System.

Instruction: Please mark \surd in the provided on the right side to express your opinion toward the problems and setbacks issue, considering from 5 practical scales

| <u>Problems and Setbacks</u> | <u>Scores</u> |
|------------------------------|---------------|
| Highly agree | 5 points |
| Agree | 4 points |
| Fairly agree | 3 points |
| Less agree | 2 points |
| Least agree | 1 point |

| No. | Particulars | Problems and Setbacks | | | | |
|-----------------------|--|-----------------------|---|---|---|---|
| | | 5 | 4 | 3 | 2 | 1 |
| Personnel | | | | | | |
| 1 | Lacking knowledge on guidelines to collaborate on giving assistance the child sex exploitation cases | | | | | |
| 2 | Lacking legal knowledge on giving assistance the child sex exploitation cases | | | | | |
| 3 | Organization lacks personnel to perform duties | | | | | |
| 4 | Failure fails to cooperate in performing tasks | | | | | |
| 5 | Lacking skills to analyze the child sex violation cases | | | | | |
| 6 | Lacking initiative in solving problems | | | | | |
| 7 | Lacking fundamental data of agencies involved in assisting the child sex exploitation | | | | | |
| 8 | Lacking the follow-up on operational outcomes | | | | | |
| Administration | | | | | | |
| 9 | Management ignore the necessity of collaboration | | | | | |
| 10 | Indecisive chain of command in administrative function | | | | | |
| 11 | Unclear task responsibilities | | | | | |
| 12 | Uneven division of work | | | | | |
| 13 | Complicated administrative tasks | | | | | |
| 14 | Lacking good administrative control | | | | | |
| 15 | Organization rules and regulations against performing | | | | | |

| No. | Particulars | Problems and Setbacks | | | | |
|-------------|--|-----------------------|---|---|---|---|
| | | 5 | 4 | 3 | 2 | 1 |
| | tasks | | | | | |
| Data System | | | | | | |
| 16 | Different data storage system | | | | | |
| 17 | No central data and inferior quality | | | | | |
| 18 | . Out of date data | | | | | |
| 19 | . Lack of transferring data between the coordinated organizations | | | | | |
| 20 | None of the Central Organization to assist the child sex exploitation cases | | | | | |
| 21 | Lack of data in child sex exploitation cases to incorporate useful data in planning management | | | | | |
| 22 | Data system has no connection with other organization data system | | | | | |
| 23 | Lack of disseminating news to the public on assistance to child sex victims | | | | | |

Part 4: Opinions or Additional Recommendations

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Thank you for taking your time to offer sincere answers

INTERVIEW FORM

1. Presently, does Thailand establish any policy and collaboration between countries to prevent and suppress child sex exploitation and how?

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2. In your opinion, what are the problems and setbacks in the operation and collaboration between countries in the prevention and suppression of child sex abuse?

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3. Do you have any recommendation for developing model and forming the collaboration system to prevent and suppress child sex violation?

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BIOGRAPHY

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|---------------------|---|
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