

# Estimating Labor Trafficking

A Study of Burmese Migrant Workers in Samut Sakhon, Thailand

Conducted by the Labour Rights Promotion Network (LPN), and the Johns Hopkins  
Bloomberg School of Public Health (JHSPH) Center for Refugee and Disaster Response

## SIREN Trafficking Estimates



**UNIAP**

United Nations Inter-Agency  
Project on Human Trafficking

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**UNIAP Regional Management Office**

United Nations Building 12th floor Block A

Rajdamnern Nok Ave., Bangkok 10200

Tel: +66-2-288-2213

Fax: +66-2-280-0268

UNIAP Trafficking Estimates

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## Foreword

The problem of human trafficking may be well defined, but less well understood is the scale of human trafficking. The glaring gap in our knowledge of the prevalence of human trafficking in different areas and industries affects responses at all levels and makes identifying the impact of counter-trafficking work nearly impossible.

Further, counter-trafficking responders are rightly being asked to show how efforts in programming help people. It is therefore crucial for them to understand exactly how their contributions and efforts are making a difference.

With no empirical starting point, however, how can results be measured or demonstrated?

In 2007, UNIAP held a competition with the ambitious goal of driving innovation and rigour in human trafficking research. NGOs, academics, and government and non-government research institutions were invited to submit proposals for methodologies that could estimate the numbers of trafficking victims in a given geographic area and/or industry.

The methodologies were required to be comprehensive, relevant to the information priorities in the sector, technically sound, practical, original and replicable in other regions.

The initiative had two purposes:

First, to address the need for accurate estimates of trafficking victims.

Second, to create a competitive format aimed at attracting quality statistical and research expertise to the field of human counter-trafficking – a field where the lack of reliable quantitative statistics has been widely acknowledged as an inhibiting factor in counter-trafficking programming.

The competition's many impressive entries went through two rounds of review and a shortlist of six proposals was selected to present and defend their methodologies before an audience of UN, NGO and donors engaged in counter-trafficking in the region. The final reports were selected by a panel of three judges including David Feingold, from UNESCO; Lisa Rende Taylor, from UNIAP, and Jiang Jie from the Yunnan Academy of Social Sciences.

As hoped, the approaches set out in the proposals were diverse, innovative, and most importantly, locally specific, practical, and feasible.

In 2008, UNIAP provided direct funding and technical support to the top three selected methodologies. Their resulting reports are presented here with an expectation that sharing them will encourage replication and further innovation in other regions.

It is our hope that initiatives like this further the development of reliable systems for quantifying human trafficking not just in the Mekong Region, but in many regions of the world.

UNIAP would like to thank the authors for their contributions to human trafficking research. Their findings are not only innovative, but may give counter-trafficking practitioners the means to respond more precisely and more effectively to the sale and exploitation of human beings.

United Nations Inter-Agency Project on Human Trafficking (UNIAP)  
Regional Management Office  
Bangkok, Thailand

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Conducted by the

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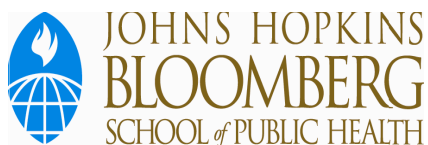
and the

***Johns Hopkins Bloomberg School of Public Health (JHSPH)  
Center for Refugee and Disaster Response***

Supported by the

***United Nations Inter-Agency Project on Human Trafficking  
(UNIAP)***

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## *Preface and Acknowledgments*

The principal author of this report is Courtland Robinson, who also served as principal investigator and coordinator for the Johns Hopkins Bloomberg School of Public Health role in the study. The co-author is Casey Branchini, who also contributed extensively to data cleaning and analysis. Other contributors from JHSPH include (in alphabetical order) Dennis Brophy, Georgina Calderon, Charlotte Dolenz, Janka Flaska, and Mandy Swann; their contributions included background research, field training, survey instrument development, and qualitative data analysis. Nucharee Srivirojana from Mahidol University's Institute for Population and Social Research (IPSR) contributed to the translation and analysis of the 43 qualitative interviews.

The Labour Rights Promotion Network (LPN) team was headed by Sompong Srakaew and Patima Tangprachakoon. Field survey implementation, interviews, data entry, interview translation, and logistical support were provided by a large number of LPN staff members. All deserve thanks for undertaking a cooperative study that was filled with challenges but also created opportunities for real collaboration and mutual learning. Further, Naresuan University volunteers, Stephen Buddee, and migrant community volunteers were all important in providing translation support for the project.

Grateful acknowledgments are also due to the dedicated staff at the United Nations Inter-Agency Project on Human Trafficking (UNIAP)—Matt Friedman, Pornnipa Buddee, Lisa Rende Taylor, and Paul Buckley—who not only sponsored the competition that awarded study funds to the LPN-Johns Hopkins team and supported the study through to completion but had the vision to see that the field of human trafficking, including labor trafficking, could benefit from some innovative approaches to measurement. We hope this report will provide some reward for that investment in our work.

Finally, we acknowledge the commitments of time and trust given to the researchers by the Burmese migrant worker community in Samut Sakhon. Those who have been trafficked or face exploitation in the workplace know the pain of misplaced trust and the deep frustration of uncompensated effort. They have gained no direct benefit from their participation in this study. Our hope that the trust they showed us in sharing their time and their stories will be repaid in increased recognition of their right to be treated with full human dignity as migrant workers.

## A. Executive Summary

Samut Sakhon Province in Thailand is among the largest seafood processing industrial areas in the entire country. It is also among the top four coastal provinces in Thailand in attracting migrant workers, primarily from Myanmar (Burma). Samut Sakhon has a resident population of approximately 450,000. An additional 250,000 or more workers are Thai migrants, principally from northeastern Thailand, and another 160,000 to 200,000 are foreign migrants. The majority of migrant workers and their families are from Burma, of whom it is estimated that 50% are of Mon ethnicity, 30% Burman, 10% Karen and 10% others (including Shan, Tawai, Kachin, and Pa-O). According to Labour Rights Promotion Network's (LPN) estimates, approximately 70,000 workers from Burma were registered in the province as of 2007, a number that increased to 120,000 by mid-2009. Research by LPN indicates that exploitation of Burmese migrants is systematic, occurring often through debt bondage and labor sub-contracting without institutional accountability. LPN has estimated that, for roughly 20-30% of Burmese migrant workers, the coercive and deceptive means by which they are recruited into, and then retained, in exploitative working conditions constitute trafficking into forced labor. Establishing a more robust estimate of labor trafficking, however, has posed a significant challenge.

To address this challenge, LPN received funding from the United Nations Inter-Agency Project on Human Trafficking (UNIAP) to address the challenges of estimating prevalence of labor trafficking in Samut Sakhon and invited the Center for Refugee and Disaster Response at the Johns Hopkins Bloomberg School of Public Health (JHSPH) to help design the study and analyze the results. The target group was defined as foreign migrant workers (principally from Burma) working in the seafood processing industry in the province of Samut Sakhon, Thailand. More specifically, the population of interest for estimation purposes was Burmese migrant workers, who may be victims of trafficking for labor exploitation. The study design employed a mixed methods approach, combining review of existing literature and data (from NGO and Thai government sources); ethnographic interviews; and a population survey, using the Respondent-Driven Sampling (RDS) approach, a method used to derive valid population estimates from "chain-referral samples" of hidden populations.

Primary data and information was collected by LPN staff using its network of community contacts in Samut Sakhon. This includes both the ethnographic interviews and the sample survey. On-site training in ethnographic interviewing and sampling methodology was provided by JHSPH. Data was collected by LPN staff with initial input of data done in Excel. Further cleaning and analysis of data was done by JHSPH working in Excel, SPSS and Stata. The human subjects research protocol was reviewed by UNIAP and an ethics committee at Chulalongkorn University and was also certified by the Johns Hopkins Institutional Review Board (IRB).

**1. Ethnographic Interviews.** The first fieldwork phase of the study involved ethnographic research in the communities of Burmese migrant workers in Samut Sakhon. Research took the form of semi-structured interviews with 46 key informants, including migrant workers, brokers, and Thai community members, with a focus on identifying key characteristics of broker networks, broker-employer relationships, and the relationships of workers with one another and with brokers and employers. Information was also gathered on working and living conditions of migrant

workers in order to identify specific risks and vulnerabilities they face and to inform development of the survey questionnaire. The actual sample for the qualitative research comprised 27 migrant workers (of whom 14 were in the seafood processing industry and 13 worked in other sectors), 8 brokers, and 8 Thai community members.

**2. RDS Survey.** For the Respondent-Driven Sampling approach, following general recommendations for implementation of the RDS methodology, the study aimed to select at least 10 Seeds from selected sites in the three districts of Samut Sakhon. The sample target was to interview approximately 400 respondents in at least 4-5 Waves. The actual sample comprised 430 migrant worker respondents, of whom 34 were Seeds—including 20 “fertile” Seeds (recruited at least one other person) and 14 “infertile” Seeds, who recruited no one else—and were dropped from sample analysis, following recommended procedures for analysis of RDS data. This left a final sample size of 396 migrant workers in the seafood processing industry in Samut Sakhon.

**3. Trafficking into Forced Labor.** In constructing the variable to be used to estimate the proportion of the sample population trafficked into forced labor, we chose to incorporate a set of questions more or less directly measuring aspects of Process, Means, and Goal as set out in the Palermo Protocol and ILO guidelines on forced labor.

For Process, although the component elements refer to recruitment, transportation, transfer, harboring or receipt of persons, the question used was only one: “Have you used a recruiter or transporter?” A total of 358 out of 396 respondents (90.4%) answered affirmatively. Various other questions in the survey instrument verified that the function of these recruiters/transporters included at least one or more of the specific activities constituting Process.

For Means, a series of five questions were used, which asked respondents if any of the experiences (took a job involuntarily, threatened or pressured to take a job, deceived or defrauded into taking a job, physical force used to make you take a job, or person with power took advantage of you to make you take a job) had ever happened to them in their employment. In all, 193 of 396 respondents (48.7%) reported at least one element of Means relating to their employment.

For Goal, a series of questions were asked of respondents, relating to whether a list of experiences had ever happened to them at work, specifically whether pay or wages were reduced or withheld (as a penalty or threat), whether an employer refused to pay for work already performed, whether an employer/supervisor threatened to report the worker to the authorities, whether they were sexually harassed or assaulted by their supervisor/employer, whether they were physically abused (beaten, slapped, hit, pushed) by their supervisor/employer, and whether they experience restrictions on freedom of movement. A question about experience of verbal abuse was not included as that is not referenced specifically in the ILO guidelines on “menace of a penalty,” though it is possible that the verbal abuse might have included some kind of threat. In all, a total of 227 out of 396 respondents (57.3%) provided an affirmative answer to at least one element of Goal relating to forced labor.

Taking all cases where a respondent replied affirmatively to the Process element, to at least one Means element, and to at least one Goal element, a total of 193 of 396 respondents (33.6%) can be said to have been trafficked into forced labor.



### 3. Key Findings

- a) Demographic Characteristics. One key finding is that the risk of labor trafficking and forced labor in the seafood processing industry in Samut Sakhon is fairly evenly distributed across various demographic characteristics. There is no statistically significant association between trafficking and country of birth, sex, age, ethnicity, level of education completed, household size in Burma, or time spent in Thailand. Being born in Thailand does not seem to provide any protection against being involved in forced labor and, indeed, seems associated with a somewhat higher risk of being trafficked into forced labor as compared to those born in Burma. Risks of being trafficked into or otherwise being involved in force labor do not seem to differ at all between males and females.
- b) Migration. Cross-border migration (even apparently for those born in Thailand) is associated with several factors that increase the risks of being trafficked. Paying a fee to cross the border is highly significantly associated ( $p=.001$ ) with risk of being trafficked, though the significance seems more due to how protective not paying a fee appears to be; only 13.5% of those who did not pay a fee presented evidence of being trafficked. Payment of migration fees was not associated with forced labor per se. Although a relatively small number of people reported being deceived or defrauded into crossing the border ( $n=30$ ), this was highly significantly associated with being trafficked into forced labor ( $p=.001$ ). Those who reported being taken advantage of in their migration experiences were also more likely to be trafficked into or otherwise involved in forced labor. A possible conclusion to be drawn from this is that migration experiences involving deceit, abuse of a relationship of vulnerability, even the paying of a fee (which could incur a debt relationship with a broker), begin to involve a migrant worker in a system that increases their likelihood of ending up in forced labor.
- c) Work Registration. Those who reported being currently registered for work in Thailand had a somewhat lower risk of being trafficked than those who reported being either unregistered, or formerly registered or only recently registered (within one month of being interviewed). While for the trafficking outcome, this difference was small (30.9% and 39.2%, respectively) and not statistically significant, being an unregistered worker was statistically significantly associated with being involved in forced labor ( $p=.004$ ). Having work registration was reported by a majority of migrant workers to help in various ways—to find work, provide job security, provide freedom to choose a job, and provide safety outside the workplace—and though it did not provide significant protection against being trafficked, it did seem to reduce the risk of being involved in forced labor. That said, more than half of registered workers had experienced some form of forced labor (though compared to more than two-thirds of unregistered workers).
- d) Working Conditions. Respondents who reported that basic safety and sanitary conditions were not maintained at the workplace, as well as those who reported that they did not have access to necessary health care at work, were at higher risk of being trafficked and of being involved in forced labor, with all of these associations statistically significant. This points to the need not only for further research into the physical and mental health impacts of working conditions in the context of forced labor and trafficking but for policy interventions that improve those conditions and recognize the rights of all workers to carry out their jobs with basic dignity, health and safety. The focus of anti-trafficking efforts may rightly be to extricate workers from such conditions but the focus of labor rights initiatives should be to improve the conditions themselves, while ensuring that no one is forced to undertake labor against their will.

e) Living Conditions. Those who lived in accommodations co-located with their workplace were at higher trafficking risk as compared to those who lived off-site. Evidence of restrictions on movement, though involving a relatively small number of respondents, was also associated with higher risk of being trafficked or otherwise involved in forced labor. Finally, those who reported feeling unsafe where they lived were also at higher risk of both trafficking and forced labor experiences. Asked why they felt unsafe, 92 people reported that they were afraid of the police or scared of criminals in the area; of these 66.3% had experiences of forced labor. Conversely, the 196 people who cited a safe environment due to landlord maintenance of safety, guards, locks on doors, no police intrusions, etc., were at significantly lower risk of being trafficked ( $p=.019$ ) than those who did not cite living in a safe environment.

<i>Variable</i>	<i>Category or Mean</i>	<b>Forced Labor</b>		<b>Trafficked</b>	
		<i>%</i>	<i>P-value</i>	<i>%</i>	<i>P-value</i>
Country of Birth	Born in Burma (n=261)	57.1	p=.895	30.7	p=.086
	Born in Thailand (n=135)	57.8		39.3	
Sex	Male (n=198)	58.1	p=.885	33.3	p=.887
	Female (n=197)	56.4		34.0	
Fee Charged for Migration	Yes (n=342)	58.2	p=.587	36.8	<b>p=.001</b>
	No (n=52)	53.9		13.5	
Deceived or Defrauded into Crossing the Border	Yes (n=30)	66.7	p=.282	60.0	<b>p=.001</b>
	No (n=361)	56.8		31.6	
Taken advantage of in Terms of Migration	Yes (n=72)	69.4	<b>p=.022</b>	59.7	<b>p=.000</b>
	No (n=320)	55.0		28.1	
Registration Status	Currently Registered (n=265)	52.5	<b>p=.004</b>	30.9	p=.101
	Currently Unregistered (n=130)	67.7		39.2	
Are Basic Safety Conditions Maintained at Work?	Yes (n=220)	52.3	<b>p=.016</b>	29.6	<b>p=.047</b>
	No/Sometimes/I Don't Know (n=144)	63.4		39.1	
Are Basic Sanitary Conditions Maintained at Work?	Yes (n=247)	50.6	<b>p=.000</b>	27.9	<b>p=.002</b>
	No/Sometimes/I Don't Know (n=147)	68.7		42.9	
Do You Have Access to Health Care When Necessary?	Yes (n=250)	52.8	<b>p=.016</b>	29.2	<b>p=.017</b>
	No/Sometimes/I Don't Know (n=144)	65.3		41.0	
Do You Live in On-site Accommodations?	Yes (n=40)	65.0	p=.309	50.0	<b>p=.021</b>
	No (n=355)	56.6		31.8	
If Live On-site, Can You Go Off-site When You Want To?	Yes (n=155)	61.3	<b>p=.014</b>	37.4	<b>p=.008</b>
	No (n=10)	100.0		80.0	
If Live Off-site, Can You Move Somewhere Else?	Yes (n=355)	55.8	<b>p=.019</b>	31.6	<b>p=.002</b>
	No (n=7)	100.0		85.7	
Do You Feel Safe Where You Live?	Yes (n=292)	53.9	<b>p=.031</b>	30.4	<b>p=.028</b>
	No (n=99)	67.7		42.4	

NOTE: P-values in **bold** denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.

## B. Introduction and Background

### 1. Global Overview of Human Trafficking and Forced Labor

The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime defines trafficking in persons as:

*The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (Art. 3(a)).<sup>1</sup>*

The Trafficking Protocol (one of the so-called Palermo Protocols, the other relevant one being the Protocol Against the Smuggling of Migrants by Land, Sea and Air) was adopted by the United Nations in Palermo, Italy in 2000 and entered into force on 25 December 2003. As of October 2009, the Trafficking Protocol had been signed by 117 countries (including Thailand in December 2001) and represents the first universal instrument to provide a broad definition of human trafficking, particularly one incorporating reference to forced labor. The United Nations Office on Drugs and Crime (UNODC) is responsible for implementing the Trafficking Protocol. According to the Protocol Against the Smuggling of Migrants by Land, Sea and Air, smuggling of migrants is defined as “*the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or permanent resident*” (Art. 3(a)). Smuggling does not necessarily involve exploitation, and may or may not constitute trafficking, although it may expose the migrant to dangerous or degrading circumstances.

The International Labour Organization (ILO) Forced Labour Conventions, 1930 (No. 29) and 1957 (No. 105) are the principal instruments aimed at the elimination of forced or compulsory labor, and each have been ratified by more than 160 member States (including Thailand in 1969). Article 2(1) of Convention 29 defines forced labor as “*all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.*” The provision excludes certain types of forced or compulsory labor, including compulsory military service, work or service as part of normal civic obligations, certain forms of prison labor, work or service that is exacted in emergency situations, and minor communal services. ILO offers that “Today, forced labour is almost universally accepted as a crime. However, it is rarely prosecuted

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<sup>1</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (Trafficking Protocol) 2001 G.A. Res. 25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force 25 December 2003. [<http://www.unodc.org/unodc/en/treaties/CTOC/index.html>. Accessed November 19, 2009].

because of the difficulties in articulating the various offences that constitute forced labour in national laws and regulations.”<sup>2</sup>

Applying a “double sampling” methodology, ILO came up with a “minimum estimate” of 12.3 million people who were victims of forced labor worldwide in 2005. Of these, 9.8 million were estimated to have been exploited by “private agents,” including 2.4 million in forced labor as a result of human trafficking. By these estimates, about 20% of all workers involved in some form of forced labor were trafficked into that work. Globally, 43% of those trafficked into forced labor were involved in commercial sexual exploitation, followed by 32% trafficked for economic exploitation, with the remainder trafficked for mixed or undetermined reasons. As seen in Table B.1 below, the largest numbers of people in forced labor as a result of trafficking are in Asia and the Pacific, with nearly 1.4 million out of 2.4 million, or more than 56% of the total worldwide.<sup>3</sup>

<i>Country</i>	<i>Number of People in Forced Labor as a Result of Trafficking</i>
Asia and the Pacific	1,360,000
Industrialized Countries	270,000
Latin America and Caribbean	250,000
Middle East and North Africa	230,000
Transition Countries	200,000
Sub-Saharan Africa	130,000

Source: ILO. *A Global Alliance Against Forced Labour* (2005).

## **2. Human Trafficking and Forced Labor in Thailand**

The government of Thailand first enacted national legislation on trafficking in 1997 with the Measures in Prevention and Suppression of Trafficking in Women and Children Act B.E. 2540. Subsequent legislation, the Anti-Trafficking in Persons Act B.E. 2551 (2008), not only recognized males as victims of trafficking, but incorporated the definition of trafficking from the Palermo Protocols and defined “forced labour and service” as “*compelling the other person to work or provide service by putting such person in fear of injury to life, body, liberty, reputation or property, of such person or another person, by means of intimidation, use of force, or any other means causing such person to be in a state of being unable to resist.*”<sup>4</sup>

<sup>2</sup> ILO. *Human Trafficking and Forced Labour Exploitation, Guidance for Legislation and Law Enforcement, Special Action Programme to Combat Forced Labour* (Geneva: ILO, 2005).

<sup>3</sup> ILO. *A Global Alliance Against Forced Labour*, Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 93rd Session 2005 Report I (B) (Geneva: ILO, 2005).

<sup>4</sup> Strategic Information Response Network (SIREN) Human Trafficking Data Sheet: Thailand. UNIAP, October 2008 [[http://www.no-trafficking.org/reports\\_docs/thailand/datasheet\\_thailand\\_oct2008.pdf](http://www.no-trafficking.org/reports_docs/thailand/datasheet_thailand_oct2008.pdf). Accessed December 5, 2009]. See also [http://www.no-trafficking.org/resources\\_laws\\_thailand.html](http://www.no-trafficking.org/resources_laws_thailand.html).

It is estimated that between 1.2 and 2.3 million registered and unregistered migrants live and work in Thailand, employed in occupations ranging from construction and domestic work to the fishing and seafood processing industries, commercial agriculture, and the sex trade. In 2004, the Ministry of the Interior registered 1.28 million migrant workers from Cambodia, Laos, and Burma (Myanmar), which entitled them to be issued work permits in Thailand while also allowing access to health care and education for their children.<sup>5</sup> For many decades, Thailand's relative stability and economic prosperity within the Greater Mekong Sub-region (GMS) has made it an attractive destination country for irregular migration, including refugees and asylum-seekers as well as migrant workers seeking employment.<sup>6</sup> The rapid build-up of transportation infrastructure, coupled with uneven development between and within GMS countries, has spurred internal and cross-border migration, with Thailand functioning as a kind of regional hub for migrants moving into, out of, and through the country (see Figure B.2 below).<sup>7</sup>



**Figure B.2 Intra-regional Migration Flows in the GMS**

Among the hundreds of thousands of migrants moving annually within and between GMS countries are victims of trafficking. Estimates range from 200,000 to 450,000 per year for women and children along with an unknown number of men.<sup>8</sup> Thailand, again, is a source, transit, and destination country for trafficking. A 2004 study conducted by the World Vision Foundation of Thailand and Chulalongkorn University concluded that up to 12% of migrants in major border areas were probable trafficking victims.<sup>9</sup> Main sectors for work for trafficked persons in Thailand include commercial sex work, begging, domestic work, factory work, construction, agriculture, and

<sup>5</sup> Huguet JW, Punpuing S. *International Migration in Thailand*. Bangkok: International Organization for Migration (IOM); 2005.

<sup>6</sup> The Greater Mekong Sub-region (GMS) includes Cambodia, Laos, Vietnam, Thailand, Burma (Myanmar), and Southern China.

<sup>7</sup> Caouette T, Sciortino R, Guest P, Feinstein A. *Labor Migration in the Greater Mekong Sub-region*. Bangkok; 2006.

<sup>8</sup> Caouette et al, 2006.

<sup>9</sup> Undated report cited in Huguet & Punpuing, 2005.

fishing industries. The majority come to Thailand from Burma (Myanmar), Cambodia, Laos, and Southern China. Ethnic minorities born in Thailand who are denied citizenship (as many as half of the estimated one million such people) are also at high risk of being trafficked due to their “statelessness”.<sup>10</sup>

Samut Sakhon Province in Thailand is among the biggest seafood processing industrial areas in the entire country. It is also among the top four coastal provinces in Thailand in attracting migrant workers, primarily from Myanmar (Burma). Samut Sakhon has a resident population of approximately 450,000. An additional 250,000 or more workers are Thai migrants, principally from northeastern Thailand, and another 160,000 to 200,000 are foreign migrants. The majority of migrant workers and their families are from Myanmar, of whom it is estimated that 50% are of Mon ethnicity, 30% Burman, 10% Karen and 10% others (including Shan, Tavoyan, Kachin, and Pa-O). According to estimates by the Labour Rights Promotion Network (LPN), approximately 70,000 workers from Burma were registered in the province as of 2007, a number that increased to 120,000 by mid-2009.

Research by LPN indicates that exploitation of Burmese migrants is systematic, occurring often through debt bondage and labor sub-contracting without institutional accountability. LPN has estimated that, for roughly 20-30% of Burmese migrant workers, the coercive and deceptive means by which they are recruited into, and then retained, in exploitative working conditions constitute trafficking into forced labor.

### **3. Background and Rationale for the Study**

Establishing a more robust estimate of labor trafficking, however, has posed a significant challenge. Victims of human trafficking are often hidden (literally, in the case of those in prison-like factory settings or working on fishing boats at sea and, figuratively, in the case of social and economic isolation) which makes them difficult, in some cases impossible, to reach. Many workers are unregistered and find employment through irregular channels. Cross-border and internal movement, employment and other transactions are facilitated by brokers, who frequently collaborate with employers and law enforcement officials. Some migrants will have paid their fees before making the journey, while others will go on the promise of work and the understanding that they will work to pay off their recruitment and transportation fees. In many instances, the broker fees, along with duplicitous efforts by employers to over-charge or under-pay workers, and the bribes and extortion money demanded by Thai authorities, combine to put Burmese workers into conditions of long-term debt bondage.

LPN received funding from the United Nations Inter-Agency Project on Human Trafficking (UNIAP) to address the challenges of estimating prevalence of labor trafficking in Samut Sakhon and invited the Center for Refugee and Disaster Response (CRDR) at the Johns Hopkins Bloomberg School of Public Health (JHSPH) to help design the study and analyze the results.

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<sup>10</sup> SIREN Human Trafficking Data Sheet: Thailand, October 2008.

## C. Methods

### 1. Study Objectives

The study of labor trafficking of Burmese migrant workers in Samut Sakhon had three objectives:

1. To explore the dynamics of broker operations, migrant worker networks, legal rights issues, and the vulnerabilities of the Burmese migrant labor population in Samut Sakhon.
2. To estimate prevalence of labor trafficking among Burmese migrant workers in the seafood processing industry in Samut Sakhon (including small and large factories, processing plants, cold storage facilities, etc, but not including fishing or work on boats).
3. To analyze risk factors associated with labor trafficking in order to target advocacy and program interventions.

### 2. Study Design

The study design employed a mixed methods approach, combining review of existing literature and data (from international organizations, non-governmental organizations, and Thai government sources); ethnographic interviews; and a population survey, using the Respondent-Driven Sampling (RDS) approach, a method used to derive valid population estimates from “chain-referral samples” of hidden populations. The human subjects research protocol was reviewed and approved by UNIAP and an ethics committee at Chulalongkorn University and was also certified by the Johns Hopkins Institutional Review Board (IRB).

Literature and Data Review. The study began in 2008 with field visits to Samut Sakhon and a review of existing data and information on migrant and non-migrant labor in the province, including information on numbers of registered and unregistered workers, as well as breakdowns by age, sex, nationality/ethnicity, occupation. We reviewed all pertinent information from Thai government sources at the national and provincial level; research conducted by LPN; and documentation from other sources (NGOs, media, academic institutions, etc.). This work consisted of review of existing literature and discussions with UN officials, academics and researchers, as well as NGO workers. The study also particularly explored the definitions and indicators for “trafficking” and “forced labor” to guide the development of the sample survey questionnaire and the ultimate construction of a labor trafficking variable for analysis.

Ethnographic Interviews. The first fieldwork phase of the study involved ethnographic research in the communities of Burmese migrant workers in Samut Sakhon. Research took the form of semi-structured interviews with 46 key informants, including migrant workers, brokers, and Thai community members, with a focus on identifying key characteristics of broker networks, broker-employer relationships, and the relationships of workers with one another and with brokers and employers. Information was also gathered on working and living conditions of migrant workers in order to identify specific risks and vulnerabilities they face and to inform development of the survey questionnaire. For the ethnographic research phase, the study targeted a sample size of 50 key informants to achieve diversity of “typical case” perspectives without achieving “data saturation”—the point at which additional interviews supply essentially redundant rather than new

and significant information.<sup>11,12,13</sup> The actual sample for the qualitative research comprised 27 migrant workers (of whom 14 were in the seafood processing industry and 13 worked in other sectors), 8 brokers, and 8 Thai community members.

RDS Survey. The second fieldwork phase of the study employed the Respondent-Driven Sampling methodology to locate and survey a sample of 430 Burmese (by nationality and/or ethnicity) migrant workers aged 15 or older living in Samut Sakhon Province and either currently or previously involved in work in the seafood processing industry. Migrant workers were interviewed about household characteristics in Myanmar and Thailand, migrant history, current and previous work conditions, current living conditions and social network information.

The basic idea of RDS is that respondents are not selected from a sampling frame but from the friendship network of existing members of the sample: the process involves researchers selecting a small number of “seeds” who, in turn, recruit others to participate in the study, and so on, through a series of “waves” of recruitment until the desired sample size is reached.<sup>14</sup> RDS has proven feasible in recruiting hidden populations of various kinds—including injection drug users, commercial sex workers, and men who have sex with men<sup>15</sup>—but its applications to labor trafficking have been limited.

For the RDS survey phase of the research, following general recommendations for implementation of Respondent-Driven Sampling, the study aimed to select at least 10 “Seeds” from purposely-selected sites in the three districts of Samut Sakhon Province—Samut Sakhon district, Krathum Baen district, and Ban Paew district (see Figure C.3 below). Each Seed selected by LPN was asked to recruit up to three friends who were also Burmese migrant workers currently living in Samut Sakhon Province and either currently (or formerly) employed in the seafood processing industry. These initial recruits, who constituted “Wave One” (Seeds are considered “Wave Zero”), in turn were asked to recruit up to three Burmese migrant workers (“Wave Two”), and so forth until the network ended with no further recruitment (or, in the case of sampling in Krathum Baen and Ban Paew, the survey was ended primarily because the migrant worker networks proved to be relatively small and scattered (see Table D.3 below).

Respondents were provided with an opportunity to provide verbal informed consent to be interviewed. Whether or not they agreed to be interviewed, respondents were offered a personal

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<sup>11</sup> Gibbs L, Kealy M, Willis K, Green J, Welch N, Daly J. What have sampling and data collection got to do with good qualitative research? *Aust N Z J Public Health*. 2007;31:540-4.

<sup>12</sup> Sandelowski, M. Sample size in qualitative research. *Research in Nursing and Health*. 1995;18:179-183.

<sup>13</sup> Guest G, Bunce A, Johnson L. How many interviews are enough? An experiment with data saturation and variability. *Field Methods*. 2006;18:59–82.

<sup>14</sup> Salganick MJ, Heckathorn DD. Sampling and Estimation in Hidden Populations Using Respondent-Driven Sampling. *Sociological Methods*. 2004; 34:193-239.

<sup>15</sup> Simic M, Johnston LG, Platt L, Baros S, Andjelkovic V, Novotny T, Rhodes T. Exploring Barriers to ‘Respondent Driven Sampling’ in Sex Worker and Drug-Injecting Sex Worker Populations in Eastern Europe. *Journal of Urban Health*. 2006; 83(7):6-15.



household item (towel or shirt). For each additional person (up to three) that each Seed or subsequent respondent was able to recruit, an additional household item was offered as incentive.

The sample target was to interview approximately 400 respondents in 4-5 “waves,” at which point the sample composition is expected to achieve “equilibrium,” meaning that core population characteristics (for example, gender proportions, ethnicity, age distribution) have stabilized.<sup>16</sup> The actual sample comprised 430 migrant worker respondents in all three districts of Samut Sakhon, of whom 34 were seeds—including 20 “fertile” seeds (recruited at least one other person) and “infertile” seeds, who recruited no one else—and were dropped from sample analysis, following recommended procedures for analysis of RDS data,<sup>17</sup> leaving a final sample size of 396.

### 3. Labor Trafficking Indicators

The estimation of trafficking prevalence among Burmese migrant workers in Samut Sakhon required not only a sampling approach that would enable inferences to be made from the sample to the population, it also required that a standardized definition of trafficking be employed in the development of the survey questionnaire so that the questions asked could be transformed into variables for data analysis. The two key concepts and definitions for this study were “human trafficking” and “forced labor.”

Human Trafficking. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000 (also referred to as the Palermo Protocol) is a supplemental protocol to the United Nations Convention Against Transnational Organized Crime.<sup>18</sup> The Protocol’s definition of “trafficking in persons” has become a standard model for national legislation. Article 3 states:

*(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;*

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

*(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the*

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<sup>16</sup> Heckathorn D, Semaan S, Broadhead R, Hughes J. Extensions of Respondent-Driven Sampling: A New Approach to the Study of Injection Drug Users Aged 18-25. *Aids and Behavior*. 2002;6(1):55-67.

<sup>17</sup> Wang J, Carlson RG, Falck RS, Siegal HA, Rahman A, Li L. Respondent-driven sampling to recruit MDMA users: a methodological assessment. *Drug and Alcohol Dependence*. 2005;78(2):147-157.

<sup>18</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime (Trafficking Protocol) 2001 G.A. Res. 25, annex II, U.N. GAOR, 55th Sess., Supp. No. 49, at 60, U.N. Doc. A/45/49 (Vol. I) (2001), entered into force 25 December 2003.

*purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;*

*(d) “Child” shall mean any person under eighteen years of age.*

In other words, if any of the means listed above are used, it is irrelevant whether or not the victim provided consent. Further, the recruitment, transportation, transfer, harboring or receipt of a child under the age of 18 for the purposes of exploitation is considered “trafficking in persons” even if none of the means set out above are used.

**Figure C.1. Criteria and Elements of Human Trafficking**

<b>PROCESS</b>	<b>+</b>	<b>MEANS</b>	<b>+</b>	<b>GOAL</b>
<i>Recruitment</i>	<b>A N D</b>	<i>Threat</i>	<b>A N D</b>	<i>Prostitution</i>
<i>or</i>		<i>Coercion</i>		<i>or</i>
<i>Transportation</i>		<i>Abduction</i>		<i>or</i>
<i>or</i>		<i>Fraud</i>		<i>or</i>
<i>Transferring</i>		<i>Deceit</i>		<i>or</i>
<i>or</i>		<i>Deception</i>		<i>Involuntary Servitude</i>
<i>Harboring</i>		<i>or</i>	<i>Debt Bondage</i>	
<i>or</i>		<i>Abuse of Power</i>	<i>(with Unfair Wages)</i>	
<i>Receiving</i>		<i>or</i>	<i>or</i>	
		<i>Abuse of Position</i>	<i>Slavery/Similar</i>	
		<i>of Vulnerability</i>	<i>Practices</i>	

The chart above (Figure C.1), adapted from one developed by the Solidarity Center and presented in the US Department of State’s *2008 Trafficking in Persons Report*<sup>19</sup> extrapolates from and simplifies the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons to provide a tool for developing trafficking indicators and operationalizing the definition of human trafficking. In order for a situation to be trafficking (at least for adults), it must have at least one of the elements within each of the three criteria of Process, Means, and Goal. Put differently, multiple elements in one or two criteria may be evident—a migrant may be transported or recruited (Process) through deceptive or coercive Means—but if no exploitative Goal results, the situation is not human trafficking.

For the development of the questionnaire, the study sought to identify questions that captured observable and measurable behavior related to the various elements under the criteria of Process, Means and Goal. For an adult (18 or older) evidence of trafficking was established if he or she had

<sup>19</sup> US Department of State. *2008 Trafficking in Persons Report* (Washington DC: Office of the Under Secretary for Democracy and Global Affairs and Bureau of Public Affairs, 2008)

ever experienced at least 1 Process element and at least 1 Means element and at least 1 Goal element (in this case, excluding Prostitution or Pornography). For a minor child (under 18), Means would not need to be evident, only Process and Goal for trafficking to have occurred:

***≥1 Process + ≥1 Means + ≥1 Goal = Trafficking (if Respondent ≥18 years) and***

***≥1 Process + ≥1 Goal = Trafficking (if Respondent <18 years)***

Forced Labor. As noted previously, the ILO Forced Labour Conventions, 1930 (No. 29) and 1957 (No. 105) are the principal instruments aimed at the elimination of forced or compulsory labor. Article 2(1) of Convention 29 defines forced labor as “*all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.*” The provision excludes certain types of forced or compulsory labor, including compulsory military service, work or service as part of normal civic obligations, certain forms of prison labor, work or service that is exacted in emergency situations, and minor communal services.<sup>20</sup>

The first element of the definition, “all work or service” is fairly straightforward, though this is sometimes distinguished from certain obligations to undergo education or training. The second element, “exacted from any person under the menace of any penalty,” refers to penalties that could take the form of penal sanctions or the loss of rights or privileges. ILO has identified six elements that point to a forced labor situation (though often two or more are applied in combination, the presence of any one element is sufficient to designate a situation as forced labor):<sup>21</sup>

1. ***Physical or sexual violence:*** *Forced labour is frequently exacted from workers by the threat and application of physical or sexual violence. Violence against the individual will come within the scope of the criminal offence of assault. In many jurisdictions, assault is defined as any act which is committed intentionally or recklessly, which leads another person to fear immediate and unlawful personal violence.*
2. ***Restriction of movement of the worker:*** *A common means by which labour is extracted by duress from workers is through their confinement. The workers are locked into the workplace or their movement is restricted to a very limited area, often with the objectives of preventing contact with the host community, and extracting the maximum amount of labour from the individuals. Restriction of movement corresponds to the common law offence of false imprisonment, which is any restraint of liberty of one person under the custody of another.*

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<sup>20</sup> ILO. *Human Trafficking and Forced Labour Exploitation, Guidance for Legislation and Law Enforcement, Special Action Programme to Combat Forced Labour* (Geneva: ILO, 2005).

<sup>21</sup> ILO. *A Global Alliance Against Forced Labour, Report Of The Director-General Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, International Labour Conference, 93rd Session 2005 Report I (B)* (Geneva: ILO, 2005).

3. **Debt bondage/bonded labour:** *Occurs when a person becomes a security against a debt or loan. It is a situation that lies on the borderline between forced labour and slavery. The individual works partly or exclusively to pay off the debt which has been incurred. In most cases, the debt is perpetuated because on the one hand, the work or services provided are undervalued and on the other hand, the employer may provide food and accommodation at such inflated prices that it is extremely difficult for the worker to escape from debt. Debt may also be incurred during the process of recruitment and transportation, which affects the degree of freedom of the employment relationship at the final stage.*
  
4. **Withholding wages or refusing to pay the worker at all:** *Workers are found in situations where they work in the expectation of payment but the employer either has no intention of paying the individual for the work performed or intends to withhold, unreasonably and without just cause, substantial sums from the worker's wages. The withholding of wages - where a person dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it - is theft in criminal law. The fact that the property is in the form of wages due does not remove it from the scope of the offence, even if withholding of wages may form other offences under labour law.*
  
5. **Retention of passports and identity documents:** *It is not uncommon in particular in the case of migrant workers, that the employer takes the worker's identity documents and/or passport, often on the excuse of arranging some immigration matter and refuses to return them to the individual unless he or she continues to work for the employer. The inability to prove identity or indeed even nationality often creates sufficient fear that the workers feel they are obliged to submit to the employer. The withholding of identity documents and passports may be theft depending on the intention of the employer, or it may be part of an offence of deception. Passports normally remain the property of the government, which issues them. They are issued to an individual. The government that issues the passport has the right to its return and the duty to issue to its nationals a new passport subject to national law.*
  
6. **Threat of denunciation to the authorities:** *This is a form of menace or penalty that applies primarily to irregular migrant workers. The threat of denunciation to the authorities comes within the legal definition of blackmail in many jurisdictions. The standard definition is that a person is guilty of blackmail if, with a view to gain for him or herself, or another, or with the intent to cause loss to another, he or she makes any unwarranted demand with menaces.*

The third element of the definition of forced labor relates to the voluntariness (or lack thereof) of the offer or work or services, which is crucial to the definition of forced labor. As the Palermo Protocol states, consent of the victim is irrelevant in all cases involving children and, for adults, consent is irrelevant if there is evidence of a threat of use of force, other forms of coercion, abduction, fraud, deception, abuse of power, etc. Preparatory notes to Article 3 defined a "position of vulnerability" as "any situation in which the person involved has no real and acceptable alternative to submit to the abuse involved."<sup>22</sup> Examples of vulnerability include (but are not limited to) a worker's undocumented migration or work status, pregnancy, ill health, and physical or mental disability.

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<sup>22</sup> ILO. *A Global Alliance Against Forced Labour*, 2005.

The elements in Table C.1 above, and the more detailed examples provided in Table C.2 below, provide an approach for operationalizing trafficking into forced labor.

<b>Figure C.2. Identifying Forced Labor in Practice</b> (ILO, <i>A Global Alliance Against Forced Labour</i> , 2005)	
<b>Lack of consent to work</b> (the “route into” forced labour)	<b>Menace of a penalty</b> (the means of keeping someone in forced labour)
<ul style="list-style-type: none"> <li>• Birth/descent into “slave” or bonded status</li> <li>• Physical abduction or kidnapping</li> <li>• Sale of person into the ownership of another</li> <li>• Physical confinement in the work location – in prison or in private detention</li> <li>• Psychological compulsion, that is, an order to work, backed up by a credible threat of a penalty or non-compliance</li> <li>• Induced indebtedness (by falsification of accounts, inflated prices, reduced value of goods or services produced, excessive interest charges, etc)</li> <li>• Deception or false promises about types and terms of work</li> <li>• Withholding and non-payment of wages</li> <li>• Retention of identity documents or other valuable personal possessions</li> </ul>	<ul style="list-style-type: none"> <li>• Physical violence against worker or family or close associates</li> <li>• Sexual violence</li> <li>• (Threat of) supernatural retaliation</li> <li>• Imprisonment or other physical confinement</li> <li>• Financial penalties</li> <li>• Denunciation to authorities (police, immigration, etc.) and deportation</li> <li>• Dismissal from current employment</li> <li>• Exclusion from future employment</li> <li>• Exclusion from community and social life</li> <li>• Removal of rights or privileges</li> <li>• Deprivation of food, shelter or other necessities</li> <li>• Shift to even worse working conditions</li> <li>• Loss of social status</li> </ul>

In the study questionnaire and construction of the “trafficked into forced labor” variable, the following questions were used:

**Process:**

- *Did You Use a Recruiter or Transporter?*

**Means:**

- *Did You Take This (or Previous) Job Voluntarily?*
- *Were You Threatened or Pressured to Take a Job?*
- *Were Deceived or Defrauded into Taking a Job?*
- *Was Physical Force Used to Make You Take a Job?*
- *Did Anyone in a Position of Power Take Advantage of You to Take a Job?*

**Goal:**

- *Was Your Pay or Wages Reduced or Withheld (As a Form of Penalty or Threat)?*
- *Did Your Employer Refuse to Pay Wages for Work Already Performed?*
- *Did Your Employer/Supervisor Make Threats to Report You to the Authorities?*
- *Did Your Employer/Supervisor Retained or Withheld Your Personal Identity Documents?*
- *Did You Experience Sexual Harassment or Assault by Your Employer/Supervisor?*
- *Did You Experience Physical Abuse by Your Employer/Supervisor?*
- *Did You Experience Restrictions on Your Freedom of Movement?*

Figure C.3. Map of Bangkok and Surrounding Areas (including Samut Sakhon)



## D. Results

### 1. Ethnographic Interviews

As noted earlier, the first fieldwork phase of the study involved ethnographic research among the communities of Burmese migrant workers in Samut Sakhon. Research took the form of semi-structured interviews with a convenience sample of 43 key informants, including 27 migrant workers, 8 brokers, and 8 Thai community members, with a focus on identifying key characteristics of broker networks, broker-employer relationships, and the relationships of workers with one another and with brokers, employers and the broader Thai community. Information was also gathered on working and living conditions of workers in order to identify risks and vulnerabilities.

#### Respondent Characteristics

**Thai Community Members.** A total of 8 Thai community members were interviewed by LPN staff, including a total of 6 males and 2 females. The occupations included a security guard in an apartment complex occupied by significant numbers of Burmese migrant workers, a policeman, a district headman, two village heads, a public health officer, a farmer, and a shopkeeper/landlord. The average age was 46, with a range of 34 to 56.

**Brokers.** A total of 8 brokers were interviewed by LPN staff, all males ranging in age from 26 to 38, with an average age of 32. All were from Burma, with 6 ethnic Burmans, 1 Karen and 1 Mon.

**Migrant Workers.** A total of 27 Burmese migrant workers were interviewed by LPN staff, including 16 males and 11 females (see Table D.1 below). Just over half (51.9%) of the workers were ethnic Mon, while 9 (33.3%) were Burman, and 4 were Tavoyan. Of the 27, 14 (51.9%) were involved in some occupation in the seafood processing industry, while the other 13 were in occupations ranging from factory work to farming to work in a restaurant. Two-thirds (18) of the respondents were registered to work in Thailand and the other 9 were un-registered.

<i>Characteristic</i>	<i>Number</i>	<i>Percentage</i>
Gender		
- Male	16	59.3
- Female	11	40.7
Ethnicity		
- Burman	9	33.3
- Mon	18	51.9
- Tavoyan	4	14.8
Occupation		
- Seafood processing industry	14	51.9
- Non-seafood processing industry	13	48.1
Registration		
- Registered	18	66.7
- Non-registered	9	33.3
Total	27	100.0

## Respondent Comments

**Thai Community Members.** The comments about the Burmese migrant workers in Samut Sakhon ranged from antagonistic to sympathetic with many expressing mixed views. A number commented about the growing numbers and the birth rate among Burmese women while also indicating that they were needed as workers and also contributed by buying from local businesses. Several Thai employers were contacted, but declined to be interviewed.

A 47-year-old police official in Samut Sakhon District said:

*“There are too many migrant workers and if I see they have no work permit, I arrest them and send them back to the border. Many of the migrant workers work in shrimp and fish markets, but not many Thai people do, since they think work in shrimp and fish markets is dirty. Samut Sakhon has so many migrant workers but still it needs more workers. Workers from different countries work in different areas: Lao people work in construction and clothes manufacturing, Cambodians work in construction and Burmese work in [many] economic sectors.” (TC2)*

One 56-year-old district official from Ban Paew District acknowledged it was the responsibility of “the Police, Department of Employment, and the District Office” to manage the migrant workers, though he said that he himself said he had little knowledge about Burmese migrant workers needs:

*“It has been difficult controlling the increase in Burmese migrant workers...Migrant workers are taken advantage of by the police, Government Office and Department of Employment....Most factories have paid police to allow their workers to leave the premises without being arrested....When a Burmese worker has no permit they can travel freely only if they pay police.... I am aware of problems that occur amongst the workers—the son of a factory owner was recently murdered by a worker, and many of the workers were upset about this. But the workers never return any abuse or seek help from police on these matters; they fear the police.”*

A 55-year-old female shopkeeper and landlord renting rooms to Burmese workers commented that the presence of Burmese workers in the community helped her earn money but also had become a source of local competition:

*“I took out a loan of 700,000 Baht (about US\$ 21,000) to run my business. My children are studying, my husband is a Taxi (tuk-tuk) driver. I used to cry every night since I have to send about 10,000 Baht per month in payments to the bank. Now there are Burmese coming to rent, which makes the situation better. For 22 rooms, I get 1,200 baht per room and 60 per person for electricity. It is good that we have migrant workers who come and buy, otherwise we’d die. I tell my husband we should be grateful to migrants as many of them take his taxi....But I sell less than before in the shop, since Burmese people who live in the community buy from other Burmese...I don’t like the Mon people, Mon are clever and have opened competing shops that sells supplies to migrants. I don’t understand why the government allows them to open a shop. Migrant workers buy in Mon shops and Thai people go to big shopping centers leaving only a few customers for my shop.” (TC8)*

A 35-year-old farmer in Ban Paew District said she was sympathetic to the problems of Burmese migrant workers:



*"I know they are arrested frequently; I once witnessed a raid at 4am where frightened Burmese workers leapt from a building to avoid capture and were injured. I believe that the Burmese are forced to live in a dirty area (crowded with many rats, mosquitoes and poor water) and eat poor food; migrant children lack parental care due to the need for their parents to work...Police and people from the Immigration Office often break the law in order to exploit migrant workers. They are similarly exploited by the many organized crime networks in Samut Sakhon. I have been told by migrants of them being attacked by employers though they need the work and money and were unable to report the attacks. There are many people both good and bad who work with migrant workers, and some seek only to exploit them for their own gain." (TC7)*

The police officer summed up the problems of Burmese migrant workers and his view of a solution:

*"They work with no work permits, they engage in criminal activity they do drugs, and they steal things (though rarely)... When we see them, they need to have a TR 38/1 document [migrant registration card], they need to have a receipt of a health check by a hospital, and they need to have a pink-color card [work permit]... When migrant workers who have no work permit make some mistake, they always escape to the border and are difficult to arrest. It would be easier to arrest them if they had cards." (TC2)*

**Brokers.** It was hoped initially that it might be possible to speak with both Thai and Burmese brokers for the study but, due to a series of police raids on factories during the qualitative research phase, many brokers were nervous about being interviewed. Those who did agree to be interviewed were all Burmese, many of whom were former migrant workers. All insisted that they were performing a beneficial service to the workers though, as one acknowledged, "there are both good and bad agents."

A 26-year-old Burmese male described his role more as a transporter rather than mainly as an employment recruiter (though he has done both):

*"I make contact with a broker in Burma and with relatives of Burmese people who live in Thailand. Brokers in Burma bring Burmese to [the] border at Three Pagoda Pass (Dan Chedi Sam Ong) and then take these people to Mahachai [the name for the central area in Samut Sakhon District]. I receive 10,000 baht from the Burmese for this service, some of the Burmese people pay in advance in Burma and some have their relatives in Thailand pay for this after they arrive. I arrange residence for some who don't have it, then the broker finds a job for them. These people will give him money after they have a job. I said that there must be trust between him and the Burmese for this service. I recruit about 2 – 3 people per year, some years I don't do this job." (BR5)*

A 35-year-old Burmese male who had been living in Thailand for 10 years offered these comments:

*"Migrant workers from Burma have to endure a difficult life in Thailand. They are vulnerable to arrests by police. Since we also live as migrant workers, we want to help those among us that we all have the chance to live and the jobs to work.*

*I help the newly arrived workers to get oriented to the place including offering them a loan to cover travel expenses. They can pay me back later in installments. For example, when a worker wants to come to work in Thailand and he has no money to pay for the 10,000 baht travel expenses, I would offer them the amount as a loan, for which he has to pay me back later*

20,000 baht. The amount would cover everything including travel, food, clothes and house rent. After I offer the money to him, I would also help him to apply for work, after which he will be placed under the care of his employer.

I look after about 10-20 workers at a time. Having lived here for ten years, I know many people. I know many police officers and employers in the fishing boats, in factories, big or small, the construction subcontractors. Every year I take care about 20 workers, so in five years, I should have taken care of about 100-150 workers.

Some have run away. But if I can track the persons, I will try to convince them to pay me back. But if they refuse to talk, I have to call up police to arrest them. I also provide protection from being harassed by the police. Each has to pay me 500 baht per month for the service. I collect this money from those working without work permits every month and bring it to the police. Thus, they will be protected by the local police. And if they are arrested outside the area, the police will try to negotiate. The protection only applies when the arrests are made by local police, but not the immigration officers, or special branch police.

To buy protection for the workers, the police may get 10,000 baht a month, of which they will give me back 2,000 baht. Paying this money for at least 3-4 months helps to provide protection for them when they have to move around to work in various places and they are able to live more safely in Thailand without having to fear arrest by local police.

There are both good and bad agents. Some force the workers to do things so they can get rich quickly. They receive the workers and sell them wholesale to the fishing boats just looking for big money. These agents cannot work for long. They have to run away after doing this a couple of times. I know these people, but am hardly associated with them. I think they cannot work for long. But I have been working for many years without any problem.

The workers can be good and bad as well. Some are good and not choosy of the kinds of work. But some are lazy and the employers complain to me. I may have to find them new jobs that suit them better. Some do not like working in factories and like to drink and do hard work, then I will place them with construction subcontractors. Some said they want to work in the fishing boats; I have to double-check if they really like it. Some do like that kind of life anyway. And I know which employers are good, and which are bad, which pay the wages, and which do not pay. Sometimes, I have to take the risk. In some cases, the boat captains are bad, and they get in fights and kill each other along with the workers.

I have been working in a difficult environment. Sometimes, I could hardly manage to save my own life. For example, my wife's brother wanted to work in the fishing boat. After getting the advanced wages and two days before he had to board the boat, he ran away. Thus, the employer got a hold of me and wanted to kill me. I had to ask my wife to pay him all the money he lost for 20,000 baht. Some problems can occur if the persons we deal with are not honest. Some problems that often occur include the workers who are brought and abandoned while in the forest since the agents had no money to continue the journey. Some of them die in the forests." (BR7)

A 31-year-old Burmese male, living in Thailand for 14 years, described his own journey to Thailand and the process by which he became a broker, after having been trafficked into forced labor on a pig farm for several months:

*"Before I came to settle in Samut Sakhon, I lived in Kawthaung [on the Burma border] for almost nine years. Then, a labor agent persuaded me to work in Mahachai. I really wanted to come at that time, since I would earn more money. But instead I was lured to work on a pig farm. The labor agent left me there and took away my wages. I worked there for a couple of*

*months and then ran away. I did not get far away, but decided to work in a similar farm nearby. I was so stupid to be deceived. I deserved to be deceived because I simply believed in the agent and rode in the car with him. Later, I knew I had to do some more careful study.*

*After working at the pig farm for two years, I moved to work in Mahachai as a construction sub-contractor. As I was able to speak Thai then, the police asked me to help them as an interpreter when they raided factories. (I no longer work with the police.) Then, when the workers were arrested, I asked them if they had any relatives here and how much money they had. I tried to negotiate so that they paid less to the police. If they were not able to pay, I offered to pay for them first. I could pay out a kick-back from 500 to 1,000 to 2,000 Baht. It was worth it to pay rather than being sent back to Burma.*

*I have been working with the police for a long time and have had no problem. I never charge workers extra. In most cases, I helped them so that they could pay less. I use one telephone number and never change it. I am not a dishonest person and have never harmed or exploited anyone. I can go anywhere by myself without having to worry about being attacked by anyone.*

*It is difficult now, since the workers cannot extend their work permits and I have to collect money for the police [interview conducted in February 2009; work permits were extended in May 2009]. I can only take care of those I know of. When any workers get arrested, I have to go and see if I know them; if so, they will get released. If they are not released, I have to talk with the police....If the workers are found to have committed serious offenses such as those related to drugs, or physical assault, then I will not help them. They have to cope with their own problems.*

*Now I am preparing to open a snooker place with protection from the police. After having this snooker place, I will open a grocery shop selling stuff to the Burmese community. I think about making big businesses that will help me to survive. If my business is good, I will ask my daughter to come and live over here. At present, both my wife and I are working and none of us can take care of our three year old daughter.*

*It's good to help people this way. Now that the work permit extension is no more, we simply pay the local police per time. It's good to pay them since it helps keep us safe when we have to travel and we do not have to fear deportation. But if the arrests are made by other agencies such as Immigration, then, they will not look after us. Right now I collect from each worker 500 baht per month and bring it to the officials. I have to bring them the money every month, so that they provide protection for my relatives and friends." (BR8)*

What emerges from the interviews with the Burmese brokers is a picture of a complex set of relationships between and among migrant workers, the brokers, the employers, and the various Thai authorities they both must encounter if they are or seek to be registered and try to avoid if they are not. The relationship of a would-be worker and a broker often begins in Burma with arrangement of transport and offers of help with finding work and a place to stay. Some migrants are able to pay their way as they go; others borrow from the broker or have a family-member in Thailand agree to pay. Brokers thus can be transporters and recruiters at the outset of the migration. Later they function as "go-betweens," setting up jobs (in exchange for fees and kick-backs), negotiating with landlords and, almost inevitably, dealing with the police who demand "protection" money in exchange for allowing migrant workers some freedom of movement in the community. Some brokers also collect payments from the workers who owe them (or employers) money, a problematic function even if they are not necessarily "bad" or "dishonest" as most seem to insist they are not.

***Migrant Workers.*** As noted previously, 27 Burmese migrant workers were interviewed by LPN staff, including 14 who worked in the seafood processing industry and 13 in other occupations. About two-thirds were registered workers and one-third unregistered, which is not representative of provincial patterns—in Samut Sakhon, an estimated 35-45% of Burmese workers are registered and the majority are unregistered. Respondents were asked to provide information about themselves and their families; their current living conditions (including type of housing, rental or other financial arrangements, co-habitants, safety and security, and other concerns); working conditions (recruitment process, current occupation, salary, health and other benefits, safety and security, and other concerns); migration and recruitment history (including routes from Burma, number of trips, people involved, financial arrangements, and any problems experienced); and social networks in Samut Sakhon (including how many and what type of people they know, the nature of the relationships, and the frequency of the contact).

Given the focus of this study on the issue of trafficking into forced labor, we were particularly interested in how the experiences of the migrant workers might be interpreted within the three-part framework depicted in Figure C.1, which sets out the criteria and elements of trafficking as falling within Process (recruitment, transportation, transferring, harboring, or receiving); Means (threat, coercion, abduction, fraud, deceit, deception, abuse of power or abuse of a position of vulnerability); and Goal (in this case, forced labor with its six possible elements of physical or sexual violence, restrictions on freedom of movement of the worker, debt bondage/bonded labor, withholding of wages or refusal to pay the worker at all, retention of passports and identity documents, and threat of denunciation to the authorities).

*Process.* Of the 27 migrant workers interviewed, a total of 23 (85.2%; see Table D.2 below) provided information suggesting that they had engaged the services of a migration and/or recruitment broker to facilitate the process of moving from Burma to Thailand and/or finding work. The comments below suggest the types of contacts with brokers and the kinds of services they provide:

*“There was a female broker, we knew each other. She promised me a job and helped transport me to Thailand. I paid the broker 4,500 Baht in Burma and another 4,500 Baht when I arrived in Thailand but total 10,000 Baht for everything... I came to Thailand in 2006 and worked as a construction worker for a month where they paid me 100 Baht per day. However, because my performance in construction was not good, the broker then sent me to work as a maid.” (MW4)*

*“Two brokers, one Thai and the other Mon, offered me a job. I paid the broker 15,000 Baht upon arrival in Thailand.... The brokers brought me over in a truck with around twenty other people. I didn’t know anybody. Some were Burmese others were Karen... I stayed at the broker’s house because the broker wanted to interview us and get to know everyone before they worked. For example: “Do you have any relatives in Thailand?”; “Do you know anyone in Thailand?” “Where are they working?” The first job I was offered was construction work in Kanchanaburi.” (MW15)*

*"In 2004, a broker came to my home. Many of my friends in the village know this broker. The broker told me how much money I would get from working in Thailand. I decided to go to Thailand. The total amount I had to pay to the broker was 400,000 kyat (about 10,800 Baht). I paid half of the money in advance to the broker before I come to Thailand and another half after arriving in Thailand. I travelled with 30 – 40 Burmese by vehicles and boats. The broker dropped us at Ranong Province and another broker took us to Mahachai. The broker in Mahachai knew the factory where our relatives were." (MW18)*

*"I used to live in T\_\_\_ before my first travel to Thailand. I was taken by the Ranong route. I was with my father. My mother and my sister were already working in Mahachai. So we were just starting work in the same place as my mother and sister and they paid the broker for us. During our journey, it was quite smooth and took us about 1-2 nights from Ranong. We had to sleep in a fruit orchard along the way to Mahachai. This was my first trip to Thailand."(MW2)*

*"During 1989, the brokers came to recruit people in my village to work in Thailand. I paid 15,000 Baht to the broker in order to go to Ranong by taking a boat for 7 days from my hometown. Then I took a car to Mahachai. The policeman was the person who took me to work here. If the policeman had not cooperated, we could not have come here." (MW1)*

*"I came from Ranong in January 2008 paying 4,500 for the trip from Ranong to Mahachai, so both I and my wife paid 9,000 Baht. We were loaded into a truck, 25 of us. Ten were seated in the front cabin. Arriving in Mahachai, the agents approached us and asked if we had any relatives, and where they lived. They would then take us there and got the fee for each place they dropped us. Our relatives paid the advance money for us." (MW21)*

*"I travelled through Three Pagoda Pass, taking a detour around the police check point, walking for three days, sleeping in the jungle. Then we got into a truck with a hundred others stopping at different points. I was dropped off in Mahachai. Throughout the trip the workers were moved between many different cars. I paid 8000 Baht. Payment made upon arrival in Thailand. The driver of the last car collected the money."(MW14)*

The interpretation drawn from these interviews was that using a broker to navigate transport and facilitate entry into Thailand and the workforce was quite a common experience. Fees were required—ranging from 8,000 Baht per person to nearly twice that amount—both because this was essentially a business transaction and because most Burmese entered Thailand without documentation, bribes and other informal payments were needed. Most respondents seemed to describe these arrangements matter-of-factly, reserving positive comments for a particularly efficient and effective process and negative comments for experiences they felt were particularly deceitful or injurious.

Means. While 23 of 27 migrant worker respondents indicated that they had used a migration and/or recruitment broker, 11 (40.7%) made comments suggesting that some element of threat, deceit, coercion, fraud or abuse was involved in their entry into work in Thailand:

*"There was a broker who brought me from Tawai to Kawthaung in Ranong before he took me to the Kanchanaburi border. But he did not take me to where we agreed on earlier." (MW1)*

*“Once in Thailand, in hiding, waiting for my broker to return with news of work, my broker missed the connection as promised, forcing me to find a new broker to assist in looking for a job; I had to pay repeatedly for the same service.” (MW19)*

*“What can we do? We have no work permits. It hurts and makes me angry when recalling how the agent deceived us. But we cannot do anything with him. Luckily we have relatives to support us and we get to do sewing work from my room so that I do not have to travel anywhere and am able to raise enough for myself.” (MW21)*

*“Lately, I had to pay up to 3,000 Baht to get to work. I am willing to be deceived to get work since if I get employed and get arrested, the employer should help me. But if I just stay in my room, I could be arrested and no one comes to help.” (MW22)*

*“In acquiring a work permit through a broker, it was expensive, and the permit is not under my name and is a duplicate of an older permit. I am afraid that I may be caught by the authorities.” (MW13)*

Given the general lack of travel and identification documents, the complex process of obtaining work (whether registered or unregistered) in Thailand, and the difficulty of language and cultural barriers—all compounded by the fact that Burmese arrive with little money and even in debt—migrant workers are vulnerable to various kinds of deceitful and abusive practices at the hands of brokers, whether Thai or fellow Burmese, who offer services, charge money, then either fail to deliver or deliberately manipulate workers into a debt relationship they are unable to escape without even more serious consequences.

Goal. Ten of the migrant workers interviewed (37%) provided information suggesting that their current work situation involved at least one element of forced labor:

*“I came to Thailand in 2006 and worked as a construction worker for a month where they paid me 100 Baht per day. But because my performance in construction was not good, the broker then sent me to work as a maid which only lasted 15 days because the broker was mad at me for not being able to communicate, so she beat me up before she threw me out in the street....One day, a Karen woman took me away and introduced me to her friend and I finally got a job as a shrimp peeler in a small factory where I earned 400-500 Baht every 15 days but had to work from 5 pm until 5 am the next day. I had an accident from work while I was loading shrimps and now I still have some sharp pain inside my chest. The supervisor won't let me eat if I'm not finished with my work. He beat me for eating and for fallen shrimps. I ran away after he beat me and started to work at the CD factory for 3-4 months where I had to work early in the morning and finish again in the next day.” (MW4)*

*“My supervisor is not very fair. Thais get to take breaks while the Burmese workers aren't allowed to take any at all. We are unable to take sick days and work times are non-negotiable” (MW2)*

*“An employee recruited me to work in a shop. My responsibilities are cleaning, preparing things to sell and working as a waitress. I work every day from 3.00 am – 4.00 pm. There were four workers in this shop. After one week, two of them left because of too much work and they*

*did not get any pay... The employer at the bakery shop hit and beat us every day, never allowing us to go outside... When I was sick, the employer asked me to take some medicine and work anyway. I was not allowed to take a day off... The employer was very cruel, never spoke a good word, never let me go home, and only paid part of the money I should receive. After three months, I could not stand the hard work and bad situation and I told the employer that I wanted to quit. The employer told the police to arrest me, accusing me of stealing 8,000 Baht. She also took my new mobile phone and never paid me my salary. The police put me in jail for 4 days—there were 36 other people in there, including Thais, Burmese, Mon, Vietnamese and Lao.” (MW7)*

*“When I came to Thailand, I worked as a construction worker at Ratchaburi for 3 months. After finishing a school construction, the employers did not pay my wages and called the police to catch all of the workers.” (MW11)*

<b>Table D.2. Migrant Workers and Experiences of Being Trafficked</b>		
<b>All Migrant Workers (n=27)</b>		
<i>Category</i>	<i>N</i>	<i>Percent</i>
<i>Process</i>	23	85.2
<i>Means</i>	11	40.7
<i>Goal</i>	10	37.0
<i>Trafficked</i>	7	25.9
<i>Total</i>	27	100
<b>Migrant Workers in Seafood Processing Industry (n=14)</b>		
<i>Category</i>	<i>N</i>	<i>Percent</i>
<i>Process</i>	10	71.4
<i>Means</i>	5	35.7
<i>Goal</i>	4	28.6
<i>Trafficked</i>	3	21.4
<i>Note: In the initial coding of interview forms, MW5 was inadvertently coded also as MW10 (now deleted).</i>		
<i>Total</i>	14	100

*Trafficked into Forced Labor* Examining the interview transcripts of the 27 migrant workers, we concluded that 7 of 27 total (3 of 14 in the seafood processing industry) provided a narrative that suggested evidence of Process, Means and Goal and thus could be said to have been trafficked into forced labor (See Table D.2 above). The three cases described below may help to elucidate some of the migration and recruitment dynamics that lead into being trafficked into forced labor (as well as the complexities involved in making such a classification):

1. Case MW4 is a 21-year-old Mon female living in Thailand since 2006. Her parents and three siblings also live and work in Thailand, though she is not living with them. One brother died on a fishing boat and the other two siblings live in Burma. She shares an apartment with three roommates, and all contribute to rent which is 2,200-2,300 Baht per month, including utilities. The landlord collects the rent monthly and also “clears things” with the police when they make inspections. At time of interview she had been working for five months in a large fish canning factory, which employed 1,000 workers. She is paid 203 Baht daily and

can work overtime for an additional 38 Baht per hour. She has a work permit and a health card. When she first came to Thailand in 2006, she said a female broker whom she knew *"promised me a job and helped transport me to Thailand. I paid the broker 4,500 Baht in Burma and another 4,500 Baht when I arrived in Thailand but a total of 10,000 Baht for everything."* She went through a series of jobs including construction worker, working as a maid and fruit seller until she was able to find work in a small shrimp-processing factory *"where I earned 400-500 Baht every 15 days but had to work from 5 pm until 5 am the next day. I had an accident from work while I was loading shrimps and now I still have some sharp pain inside my chest. The supervisor wouldn't let me eat if I was not finished with my work. He beat me for eating and for dropped shrimps. I ran away after he beat me."* After working for a period of time in a factory producing CD's, she found work in the fish-canning factory. She has not returned to Burma since coming to Thailand.

2. Case MW2 is an 18-year-old Tavoyan male who arrived in Thailand only 7 months prior to the interview. He lives with his two sisters (aged 25 and 27); the rest of his family lives in Burma. He shares rent of 3,200 Baht per month (utilities included), living in a community of around 10,000 migrant workers called "Thai Union" for the large factory nearby. He came to Thailand by himself, though the trip was organized by a broker with the costs (6,800 Baht) paid for by his sister. One broker took him to the crossing point at Kawthaung-Ranong and another broker brought him to Samut Sakhon where his sister picked him up. He acquired his work registration and permit through a broker, paying 10,500 Baht in fees: *"In acquiring a work permit through a broker, it was expensive, and the permit was not under my name and is a duplicate of an older permit. I am afraid that I may be caught by the authorities."* He earns the minimum wage of 205 Baht per day with the possibility of an additional 38 Baht per hour overtime. He also has a health card for care at a local hospital. While he described his working conditions as "safe" he also said that *"My supervisor is not very fair. Thais get to take breaks while the Burmese workers aren't allowed to take any at all. We also may not take sick days and work times are non-negotiable."*
3. Case MW7 is a 19-year-old Mon female who came to Thailand in 2005. She lives in an apartment with her mother, two sisters and a brother-in-law. Her father is deceased. Rent is 2,000 Baht per month, including utilities. She describes her living conditions as "unsafe; people can get inside easily." She came to Thailand through Sangklaburi in Kanchanaburi Province, paying broker fees of 27,000 Baht for three people (mother, sister, herself).

The money was paid in advance in Burma. In all, she said three brokers were involved: the broker who brought them from their village to the border, the broker who organized their travel from Burma into Thailand, and the broker who found a job for them. For her first job, she said that *"the broker sold us to a bakery shop when we arrived in Phetchaburi. The employer at the bakery shop hit and beat us every day, never allowing us to go outside."* After one month, they ran away and found work at a gas station in Pathum Thani then moved to Samut Sakhon to work in a fish-drying factory for three years, where she earned 1,500 Baht



every two weeks, working a shift from 5:00 am to 10:30 pm. Eventually, she found work at a small food shop selling chicken and rice (*khao man gai*). *“The employer was very cruel, never spoke a good word, never let me go home, and only paid part of the money I should receive. After three months, I could not stand the hard work and bad situation and I told my employer that I wanted to quit. The employer told the police to arrest me, accusing me of stealing 8,000 Baht. She also took my new mobile phone and never paid me my salary. The police put me in jail for 4 days—there were 36 other people in there, including Thais, Burmese, Mon, Vietnamese and Lao.”* She said she has quit many jobs because of “bad situations” but *“I never have a chance to negotiate, and because of lack of information, I am easily cheated.”*

One key observation that can be made from reviewing these and other interviews with migrant workers is that trafficking into forced labor is not a single event and may not even be a single, sequential process involving a single, related set of actors. Even a single journey may involve multiple brokers operating in different locations and performing different functions: movement to the Burmese border, movement into Thailand, recruitment into a job, loans and debt repayment (including enforcement of penalties), “fixer/go-between” functions (with employers, landlords, police, etc), transport/recruitment of family members, etc. A broker, furthermore, could engage in deceit, fraud, or coercion to get a migrant worker into a job, which the worker might subsequently leave, only to take a job in which forced labor occurs. The connection among these often disjointed events and actors is both at the “micro” level, in terms of their cumulative impacts on a particular migrant worker, and at the “macro” level, where the actions of a dispersed network of brokers, employers, officials—and even workers themselves—create out of disparate events and actors what might be called a labor trafficking system.

The idea of labor trafficking as constituting a system borrows from Banathy who suggested that “in the most general sense, system means a configuration of parts connected and joined together by a web of relationships.”<sup>23</sup> The connections do not need to be direct, personal, or immediately sequential but may be linked by a web of interrelated activities and functions that bind a worker into an ever tighter net of obligations and constraints. While this conception of labor trafficking may have greater application in sociological analysis than legal casework, we suggest that it may also fit better with reality, and the real predicaments of migrant workers, than a model that seems to posit a single ill-intentioned entity or a fully coordinated process taking a worker from home to a hellish workplace.

Another point is that there are varying degrees of deception and exploitation, ranging from overcharging for transport and over-selling the benefits of a job, to debt bondage that results in long-term destitution, and working conditions characterized by routine violence, degradation and involuntary servitude even slavery. This study does not propose a severity scale or index for rating labor trafficking events but rather applies a possibly simplistic but objective definitional framework onto a dynamic and complex narrative of experiences to begin to measure, at the population level, the distribution of trafficking into forced labor.

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<sup>23</sup> Banathy B (1997) “A Taste of Systemics” The Primer Project.

## 2. Population Survey

RDS Sampling: Seeds, Waves and Networks. As noted previously, for the RDS survey phase of the research, following general recommendations for implementation of the Respondent-Driven Sampling methodology, the study aimed to select at least 10 Seeds from selected sites in the three districts of Samut Sakhon. The sample target was to interview approximately 400 respondents in at least 4-5 Waves. The actual sample comprised 430 migrant worker respondents in all three districts of Samut Sakhon, of whom 34 were Seeds—including 20 “fertile” Seeds (those who recruited at least one other person) and 14 “infertile” Seeds, who recruited no one else—and were dropped from sample analysis, following recommended procedures for analysis of RDS data, leaving a final sample size of 396 recruited migrant workers in the seafood processing industry in Samut Sakhon. Table D.3 below presents the sample network information for the 20 “fertile” seeds from the three districts of Samut Sakhon, Krathum Baen and Ban Paew.

<i>Seed ID</i>	<i>Number of Recruits by Seed</i>	<i>Number of Waves Linked to Seed</i>	<i>Total Number of Recruits Linked to Seed</i>
27	1	6	23
31	3	7	51
40	3	4	22
57	1	2	3
59	3	9	67
131	3	8	172
282	3	2	4
455	3	2	5
468	2	5	24
470	1	1	1
477	3	2	5
485	3	2	4
600	1	1	1
608	2	2	4
624	2	1	2
634	2	1	3
655	1	1	1
659	1	2	2
667	1	1	1
671	1	1	1

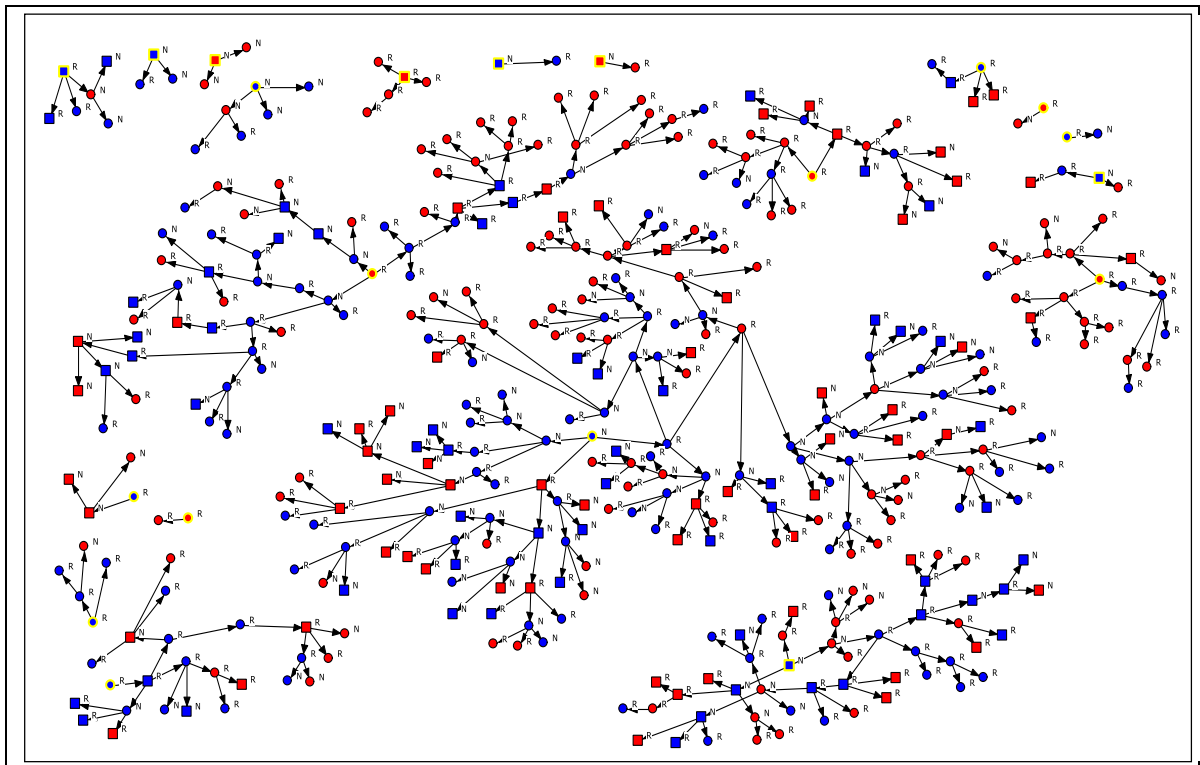
*Note:* Of the 34 total seeds, 20 “fertile” seeds, which recruited at least one other person, are presented here. The total number of recruits linked to the 20 “fertile” seeds is 396. Another 14 “infertile” seeds, which did not have any referral, are not presented here. Their ID numbers are 1, 5, 32, 66, 73, 337, 451, 472, 473, 475, 481, 490, 647, and 663.

Overall, the total number of persons directly recruited by the 20 Seeds (“Wave One”) was 40, for a mean of 2, a median of 2, and with a bi-modal distribution with 8 Seeds recruiting one person and 8 Seeds recruiting 3 people. The mean number of Waves generated per Seed was 3, with a median of 2. The mean recruitment network size was 19.8, though 14 networks (totaling 37 recruits)

included 5 or fewer people, 5 networks (totaling 186 recruits) ranged between 22 and 67 people, and 1 recruitment network included 172 people.

Noting that Seeds 27 to 485 were located in Samut Sakhon district, while Seeds 600 to 671 were from either Krathum Baen or Ban Paew, it can be seen that, in all characteristics (number of recruits by Seed, number of Waves linked to Seed, and total number of recruits linked to Seed) the recruitment process was more successful in Samut Sakhon than in the other districts, the Waves were more extended and the network sizes were substantially larger. This is likely due to two factors. One, the communities of migrant workers in the seafood processing industry in Samut Sakhon are larger and living in closer proximity to one another. Two, the survey process in Krathum Baen and Ban Paew districts began several months later than the survey in Samut Sakhon district, so there was less time for longer chains of Waves to evolve.

**Figure D.1. RDS Sample Networks with Key Characteristics**



**Trafficked = □ Non-Trafficked = ○ Male = Blue Female = Red R = Registered N = Unregistered**

Figure D.1 above depicts the RDS sample networks with several key characteristics—Male/Female; Registered/Unregistered; Trafficked/Non-Trafficked—highlighted in the context of their particular network distributions. The particularly large and complex network in the center of the figure is that generated from Seed 131 and the 8 Waves of recruits that Seed engendered.

<b>1. Characteristic</b>	<b>2. Total Distribution of Recruits</b>	<b>3. Sample Population Proportions</b>	<b>4. Estimated Population Proportions (CI)*</b>	<b>5. Homophily</b>
<b>Sex</b>				
Male	198	0.50	0.45 (0.40,0.52)	0.19
Female	198	0.50	0.55 (0.48, 0.60)	0.05
<b>Registration Status</b>				
Registered	265	0.66	0.60 (0.56, 0.69)	0.27
Unregistered	131	0.34	0.40 (0.31, 0.45)	0.10
<b>Trafficked</b>				
Yes	123	0.31	0.33 (0.26, 0.40)	0.09
No	273	0.69	0.67 (0.60, 0.74)	0.16
<b>Forced Labor</b>				
Yes	205	0.52	0.54 (0.47, 0.60)	0.00
No	191	0.48	0.46 (0.41, 0.54)	0.09

*\*95% Confidence Interval, adjusting standard errors using an RDS data smoothing method.*

Table D.4 shows these same characteristics (column 1, with the addition of Forced Labor/Not Forced Labor) as represented in sample distribution of recruits (column 2) and the sample population proportions (column 3). The sample population proportions in column 3 are also called (in RDS terminology) the “naïve” estimates, as they present a simple ratio of how many of a particular group were recruited, as compared to the total number of recruits. Analysis using RDSAT (Respondent Driven Sampling Analysis Tool v5.6)<sup>24</sup> calculates an estimated population proportion (with a 95% confidence interval) for a given sample population characteristic, applying data-smoothing methods developed by Heckathorn to eliminate deviations in cross-group recruitments that occur due to chance. Applying these smoothing methods adjusts (though not dramatically) the sample population proportions for a given characteristic. Thus, 50% of the sample population were male (n=198) and an equal number were female, while an adjusted estimate of the proportion, using RDS data-smoothing methods, would be 45% male and 55% female. Homophily (column 5) is defined by Heckathorn as “a measure of preference for connections to one’s own group.” Perfect homophily, in which all ties are formed within the group (that is males recruit only other males) is assigned a value of +1; and no homophily, in which ties are formed without regard to group membership is assigned a value of zero.<sup>25</sup> Thus, when an individual forms ties within the group one-third of the time and forms ties randomly without regard to membership two-thirds of the time, the level of homophily is plus one-third or 0.33. In Table D.4, it can be seen that the highest level of homophily is found in Registered workers who recruited within their group 27% of the time and without regard to group ties 73% of the time. All other levels of homophily are, for key characteristics of interest, under 20%. Given Heckathorn’s suggestion that below a 33% level of

<sup>24</sup> RDS Incorporated. (2006). RDS Analysis Tool v5.6 Users’ Manual (Ithaca, NY).

<sup>25</sup> Heckathorn D. (2002) Respondent-Driven Sampling II: Deriving Valid Population Estimates from Chain-Referral Samples of Hidden Populations. *Social Problems*. 49(1):11-34

homophily might be considered moderate to low, we have concluded that this RDS sample is relatively efficient and that the “naïve” sample could be analyzed without more complex weighting adjustments. To be conservative, however, we have restricted analysis in this report to presentation of percentages and nonparametric tests, specifically the Chi-square test for significance.

Respondent Characteristics: Frequencies. As noted previously, the survey questionnaire was divided into five sections, which were preceded by a series of questions to establish that the respondent was self-identified as Burmese (whether born in Burma or not), 15 years of age or older, living in Samut Sakhon province and currently or formerly employed in the seafood processing industry. The respondent’s Recruitment Coupon Number was also recorded, along with the Recruitment Coupon Numbers given to the respondent (ranging from none to three). Following are the respondent characteristics of the 396 people in the final sample, according to the five questionnaire sections.

1. Background
2. Migration History
3. Employment and Working Conditions
4. Living Conditions
5. Social Networks

*Background.* General characteristics of the sample population include (see Table D.4):

- 65.9% of respondents reported being born in Burma, with the other 34.1% born in Thailand (though the assumption is that most or all of these would consider themselves Burmese).
- There were essentially equal numbers of males and females.
- Respondents were relatively young in age (80% between the ages of 15 and 34), characteristic of a population working in unskilled, manual labor.
- 62.1% reported their ethnicity as Burmese, 34.3% were Mon, 1.3% were Karen and 2.3% were other ethnicities. It is not clear from the interview records whether all of those reporting as Burmese were ethnic Burman or were simply identifying their nationality as Burmese. Local estimates are that 50% of Burmese migrant workers in Samut Sakhon are of Mon ethnicity, 30% are Burman, 10% are Karen and 10% are other ethnicities (including Shan, Ta-wai, Khachin, and Pa-O).
- 57.6% of respondents reported their state/division of origin in Burma as Taninthayi Division (formerly known as Tenasserim Division), 30.6% were from Mon State and 11.9% from other states or divisions.
- Household size in Burma was relatively large, with over 80% of the sample reporting household sizes of 5 or more people.
- Main household occupation was aggregated into common ILO occupational categories, with over 40% of households reporting main occupation as farming, fishing, or other laborers; 18.9% service, sales, and market workers; 17.9% students; 3.8% unemployed; and 18.9% other occupations.

- 54.8% of respondents reported that another member of their household had also migrated from Burma to Thailand and fully 85.4% reported that someone else in their home village or town had also migrated to Thailand.
- Years of education (though difficult to categorize as some may have had their education in Burma, some in Thailand, and some in both countries) suggests that 20.2% had 0-4 years of completed education, another 55.8% had 5-8 years of education, and 24% had 8 or more years.

<b>Variable</b>	<b>Categories</b>	<b>Frequency</b>	<b>Percent</b>
Country of Birth	Burma	261	65.9
	Thailand	135	34.1
Sex	Male	198	50.1
	Female	197	49.9
Age	15-24 years of age	155	39.2
	25-34 years of age	160	40.5
	35+ years of age	80	20.3
Ethnicity	Burmese	246	62.1
	Mon	136	34.3
	Karen	5	1.3
	Other	9	2.3
State of Origin in Burma	Mon State	121	30.6
	Taninthayi (Tenasserim) Division	228	57.6
	Other	47	11.9
Household Size in Burma	0-4 persons	63	15.9
	5-7 persons	212	53.5
	8+ persons	121	30.6
Main Occupation of Household in Burma	Farm Laborer	56	14.1
	Other Laborer	55	13.9
	Service Workers, Sales Workers	74	18.7
	Fishing	50	12.6
	Student	71	17.9
	Unemployed	15	3.8
	Other	75	18.9
Other Household Members Migrated	Yes	217	54.8
	No	179	45.2
Other Village Members Migrated	Yes	338	85.4
	No	56	14.1
Level of Education Completed	0-4 years	80	20.2
	5-8 years	221	55.8
	8+ years	95	24.0

*Migration History.* It should be noted that 135 respondents said they were born in Thailand but answered questions about cross-border migration. This discrepancy may be partly explained by the fact that even of those born in Thailand, many apparently had gone back to Burma on at least once, perhaps to visit family members, remit earnings, or because they were deported (see Table D.6).

<b>Table D.6. Migration History</b>			
<b>Variable</b>	<b>Category</b>	<b>Frequency</b>	<b>Percent</b>
First Trip to Thailand	Yes	214	54.0
	No	182	46.0
Cumulative Time Spent in Thailand	<1 year	34	8.6
	1-4 years	165	41.7
	5+ years	197	49.8
Primary Motive to Come to/Stay in Thailand	Make money	299	94.6
	Visit family	8	2.5
	Other	9	2.8
Ever Used a Recruiter or Transporter	Yes	358	90.4
	No	38	9.6
Pre-Migration Information About Work in Thailand	Mostly accurate	163	41.2
	Mostly inaccurate	144	36.4
	None	89	22.5
Sources of Information About Work in Thailand (may select more than one)	Family (non-migrant)	13	3.3
	Family (former migrant)	129	33.0
	Friend (non-migrant)	41	10.5
	Friend (former migrant)	152	38.9
	Recruiter/Transporter	29	7.4
	Other	57	14.6
Who Did You Travel with to Thailand? (may select more than one)	On own	77	19.6
	With family	86	22.0
	With friends/neighbors	173	44.0
	With recruiter or transporter	197	50.3
	Other	53	13.5
Activities Performed by Broker (may select more than one)	Transport within Burma	79	22.1
	Cross-border transfer	171	48.9
	Transport within Thailand	176	49.01
	Recruitment into job	46	12.9
	Arranging for places to stay during trip	98	27.5
	Arranging for reception in Thailand	72	20.2
	Living arrangements in Samut Sakhon	32	9.0
	Other	25	7.0
Did This Trip Arrangement Also Result in a Job?	Yes	72	18.4
	No	319	81.6
Threatened or Pressured to Cross the Border	Yes	35	9.0
	No	356	91.0
Deceived or Defrauded to Cross the Border	Yes	72	18.4
	No	319	81.6
Physical Force Used to Make You Cross the Border	Yes	32	8.2
	No	359	91.8
Taken Advantage of In Crossing the Border	Yes	25	6.4
	No	366	93.6
Fee Charged for Migration	Yes	342	86.8
	No	52	13.2

- 54% of respondents reported that this was their first trip to Thailand (this included many but not all of those born in Thailand); while 46% had made more than one trip.
- Only 8.6% had spent cumulatively less than one year in Thailand, while 41.7% had lived in Thailand between 1 and 4 years, and nearly half had lived in Thailand for five years or more.

The overwhelming majority (nearly 95%) said their primary motive for coming to Thailand (and for those born in Thailand to stay in Thailand) was to make money.

- Just over 90% said that they had used a recruiter/transporter (this term is used basically interchangeably with broker).
- About 40% reported having mostly accurate pre-migration information about work in Thailand, while said they had no information at all. Sources of information about work in most cases seem to have been former migrants (either family members or friends). Only 7.4% said they got job information from the recruiter/transporter.
- Activities performed by the broker mainly had to do with transport and travel or living arrangements. Only 12.9% reported that the broker had recruited them into a job. For fewer than 20% of respondents were trip arrangements also associated with finding a job.
- 18.4% of respondents felt that they had been deceived or defrauded in some way when crossing the border, with smaller percentages (<10%) reporting having been threatened or pressured, taken advantage of, or had physical force used when crossing the border.
- 86.8% reported that they had paid a fee for migration (a fact that, as will be seen later, will prove significantly associated with being trafficked into forced labor).

*Employment and Working Conditions.* Questions in this section were the most extensive, dealing with various aspects of employment and working conditions, including how they found the job, how worker registration (or lack of) affects them, and working conditions (see Table D.7).

- 87.4% of respondents were working in seafood processing factories (unfortunately, the size of these factories and other characteristics were not obtained).
- In nearly 60% of cases, respondents found their current or previous job through friends and family. Only about 11% reported finding their job through a broker (almost all of these paid money to the broker for this).
- 67.1% said they currently had work registration while 32.9% said they were currently unregistered (this includes some of these interviewed in Krathum Baen and Ban Paew who reported having recently registered, as well as some who said they were formerly but not currently registered and several who reported that they were registered but had not seen their card). In this particular respect (proportion currently) the sample may differ from the Burmese migrant worker population, of whom some estimates suggest that only about 44% are registered.
- Most respondents (89.5%) reported that they currently had their identity documents. It was not always clear if these documents were the originals or copies.
- Nearly two-thirds (63.1%) said they got paid once every two weeks, and about 25% every week or every day. More than two-thirds (70.5%) reported earning more than 5,000 Baht per month. Under 7% earned less than 3,000 Baht per month.



Table D.7. Employment and Work Conditions			
Variable	Categories	Frequency	Percent
Type of Work (Current or Former) in Seafood Processing	Seafood processing in factory	346	87.4
	Dock worker	30	7.6
	Refrigeration room worker/Other	20	5.1
Primary Means of Obtaining Job	On own	109	27.5
	Through family	122	30.8
	Through friends/neighbors	114	28.8
	Arranged through broker	43	10.9
	Other	8	2.0
If Job Arranged Through Broker, Activities Performed (may select more than one)	Transport to job location	11	26.2
	Introduction to employer	31	73.8
	Arranged contract/registration	17	40.5
	Arranged living situation/Other	12	27.9
Broker Received Payment for Helping Find Job	Yes	47	94.0
	No	3	6.0
Registration Status (prior to June/July 2009)	Currently Registered	265	67.1
	Currently Unregistered	120	32.9
In What Ways, if Any, Has Worker Registration Helped? (may select more than one)	Helped to find work	271	82.9
	Provided job security	301	92.6
	Provided freedom to choose a job	259	79.9
	Provided safety outside workplace	294	90.5
	Has caused difficulties	70	22.0
If You Do Not Have Worker Registration, Why Not?	Employer doesn't distribute	14	15.9
	Costs too much	6	6.8
	Do not know how to obtain it	4	4.6
	Arrived in non-registration period	57	64.8
	Other	7	8.0
Do You Currently Possess Your Identity Documents?	Yes	351	89.5
	No	41	10.5
If Yes, What Identity Documents Do You Possess?	Household residence card	295	83.3
	Worker registration	274	77.3
	Health card	262	74.2
	Burmese identity card	208	59.1
	Burmese travel document	7	2.0
Currently Does Your Employer or Recruiter Have Any of Your Documents?	Yes	83	21.0
	No	345	77.2
	Don't know	7	1.8
On Average, How Often Do You Get Paid?	Every day	17	4.3
	Every week	83	21.0
	Every two weeks	250	63.1
	Every month	24	6.1
	Irregularly/I don't know	22	5.6
How Much Cash Are You Paid on Average per Month?	<1000 Baht	4	1.0
	1000-2999 Baht	23	5.8
	3000-4999 Baht	90	22.7
	>5000 Baht	279	70.5
Do You Have a Signed Contract With Your Employer?	Yes	79	20.0
	No	313	79.0
	Sometimes/ I Don't Know	4	1.01
Are Work Clothes or Uniform Provided by the Employer for Free?	Yes	26	6.6
	No	258	90.6

	Sometimes/ I Don't Know	11	2.8
Are Necessary Work Tools/Equipment Provided by the Employer for Free?	Yes	51	12.9
	No	331	83.6
	Sometimes/I Don't Know	14	3.5
Are Basic Safety Conditions Maintained at Work?	Yes	219	55.7
	No	121	30.8
	Sometimes/I Don't Know	53	13.5
Are Basic Sanitary Conditions Maintained at Work	Yes	247	62.7
	No	101	25.6
	Sometimes/I Don't Know	46	11.7
Is Food Provided by the Employer for Free During Work Hours?	Yes	52	13.2
	No	329	83.7
	Sometimes/I Don't Know	12	3.1
Is There Adequate Time for Sleep/Rest After Work?	Yes	326	82.5
	No	46	11.7
	Sometimes/I Don't Know	23	5.8
Do You Get Regular Days Off per Week?	Yes	323	82.2
	No	44	11.2
	Sometimes/I Don't Know	26	4.6
Do You Have Access to Health Care When Necessary?	Yes	250	63.5
	No	97	24.6
	Sometimes/I Don't Know	47	11.9
Is There Anything Preventing You from Leaving the Job If You Want To?	Yes	111	28.5
	No	278	71.3
If Yes, What is the Primary Reason You are Prevented from Leaving Your Job?	Debt to employer	3	2.8
	Personal debts	1	.9
	Employer might report me	4	3.7
	Will not be paid	2	1.9
	Afraid of violence against me	6	5.6
	Registration is with this employer	56	52.3
	Employer has my documents	16	15.0
	Difficult to find another job	11	10.3
	Other	8	7.5
Did You Take this Job Involuntarily?	Yes	130	32.8
	No	266	67.2
Were You Ever Threatened or Pressured to Take this Job?	Yes	73	18.4
	No	323	81.6
Were You Ever Deceived or Defrauded to Take this Job?	Yes	67	16.9
	No	329	83.1
Was Physical Force Ever Used to Make You Take this Job?	Yes	34	8.6
	No	361	91.4
Did Someone in a Position of Power Take Advantage of You in this Job?	Yes	90	22.8
	No	305	77.2
Have You Ever Experienced Any of the Following in Your Work? (may select more than one)	Pay or wages reduced or withheld	111	28.1
	Employer refuses to pay for work	53	13.4
	Verbal abuse by supervisor	199	50.4
	Employer threatened to report me	67	17.1
	Employer withheld documents	80	20.3
	Sexual harassment by supervisor	16	4.0
	Sexual assault by supervisor	5	1.3
	Physical abuse by supervisor	32	8.1
	Restrictions on movement	102	25.8

- 80% of workers reported having no signed contract with their employer and fewer than one-third said that basic safety and sanitary conditions were maintained at their worksite
- 28.5% said they felt constrained from leaving their job if they wanted to, with the most common reason (50% of those reporting a constraint) being that their work registration was linked to their current job. Another 15% of those who said they were prevented from leaving their job said their employer was holding their identity documents.
- Nearly one-third of respondents said they took their job involuntarily, 18.4% said they felt threatened or pressured to take the job, 16.9% said they felt deceived or defrauded into taking the job, 8.6% said that physical force was used to make them take the job, and 22.8% said that someone in a position of power took advantage of them.
- Nearly one-third of respondents (28.1%) said they had ever had the experience of having their pay or wages reduced or withheld as a form of penalty or threat, 13.4% said their employer refused to pay them, 50.4% said they had ever been verbally abused by their employer, 17.1% said their employer threatened to report them to the authorities, 20.3% said that an employer had withheld their documents, 5.3% had experienced sexual harassment or assault, and 25.8% reported restrictions on their movement either on or off the worksite.

*Living Conditions.* Questions about migrant worker living conditions mainly focused on types of accommodations, freedom of movement, and aspects of safety and familiarity with the environment (see Table D.8 below).

- 10.1% of respondents said they lived in on-site, employer-provided accommodations, though a larger number 41.7% responded that they lived on-site (the difference may be that the second question did not refer to whether the employer provided the accommodations). Generally speaking, around 95% of respondents, whether they lived in accommodations on or off the work-site said they felt free to move if they wanted to.
- Around three-quarters (74.7%) of respondents said they felt safe where they lived. Asked to list reasons, the largest proportion who felt safe attributed it to their landlord maintaining a safe environment (42.7%) and other referred to factors such as having a guard, having locks on the door, and not having criminals about. Several answers clustered around aspects of familiarity with the environment—lived here for a while (19.4%), know the neighbors (27.4%), speak Thai (8.5%) and know the police (5.5%). Contact with the police, however, is a bit of a two-edged sword, with 2.9% of respondents saying they felt safe where they lived because the police don't come in. (Fear of police is one of the most common reasons for feeling unsafe as it shown in the point below). 25.35 of those who said they felt safe attributed it to having work registration.
- Of the 99 respondents (25.3%) who said they felt unsafe, 40.4% said they were afraid of criminals and 32.7% mentioned that they were scared of police. Lack of familiarity with the environment—do not speak Thai (2.6%), have not lived here long 1.8%)—were mentioned by only a few people as a reason for feeling unsafe. Relatively small numbers also mentioned such factors as lacking work registration (7.9%) and being an undocumented migrant (6.1%).

<b>Variable</b>	<b>Categories</b>	<b>Frequency</b>	<b>Percent</b>
Do You Live in On-site, Employer-provided Accommodations?	Yes	40	10.1
	No	355	89.9
If You Live On-site, Can You Go Off-site When You Want To?	Yes	155	93.9
	No	10	6.1
If You Live Off-site, Can You Move Somewhere Else if You Want To?	Yes	158	95.8
	No	7	4.2
Do You Feel Safe Where You Live?	Yes	293	74.7
	No	99	25.3
If You Feel Safe, Why? (may select more than one)	Have lived here for a while	57	19.4
	Have work registration	74	25.3
	Know the neighbors	80	27.4
	Know the police	16	5.5
	Speak Thai	26	8.5
	Landlord keeps a safe environment	131	42.7
	Have a guard	25	8.1
	Have locks on doors	14	4.6
	Police don't come in	9	2.9
	No criminals	4	1.3
If You Feel Unsafe, Why? (may select more than one)	Other	32	10.4
	Do not speak Thai	3	2.6
	Have not lived here long	2	1.8
	Do not have a work registration	9	7.9
	Undocumented migrant	7	6.1
	Scared of police	37	32.7
	Afraid of criminals	46	40.4
	Other	19	16.7

*Social Networks.* Key to the RDS methodology is measuring the number of people (in the target population—Burmese migrants living in Samut Sakhon). Questions also were asked about the structure of those friendship networks, as well as where respondents sought help (see Table D.9).

- Reciprocal friendship network sizes ranged from fewer than 10 to more than 500; 11.8% of respondents had reciprocal friendship networks of 0-14, 22.7% were 15-29, 25.5% were 30-49 (the median and mode), 16.9% were 50-69 and 23.0% comprised 70 or more people.
- Almost all said their networks included people from work, followed by neighborhood people (86.1%), friends from Burma (77.5%), kin groups (75.5%) and family (76.8%).
- Asked where they went for help if they had problems, the answers ranged from family members (55.8%), friends (49.8%), NGO workers (11.2%), workmates (9.1%), health workers (9.1%) brokers (8.1%), employers (7.1%) to no one (7.1%).
- Asked about whether they had had contact with any of a list of individuals/organizations in the last year, respondents most frequently mentioned contact with religious persons, particularly Buddhist monks, and said that these persons provided help (69.5%). There was also frequent contact with doctors, nurses and other health workers and, of those who had contact, 59.9% reported having received help. Brokers were also both frequently contacted and, in most cases (56.7%) were reported as providing help. Less effective were lawyers, labor officials, NGO or social workers, and police.

<b>Table D.9. Social Networks</b>			
<b>Variable</b>	<b>Categories</b>	<b>Frequency</b>	<b>Percent</b>
How Many Burmese Migrants Do You Know Currently Living in Samut Sakhon Who Also Know You?	0-14 persons	47	11.8
	15-29 persons	90	22.7
	30-49 persons	101	25.5
	50-69 persons	67	16.9
	70+ persons	91	23.0
Of Those You Know, How Would You Categorize and Number Them? (may select more than one) (numbers not provided in this table)	Nuclear family	304	76.8
	Kin groups	299	75.5
	Friends from Burma	307	77.5
	People I work with	377	95.2
	People in the neighborhood	341	86.1
	Other	51	12.9
If You Have Problems Where Do You Go for Help? (may select more than one)	No one	28	7.1
	Family members	220	55.8
	Employer	28	7.1
	Recruiter/Broker	32	8.1
	NGO	44	11.2
	Friends	196	49.8
	Workmates	36	9.1
	Doctor/Health Worker	36	9.1
	Other	33	8.4
Have You Ever Had Contact With Any of the Following Groups?	Police		
	Yes, got help	91	23.2
	Yes, but did not get help	172	43.8
	No	129	32.8
	Labor Officials		
	Yes, got help	57	14.5
	Yes, but did not get help	195	49.5
	No	141	35.8
	NGO or Social Worker		
	Yes, got help	99	25.3
	Yes, but did not get help	182	46.4
	No	110	28.1
	Medical Doctors and Nurses		
	Yes, got help	236	59.9
	Yes, but did not get help	94	23.9
	No	63	16.0
	Lawyers		
	Yes, got help	13	3.3
	Yes, but did not get help	218	55.5
	No	161	41.0
	Brokers		
	Yes, got help	224	56.7
	Yes, but did not get help	83	22.3
	No	83	21.0
Religious Persons or Monks			
Yes, got help	273	69.5	
Yes, but did not get help	84	21.4	
No	35	8.9	

- Regarding help (or lack of) from different sources, the questionnaire did not provide for narrative answers so specific explanations are not possible. It may be speculated that, as mentioned before, police may be a source of help (23.2%) but more often either do not provide help (43.8%) and, noting the fear with which many Burmese migrant worker regard them, may be seen as agents of harm. Lawyers, NGO and social workers, and labor officials, on the other hand, may simply be less able to provide the kind of help that a worker seeks them out for (resolution of a legal problem, help with a family or social issue, or resolution of a labor dispute). Health workers and brokers, having more specific remedies at hand perhaps, are seen as more effective in providing help.

Proportion Trafficked into Forced Labor. In constructing the variable to be used to estimate the proportion of the sample population trafficked into forced labor, we chose to incorporate a relatively small sub-set of questions more or less directly measuring aspects of Process, Means, and Goal as set out in the Palermo Protocol and the ILO guidelines on forced labor (see Table D.10).

<b>Table D.10. Evidence of Process, Means, Goal and Being Trafficked into Forced Labor</b>		
<b>Process:</b>	<b>Yes (%)</b>	<b>No (%)</b>
Used a recruiter or transporter	358 (90.4)	35 (8.9)
<i>Evidence of Process</i>	<i>358 (90.4)</i>	<i>35 (8.9)</i>
<b>Means:</b>		
Took job involuntarily	130 (32.8)	266 (67.2)
Threatened or pressured to take job	73 (18.4)	323 (81.6)
Deceived or defrauded into taking job	67 (16.9)	329 (83.1)
Physical force used to make you take job	34 (8.6)	361 (91.4)
Person with power took advantage of you to make you take job	90 (22.8)	305 (77.2)
<i>Evidence of Means</i>	<i>193 (48.7)</i>	<i>203 (51.3)</i>
<b>Goal:</b>		
Pay or wages reduced or withheld (as a penalty or threat)	111 (28.1)	284 (71.9)
Employer refuses to pay you for work already performed	53 (13.4)	343 (86.6)
Supervisor threatened to report you to the authorities	67 (17.1)	325 (82.9)
Sexually harassed or assaulted by supervisor	80 (20.3)	315 (79.8)
Physically abused (beats, slaps, hits, pushes) by supervisor	32 (8.1)	363 (91.9)
Experienced restrictions on freedom of movement	102 (25.8)	294 (72.2)
<i>Evidence of Goal</i>	<i>227 (57.3)</i>	<i>169 (42.7)</i>
	<b>Frequency</b>	<b>Percentage</b>
<b><i>Evidence of Process (recruitment, transportation, transfer, harboring or receipt of persons)</i></b>	<b>358</b>	<b>90.4</b>
<b><i>Evidence of Means (force, fraud, coercion, abduction, deception, abuse of power or vulnerability)</i></b>	<b>193</b>	<b>48.7</b>
<b><i>Evidence of Goal (forced labor, slavery or similar practices)</i></b>	<b>227</b>	<b>57.3</b>
<b><i>Trafficked</i></b>	<b>133</b>	<b>33.6</b>

For Process, although the component elements refer to recruitment, transportation, transfer, harboring or receipt of persons, the question used was only one: Have you used a recruiter or transporter? A total of 358 out of 396 respondents (90.4%) answered affirmatively. Various other questions in the survey instrument verified that the function of these recruiters/transporters included at least one or more of the specific activities constituting Process.

For Means, a series of five questions were used, which asked respondents if any of the experiences (took a job involuntarily, threatened or pressured to take a job, deceived or defrauded into taking a job, physical force used to make you take a job, or person with power took advantage of you to make you take a job) had ever happened to them in their employment. In all, 193 of 396 respondents (48.7%) answered Yes to at least one element of Means relating to their employment.

For Goal, a series of questions were asked of respondents, relating to whether a list of experiences had ever happened to them at work, specifically were pay or wages reduced or withheld (as a penalty or threat), employer refused to pay for work already performed, employer/supervisor threatened to report you to the authorities, were you sexually harassed or assaulted by your supervisor/employer, were you physically abused (beaten, slapped, hit, pushed) by your supervisor/employer, and did you experience restrictions on freedom of movement. A question about experience of verbal abuse was not included as that is not referenced specifically in the ILO guidelines on “menace of a penalty,” though it is possible that the verbal abuse might have included some kind of threat. In all, a total of 227 out of 396 respondents (57.3%) provided an affirmative answer to at least one element of Goal relating to forced labor.

Taking all cases where a respondent replied affirmatively to the Process element, to at least one Means element, and to at least one Goal element, a total of 193 of 396 respondents (33.6%) were identified as meeting the definition for having been trafficked into forced labor. It should be noted that the construction of this variable does not presume that Process, Means and Goal are linked to one specific actor or event, rather that a cumulative set of experiences have been identified whereby the component elements of labor trafficking are evident over an unspecified period of time and number of events. One may say that what is being measured is a cumulative risk of labor trafficking among Burmese migrant workers in the seafood processing industry in Samut Sakhon.

Respondent Characteristics and Proportion Trafficked into Forced Labor. The following section presents a subset of respondent characteristics relating to their background, migration history, employment and working conditions, living conditions, and social networks, cross-tabulated with the proportion in different categorical groupings trafficked into forced labor.

*Background.* General characteristics of the sample population include (see Table D.11):

- 30.7% of those born in Burma were trafficked compared to 39.3% of those born in Thailand. While this difference is only marginally significant ( $p=.086$ ), it is telling that being born in Thailand not only accords no protection but seems to increase risk (it is also possible that those born in Thailand having been living and working in Thailand longer and thus have longer exposure to the risk of being trafficked into forced labor).

<i>Variable</i>	<i>Categories</i>	<i>Proportion Trafficked</i>	<i>P-Value</i>
Country of Birth	Born in Burma (n=261)	30.7	p=.086
	Born in Thailand (n=135)	39.3	
Sex	Male (n=198)	33.3	p=.887
	Female (n=197)	34.0	
Age	15-24 years of age (n=155)	39.2	p=.202
	25-34 years of age (n=160)	40.5	
	35+ years of age (n=80)	20.3	
Ethnicity	Burmese (n=246)	30.6	p=.076
	Mon (n=136)	36.6	
	Karen/Other (n=14)	57.1	
State of Origin in Burma	Mon State (n=121)	34.7	p=.844
	Taninthayi (Tenasserim) Division (n=228)	32.5	
	Other (n=47)	36.2	
Household Size in Burma	0-4 persons (n=63)	31.8	p=.151
	5-8 persons (n=212)	30.2	
	8+ persons (n=121)	40.5	
Main Occupation of Household in Burma	Agricultural, Fishery and Related Laborer (n=106)	31.1	p=.493
	Student (n=71)	29.6	
	Service workers, Shop and Market Sales Workers (n=74)	40.5	
	Other (n=145)	33.8	
Other Household Members Migrated	Yes (n=217)	32.7	p=.688
	No (n=179)	34.6	
Other Village Members Migrated	Yes (n=338)	35.5	p=.100
	No (n=56)	21.4	
Level of Education Completed	0-4 years (n=80)	41.3	p=.158
	5-8 years (n=221)	29.9	
	8+ years (n=95)	35.8	

NOTE: P-values in **bold** denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.

- 33.3% of males and 34% of females were trafficked into forced labor, suggesting that risks are quite similar (p=.887), though further analysis may indicate different proportions of males and females may experience different Means and Goal elements.
- In terms of age, it appears that older workers, 25-34 years of age and 35+ years have higher risks of being trafficked than younger workers (15-24 years of age) though the difference is not statistically significant (p=.202). Here again, age may also be a marker for having had more time in the labor market in Thailand and thus longer exposure to trafficking risks.
- Ethnic Burmans and Mon have somewhat comparable risks of being trafficked into forced labor (30.6% and 36.6% respectively).
- The comparable proportions of trafficked persons from the different State/division of origin in Burma suggests that there are no particular geographic patterns of risk (p=.844)
- Household size in Burma and main household occupation in Burma, likewise, do not seem to demonstrate characteristics significantly associated with the risk of being trafficked.



- Having a household member who also migrated to Thailand is not associated with a greater risk of being trafficked, though having other village members who migrated is associated with a higher risk (35.5%) though the difference is not statistically significant (p=.100)
- Regarding level of education, there seems to be an unusual U-shape to the risk with higher risk associated with lower levels of education (0-4 years) and higher levels of education (8+ years) than with 5-8 years, though differences are not statistically significant (p=.158).

*Migration History* (see Table D.12).

- The number of trips to Thailand, whether one or more (or possibly none) is not significantly associated with any differential risk of being trafficked into forced labor.
- Cumulative time spent in Thailand does seem to augment the risk of being trafficked (29.4% for those in Thailand <1year, 29.7% for those residing 1-4 years, and 37.6% for those residing 5+ years, though the difference is not statistically different (p=.249).

Variable	Categories	Proportion Trafficked	P-Value
First Trip to Thailand	Yes (n=214)	33.6	p=.978
	No (n=182)	33.5	
Cumulative Time Spent in Thailand	<1 year (n=34)	29.4	p=.249
	1-4 years (n=165)	29.7	
	5+ years (n=197)	37.6	
Pre-Migration Information About Work in Thailand	Mostly accurate (n=163)	37.4	p=.570
	Mostly inaccurate (n=144)	27.8	
	None (n=89)	36.0	
Sources of Information About Work in Thailand (may select more than one)	Family/Friends (non-migrant) (n=52)	30.8	p=.645
	Family/Friends (former migrant) (n=265)	34.2	<b>p=.024</b>
	Recruiter/Transporter (n=29)	51.7	<b>p=.032</b>
	Other (n=57)	29.8	p=.516
Who Did You Travel with to Thailand? (may select more than one)	With family/friends/neighbors (n=221)	37.6	p=.060
	With recruiter or transporter (n=197)	35.5	p=.414
	On own (n=77)	31.2	p=.617
	Other (n=53)	17.0	<b>p=.006</b>
Activities Performed by Broker (may select more than one)	Recruitment (n=46)	50.0	<b>p=.012</b>
	Transportation (n=218)	38.1	<b>p=.036</b>
	Harboring (n=137)	48.9	<b>p=.000</b>
Threatened or Pressured to Cross the Border	Yes (n=35)	34.3	p=.927
	No (n=356)	33.7	
Deceived or Defrauded into Crossing the Border	Yes (n=30)	60.0	<b>p=.001</b>
	No (n=361)	31.6	
Physical Force Used to Cross the Border	Yes (n=19)	52.6	p=.072
	No (n=372)	32.8	
Taken Advantage of During Migration	Yes (n=72)	59.7	<b>p=.000</b>
	No (n=320)	28.1	
Fee Charged for Migration	Yes (n=342)	36.8	<b>p=.001</b>
	No (n=52)	13.5	

NOTE: P-values in **bold** denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.

- Deriving one's information about work in Thailand from a recruiter/transporter is significantly associated with a higher risk of being trafficked (51.7%,  $p=.032$ ). While traveling to Thailand with a recruiter/transporter is not associated with higher risk of being trafficked, the component elements of recruiter/transporter activities, namely Recruitment, Transportation, and Harboring (provided accommodations, arranging for receipt by persons in Thailand) are all significantly associated with higher risks of being trafficked.
- While being threatened or pressured to cross the border into Thailand is not significantly associated with higher trafficking risk (34.3%,  $p=.927$ ), having been physically forced to cross the border is associated with higher risk (52.6%,  $p=.072$ ) and having been deceived, defrauded or taken advantage of during migration are highly correlated with a greater trafficking risk ( $p=.001$  and  $p=.000$ , respectively).
- Having to pay a fee for migration is associated with a higher risk of being trafficked (36.8%,  $p=.001$ ) though the significance derives from the fact that not paying a fee seems quite protective of trafficking risk (13.5%). The implication here is that paying money leads to debt and obligation to someone (likely the recruiter/transporter) while not paying a fee suggests that people either are avoiding brokers or may be involved with ones who facilitate migration for motives other than profit.

*Employment and Working Conditions.* (see Table D.13).

- Type of work in seafood processing is not significantly associated with higher risk of trafficking, though factory work does suggest a slightly elevated risk (34.7%,  $p=.224$ ).
- Having a job arranged through a broker is associated with a higher risk of being trafficked (62.8%) though the difference is not statistically significant ( $p=.478$ ), possibly due to the three-way comparison with other means and the fact that only 43 of 396 respondents reported using a broker. In most cases, the broker charged a fee for the arrangement, a fact that is also associated with a high risk of being trafficked (61.7%)
- Being currently registered to work carries a somewhat lower risk of being trafficked (30.9%) as compared to being currently unregistered (39.2%), though the differences are not statistically significant ( $p=.101$ ). This is an important policy finding, suggesting that, while work registration may be associated with other positive outcomes for a Burmese migrant, it does not carry much protection against being trafficked into forced labor.
- In most respects, having work registration, like having other identity documents, does not seem to be associated with significantly reduced risk of trafficking.
- Respondents who replied that basic safety conditions were not maintained at work had a higher risk of being trafficking (46.3%) as did those who reported that basic sanitary conditions were not maintained (43.5%), both of which were statistically significant ( $p=.047$  and  $p=.002$ , respectively). Respondents who reported no access to health care at work were also at significantly higher risk of trafficking (41%,  $p=.017$ )
- Questions in the Employment and Working Conditions that were used to create the Means or Goal elements in the trafficking variable are not included in the cross-tabulations due to collinearity. All are, of course, highly correlated with elevated risk of being trafficked.

<b>Table D.13. Employment, Work Conditions and Trafficking</b>			
<b>Variable</b>	<b>Categories</b>	<b>Proportion Trafficked</b>	<b>P-Value</b>
Type of Work in Seafood Processing	Seafood processing in factory (n=346)	34.7	p=.224
	Dock worker/Cold room worker/Other (n=50)	26.0	
Primary Means of Obtaining Job	Through family/friends/neighbors (n=236)	29.7	p=.478
	Arranged through broker (n=43)	62.8	
	Other (n=117)	30.8	
If Job Arranged Through Broker, Activities Done (may select more than one)	Recruitment (n=38)	60.5	<b>p=.000</b>
	Transportation (n=11)	63.6	<b>p=.032</b>
	Harboring (n=8)	50.0	p=.321
Broker Received Payment for Helping Find Job	Yes (n=47)	61.7	p=.864
	No (n=3)	66.7	
Registration Status	Currently Registered (n=265)	30.9	p=.101
	Currently Unregistered (n=130)	39.2	
In What Ways, if Any, Has Worker Registration Helped? (may select more than one)	Helped to find work (n=271)	30.3	<b>p=.016</b>
	Provided job security (n=301)	32.9	p=.645
	Provided freedom to choose a job (n=259)	34.4	p=.433
	Provided safety outside workplace (n=294)	33.3	p=.904
	Has caused difficulties (n=70)	27.1	p=.221
What Identity Documents Do You Possess? (may select more than one)	Household residence card (n=295)	33.9	p=.311
	Worker registration (n=273)	32.6	p=.847
	Health card (n=262)	31.7	p=.422
	Burmese identity card (n=208)	32.7	p=.936
	None (n=41)	36.6	p=.650
If You Do Not Have Worker Registration, Why Not?	Employer doesn't distribute (n=14)	50.0	p=.276
	Arrived in non-registration period (n=57)	31.6	
	Not enough information/Other (n=17)	36.4	
On Average, How Often Do You Get Paid?	Daily or weekly (n=100)	34.0	p=.239
	Bi-weekly or monthly (n=274)	33.2	
	Irregularly/I don't know (n=22)	36.4	
How Much Cash Are You Paid on Average per Month?	<2999 Baht (n=27)	48.2	p=.497
	3000-4999 Baht (n=90)	31.1	
	>5000 Baht (n=279)	33.0	
Do You Have a Signed Contract?	Yes (n=79)	26.6	p=.109
	No (n=313)	35.8	
Basic Safety Conditions Maintained at Work?	Yes (n=220)	29.5	<b>p=.047</b>
	No/Sometimes/I Don't Know (n=144)	46.3	
Basic Sanitary Conditions Maintained at Work?	Yes (n=247)	27.9	<b>p=.002</b>
	No/Sometimes/I Don't Know (n=147)	43.5	
Access to Health Care at Job When Necessary?	Yes (n=250)	29.2	<b>p=.017</b>
	No/Sometimes/I Don't Know (n=144)	41.0	
Anything Preventing You from Leaving the Job?	Yes (n=111)	36.0	p=.304
	No (n=280)	32.6	
NOTE: P-values in <b>bold</b> denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.			

*Living Conditions.* (See Table D.14).

- Respondents who lived in on-site, employer-provided accommodations had a significantly higher risk of being trafficked into forced labor (50%, p=.021). Those who reported that they could not leave the on-site accommodations had a statistically significantly higher risk of being trafficked (80%, p=0.008). Even those who lived off-site and reported they did not feel free to move had a higher risk of being trafficked (85.7%, p=0.002)
- Those who reported feeling unsafe where they lived had a higher risk of being trafficked (42.4%, p=.028).
- For those who felt safe, familiarity (speak Thai, know the neighbors, know the police, length of stay in Thailand) counter-intuitively was associated with a higher risk of being trafficked (37%, p=.040). There may be some confounding in this measure, as length of stay itself leads to greater cumulative exposure to trafficking experiences. Having a safe environment was associated with a lower risk of being trafficked (28.1%, p=.019). Those who said they felt safe because of their work registration, interestingly, also had a higher risk of being trafficked into forced labor (44.6%, p=.002).

<b>Variable</b>	<b>Categories</b>	<b>Proportion Trafficked</b>	<b>P-Value</b>
Do You Live in On-site, Employer-provided Accommodations?	Yes (n=40) No (n=355)	50.0 31.8	<b>p=.021</b>
If You Live On-site, Can You Go Off-site When You Want To?	Yes (n=155) No (n=10)	37.4 80.0	<b>p=.008</b>
If You Live Off-site, Can You Move Somewhere Else if You Want To?	Yes (n=355) No (n=7)	31.6 85.7	<b>p=.002</b>
Do You Feel Safe Where You Live?	Yes (n=293) No (n=99)	30.4 42.4	<b>p=.028</b>
If You Feel Safe, Why? (may select more than one)	Familiarity (n=127) (Speak Thai, Know Neighbors, Know Police, Length of Stay in Thailand)	37.0	<b>p=.040</b>
	Safe Environment (n=196) (Landlord Maintains Safe Environment, Guard, Locks on Doors, No Criminals, Police Don't Come In)	28.1	<b>p=.019</b>
	Have Work Registration (n=74)	44.6	<b>p=.002</b>
If You Feel Unsafe, Why? (may select more than one)	Unfamiliarity (n=5) (Length of Stay, Do Not Speak Thai)	60.0	p=.208
	Unsafe Environment (n=92) (Scared of Police, Afraid of Criminals)	40.2	p=.124
	No Work Registration/Undocumented Migrant (n=12)	25.0	p=.522
NOTE: P-values in <b>bold</b> denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.			

*Social Networks.* (See Table D.15).

- Size of reciprocal friendship network was significantly associated with a higher risk of being trafficked (p=.032). Further network analysis and weighting is needed.
- In terms of who respondents went to for help with their problems, going to an employer or broker was significantly associated with a higher risk of being trafficked (46.6%, p=.024). A higher risk of trafficking was also associated with going to a professional (NGO or health worker) (50%, p=.001). The logical conclusion in this case is not that professionals are likely to be traffickers but that the kinds of problems that would lead migrant workers to see health or social workers would be associated with such things as labor rights violations, poor health from stressful working conditions, and the like.

<i>Variable</i>	<i>Categories</i>	<i>Proportion Trafficked</i>	<i>P-Value</i>
How Many Burmese Migrants Do You Know Currently Living in Samut Sakhon Who Also Know You?	0-14 persons (n=47)	40.4	<b>p=.032</b>
	15-29 persons (n=90)	21.1	
	30-49 persons (n=101)	31.7	
	50-69 persons (n=67)	41.8	
	70+ persons (n=91)	38.9	
Of those You Know, How Would You Categorize and Number Them?	Nuclear family (n=304)	...	p=.082
	Kin groups (n=299)	...	P=.376
	Friends from Burma (n=307)	...	P=.777
	People I work with (n=377)	...	P=.072
	People in neighborhood (n=34)	...	P=.651
	Other (n=51)	...	<b>P=.029</b>
If You Have Problems Where Do You Go for Help? (may select more than one)	No one (n=28)	42.9	P=.533
	Family/Friend/Workmate (n=326)	34.1	P=.674
	Employer/Recruiter/Broker (n=58)	46.6	<b>P=.024</b>
	Professional (NGO, Doctor, Health Worker) (n=72)	50.0	<b>P=.001</b>
	Other (n=33)	33.3	P=.550
NOTE: P-values in <b>bold</b> denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.			

## E. Conclusions

In considering the prevalence of labor trafficking (33.6%) and the risk factors associated with it, attention should also be paid to the 57.3% of the population who have experience forced labor, whether trafficked there or not. Table E.1 below presents a summary risk model for both trafficking into forced labor and forced labor itself. The variables include those for which a statistically significant was found between the background characteristic or experience and one or both outcomes of interest. Also included are some variables that are of interest because they show more undifferentiated risk.

<i>Variable</i>	<i>Category or Mean</i>	<b>Forced Labor</b>		<b>Trafficked</b>	
		<i>%</i>	<i>P-value</i>	<i>%</i>	<i>P-value</i>
Country of Birth	Born in Burma (n=261)	57.1	p=.895	30.7	p=.086
	Born in Thailand (n=135)	57.8		39.3	
Sex	Male (n=198)	58.1	p=.885	33.3	p=.887
	Female (n=197)	56.4		34.0	
Fee Charged for Migration	Yes (n=342)	58.2	p=.587	36.8	<b>p=.001</b>
	No (n=52)	53.9		13.5	
Deceived or Defrauded into Crossing the Border	Yes (n=30)	66.7	p=.282	60.0	<b>p=.001</b>
	No (n=361)	56.8		31.6	
Taken advantage of in Terms of Migration	Yes (n=72)	69.4	p=.022	59.7	<b>p=.000</b>
	No (n=320)	55.0		28.1	
Registration Status	Currently Registered (n=265)	52.5	p=.004	30.9	p=.101
	Currently Unregistered (n=130)	67.7		39.2	
Are Basic Safety Conditions Maintained at Work?	Yes (n=220)	52.3	p=.016	29.6	<b>p=.047</b>
	No/Sometimes/I Don't Know (n=144)	63.4		39.1	
Are Basic Sanitary Conditions Maintained at Work?	Yes (n=247)	50.6	p=.000	27.9	<b>p=.002</b>
	No/Sometimes/I Don't Know (n=147)	68.7		42.9	
Do You Have Access to Health Care When Necessary?	Yes (n=250)	52.8	p=.016	29.2	<b>p=.017</b>
	No/Sometimes/I Don't Know (n=144)	65.3		41.0	
Do You Live in On-site Accommodations?	Yes (n=40)	65.0	p=.309	50.0	<b>p=.021</b>
	No (n=355)	56.6		31.8	
If Live On-site, Can You Go Off-site When You Want To?	Yes (n=155)	61.3	p=.014	37.4	<b>p=.008</b>
	No (n=10)	100.0		80.0	
If Live Off-site, Can You Move Somewhere Else?	Yes (n=355)	55.8	p=.019	31.6	<b>p=.002</b>
	No (n=7)	100.0		85.7	
Do You Feel Safe Where You Live?	Yes (n=292)	53.9	p=.031	30.4	<b>p=.028</b>
	No (n=99)	67.7		42.4	

NOTE: P-values in **bold** denote measures of statistically significant difference. p-values <0.05 are considered Significant. P-values <0.001 are Highly Significant.

1. Demographic Characteristics. One key finding is that the risk of labor trafficking and forced labor in the seafood processing industry in Samut Sakhon is fairly evenly distributed across various demographic characteristics. There is no statistically significant association between trafficking and country of birth, sex, age, ethnicity, level of education completed, household size in Burma, or time spent in Thailand. Being born in Thailand does not seem to provide any protection against being involved in forced labor and, indeed, seems associated with a somewhat higher risk of being trafficked into forced labor as compared to those born in Burma. Risks of being trafficked into or otherwise being involved in force labor do not seem to differ at all between males and females. This does not mean, however, that men and women do not have different kinds of vulnerabilities; further inquiry into working and living conditions, and the physical and mental health outcomes of forced labor could help elucidate this.
2. Migration. Cross-border migration (even apparently for those born in Thailand) is associated with several factors that increase the risks of being trafficked. Paying a fee to cross the border is highly significantly associated ( $p=.001$ ) with risk of being trafficked, though the significance seems more due to how protective not paying a fee appears to be; only 13.5% of those who did not pay a fee presented evidence of being trafficked. Payment of migration fees was not associated with forced labor per se. Although a relatively small number of people reported being deceived or defrauded into crossing the border ( $n=30$ ), this was highly significantly associated with being trafficked into forced labor ( $p=.001$ ). Those who reported being taken advantage of in their migration experiences were also more likely to be trafficked into or otherwise involved in forced labor. A possible conclusion to be drawn from this is that migration experiences involving deceit, abuse of a relationship of vulnerability, even the paying of a fee (which could incur a debt relationship with a broker), begin to involve a migrant worker in a system that increases their likelihood of ending up in forced labor.

Given that most people who use a broker pay for those services and, conversely, that those who don't use a broker don't pay for transport and other migration services (or may use brokers that don't charge fees), it seems plausible that the migration-for-pay establishes a relationship with a broker that leads to other kinds of service-for-pay including finding a job (those who acknowledged paying a broker for recruitment or transport to a job were at significantly higher risk of being trafficked). Even those who reported going to a broker for help (and receiving it) were at significant risk of being trafficked. For a variety of reasons, the survey was not able to capture characteristics of indebtedness (amount, duration, degree of bondage, etc) between a migrant worker and a broker (or employer), something that deserves further research.
3. Work Registration. Those who reported being currently registered for work in Thailand had a somewhat lower risk of being trafficked than those who reported being either unregistered, or formerly registered or only recently registered (within one month of being interviewed). While for the trafficking outcome, this difference was small (30.9% and 39.2%, respectively) and not statistically significant, being an unregistered worker was statistically significantly associated with being involved in forced labor ( $p=.004$ ). Having work registration was reported by a

majority of migrant workers to help in various ways—to find work, provide job security, provide freedom to choose a job, and provide safety outside the workplace—and though it did not provide significant protection against being trafficked, it did seem to reduce the risk of being involved in forced labor. That said, more than half of registered workers had experienced some form of forced labor (though compared to more than two-thirds of unregistered workers).

4. Working Conditions. Respondents who reported that basic safety and sanitary conditions were not maintained at the workplace, as well as those who reported that they did not have access to necessary health care at work, were at higher risk of being trafficked and of being involved in forced labor, with all of these associations statistically significant. This points to the need not only for further research into the physical and mental health impacts of working conditions in the context of forced labor and trafficking but for policy interventions that improve those conditions and recognize the rights of all workers to carry out their jobs with basic dignity, health and safety. The focus of anti-trafficking efforts may rightly be to extricate workers from such conditions but the focus of labor rights initiatives should be to improve the conditions themselves, while ensuring that no one is forced to undertake labor against their will.
5. Living Conditions. Those who lived in accommodations co-located with their workplace were at higher trafficking risk as compared to those who lived off-site. Evidence of restrictions on movement, though involving a relatively small number of respondents, was also associated with higher risk of being trafficked or otherwise involved in forced labor. Finally, those who reported feeling unsafe where they lived were also at higher risk of both trafficking and forced labor experiences. Asked why they felt unsafe, 92 people reported that they were afraid of the police or scared of criminals in the area; of these, 66.3% had experiences of forced labor. Conversely, the 196 people who cited a safe environment due to landlord maintenance of safety, guards, locks on doors, no police intrusions, etc., were at significantly lower risk of being trafficked ( $p=.019$ ) than those who did not cite living in a safe environment.

As stated at the outset, this study of labor trafficking of Burmese migrant workers in Samut Sakhon had three objectives:

1. To explore the dynamics of broker operations, migrant worker networks, legal rights issues, and the vulnerabilities of the Burmese migrant labor population in Samut Sakhon.
2. To estimate prevalence of labor trafficking among Burmese migrant workers in the seafood processing industry in Samut Sakhon.
3. To analyze risk factors associated with labor trafficking in order to target advocacy and program interventions.

The ethnographic interviews with migrant workers, brokers and Thai community members revealed a complex and inter-related (though not necessarily reciprocal) network of relationships brokers, employers, Thai community members and authority figures, and workers themselves. The connection among often disjointed events and actors at both at the “micro” and “macro” level create what might be called a labor trafficking system. The connections do not need to be direct, personal,



or immediately sequential but are linked by a web of interrelated activities and functions that bind a worker into an ever tighter net of obligations and constraints. While this conception of labor trafficking may have greater application in sociological analysis than legal casework, we suggest that it may also fit better with reality, and the real predicaments of migrant workers. The three elements of trafficking in the Palermo Protocol—Process, Means and Goal—in our operationalization of the forced labor trafficking definition for this study did not need to demonstrate linkage on the part of the brokers, employers, police, or community members; it was sufficient that they were linked in the cumulative experiences of the migrant workers.

Given this interpretation of trafficking into forced labor, we constructed a survey instrument and interviewed a total of 396 of Burmese migrant workers recruited in Samut Sakhon Province through the Respondent-Driven Sampling methodology. An unweighted analysis of results has led us to conclude that the prevalence of trafficking into forced labor among Burmese migrant workers in the seafood processing industry in Samut Sakhon is 33.6%, though registered workers evidenced a lower prevalence (30.9%) than unregistered workers (39.2%), a difference that was marginally significant ( $p=.101$ ). The prevalence of forced labor among Burmese migrant workers in the seafood processing industry was 57.3%, with unregistered workers evidencing a higher prevalence (67.7%) than registered workers (52.5%), a difference that was highly statistically significant ( $p=.004$ ). It is for future discussions and analyses to draw policy conclusions from these results, but it seems clear that, while registration may be somewhat protective,, roughly one-third of even registered workers are being trafficked and one-half have experienced conditions of forced labor.

Study findings about unsafe and unhealthy working conditions as well as insecure and restrictive living conditions also bear further discussion in terms of policy and program implications, as well as suggest the need for further research to explore the specific physical and mental health risks associated with the migrant worker experience.

Overall, while both LPN and Johns Hopkins have learned a great deal about the complexities of implementing a Respondent-Driven Sampling survey that we did not know before the study began, we believe the results of both the qualitative and quantitative phases of the research tend to support much of what was previously known about the conditions and consequences of labor trafficking in Samut Sakhon. We feel that the results of the study provide credible estimates of labor trafficking and provide evidence that RDS is a method with significant promise for further application in estimating not only the prevalence of labor trafficking but its specific risks.

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**UNIAP**

United Nations Inter-Agency  
Project on Human Trafficking

**UNIAP Regional Management Office**

United Nations Building 12th Floor  
Rajdamnern Nok Ave., Bangkok 10200  
Tel: +66-2-288-2213 | Fax: +66-2-280-0268

[www.no-trafficking.org](http://www.no-trafficking.org)