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20 July 2018

Open Letter to Lift International (NVADER)

Re: Incident of violence against women and girls by foreign anti-trafficking NGO Lift International (NVADER)

To: Lift International

According to media reports on the 13 July 2018 there was incidence of “entrapment” and raid at a Karaoke Bar in Chachoengsao Province where six women from Myanmar were found working in prostitution and also one teenage girl under the age of 18 was found to be working there. The anti-trafficking NGO Lift International said that they had conducted an undercover operation for more than a month before the raid. This is the latest in many such operations carried out by Lift International using the method of “entrapment” as part of the process in achieving their goal. These operations have repeatedly had a negative impact on women and girls both directly and indirectly.

“Entrapment” is the method to prove a criminal offense before a raid where investigators disguise themselves and go to Entertainment places to get close, gain manipulate trust in order to make arrests. Women who do sex work see entrapment as deceiving and coercing them into taking part in the commission of a crime.

The conducting of undercover entrapment operations against sex workers in Entertainment Places has been identified as a source of concern for human rights in Thailand since 2003. In 2017 the Committee of Experts on CEDAW raised concern that (sex workers in Thailand) faced violent police raids in Entertainment Places and targeted in entrapment operations. In the final recommendations the CEDAW Committee advised the Thai government must stop entrapment operations against sex workers immediately. The method used also contradicts the Code of Conduct for Foreign NGOs in Thailand 2018¹ and Convention on the Rights of the Child,

¹ <http://un-act.org/wp-content/uploads/2017/07/Code-of-Conduct-8.pdf>



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On the 1st June 2018 during the seminar "*Has 10 Years of entrapment and raids solved trafficking yet?*" hosted by Empower Foundation, National Human Rights Commissioner Ms Angkhana Neelapaijit said that "Entrapment of sex workers violates the right of the individual (Right to Privacy) It is not necessary to use the method of entrapment. There are other ways to collect evidence of human trafficking. Undercover entrapment is not necessary; according to the law other evidence and methods can be used to prove a criminal offence."

However Lift International (NVADER) is still using entrapment without regard for the dignity of the women and girls, resulting negative impacts rather than in protection according to the law e.g. the practice of covering women's and girl's with towels during raids makes them feel as if they are criminals and cause emotional trauma²; keeping witnesses illegally in immigration detention; the slow court process, no proper compensation for victims or witnesses; sex workers arrested who are not involved in the trafficking case do not have legal representation; Empower has had to find more than 500,000 Baht to address the problems after Lift International (NVADER) has conducted entrapment operations and raids in cooperation with the Thai authorities.

The work of NGO's should take into account human rights of their target groups and work to be a bridge between community and government. At the seminar on 1st June, National Human Rights Commissioner Ms Angkhana Neelapaijit and DSI's Human Trafficking Division Deputy Director Pol Lt Col Krittat Uamson have both recommended that the problem of trafficking needs to be addressed at the root causes such as promoting access to education, providing employment, and increasing social benefits so women can care for their families. These issues are more appropriate for NGO's to do rather than trying to fulfill the role of police, causing harm to their target group or being the tool of the government authorities as is the case now.

Empower Foundation and the signatories below call for Lift International (NVADER) to stop undercover entrapment operations, stop violating the dignity of women and girls and take responsibility to address the consequences of their "entrapment" operations to date.

Yours Sincerely

²

นักวิจัยคุณปรางทิพย์ ดาวเรือง สมาคมนักข่าวนักหนังสือพิมพ์แห่งประเทศไทยร่วมกับคณะกรรมการสิทธิมนุษยชนแห่งชาติ



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Signatories

1. มูลนิธิเอ็มพาวเวอร์ และ แคนดوبาร์ Empower Foundation and Can Do Bar
2. มูลนิธิเอ็มพลัส Mplus Foundation
3. มูลนิธิซิสเตอร์ Sisters Foundation
4. มูลนิธิส่งเสริมความเสมอภาคทางสังคม Social Equality Promotion Foundation
5. มูลนิธิมนุษยยะ Manushya Foundation
6. มูลนิธิเพื่อสิทธิและความเป็นธรรมทางเพศ Foundation for SOGI Rights and Justice
7. มูลนิธิ ธีรนาถ กาญจนอักษร Teeranat Foundation
8. มูลนิธิเพื่อสุขภาพและการเรียนรู้ของแรงงานกลุ่มชาติพันธุ์ MAP Foundation
9. เครือข่ายสุขภาพและโอกาส HON-Health and Opportunity Network
10. เครือข่ายแรงงานภาคเหนือ Northern Thai Labor Network
11. เครือข่ายสุขภาพชาติพันธุ์บนพื้นที่สูง Highland Peoples Health Network
12. องค์กรแคร์แมท CAREMAT
13. สหพันธ์คนงานข้ามชาติ Migrant Workers Federation
14. กลุ่มรุ้งอรุณ Rainbow Dream Group
15. เครือข่ายการย้ายถิ่นในอนุภูมิภาคลุ่มน้ำโขง Mekong Migration Network (MMN)
16. Asia Pacific Forum on Women, Law and Development (APWLD)
17. Global Network of Sex Work Projects (NSWP)
18. Brown University Center for the Study of Slavery and Justice USA
19. Dame Catherine Healy New Zealand Collective of Prostitutes New Zealand
20. English Collective of Prostitutes UK
21. Legal Action for Women UK
22. จอน อึ้งภากรณ์ อดีตสมาชิกวุฒิสภา Jon Ungphakorn, former Senator
23. นาดา ไชยจิตต์ นักกิจกรรมรณรงค์สิทธิมนุษยชนอิสระ Nada Chaiyajit HRD
24. นักกิจกรรมรณรงค์สิทธิมนุษยชนอิสระ Sirisak Chaited HRD