



Empower Foundation
322 Chiang Mai Land
Chang Klan Road, Amphur Muang Chiang Mai 50100

Open Letter to the Prime Minister

19th May 2017

Regarding: Entrapment Operations Violating Dignity and Rights of Women Sex Workers

Dear Prime Minister Prayut Chan-o-cha,

On May 13th 2017 local authorities, soldiers and police conducted an entrapment operation at Good Friend Massage in Pattaya. The operation plan included sending an undercover agent with 3,000 Baht in marked notes to make an offer for sexual services.

*The media reported that "A short while after the undercover agent entered the premises the other authorities who had been hiding nearby conducted a raid. They arrested 9 workers. In Room 2 they found Ms A 23 years of age lying on the bed with the undercover agent, both were undressed. Police found a condom on the bed, a basket containing lubricant and massage oil plus 2,500 Baht of the marked bills in the pocket of Ms A's jeans."*¹

According to the Thai Criminal Code entrapment operations can be lawfully used by police to uncover evidence in order to arrest those committing a crime in some situations, most commonly for crimes involving the sale of drugs. Entrapment operations such as the one at Good Friend Massage have been carried out in many places for many years. Empower Foundation sees such entrapment as a violation of sexual consent and autonomy. The violations are even more serious when the authorities have sex with the woman then arrest her, using their condom as evidence of the crime. In the Good Friend operation we also question why the undercover agent waited for the young woman to undress before admitting the raiding party to arrest her and take photos? Photos like these are inevitably leaked onto social media. The operations and sequel cause extreme psychological distress for sex workers and their families. They feel they are treated worse than criminals and without any respect for their human dignity.

According to the law, evidence of the crime of prostitution is said to have occurred if the sex worker asks for payment and the fee is paid. The undercover policeman becomes the witness and the case can be proven on his testimony. Furthermore the core intent of the 1996 Prostitution Act is to prevent exploitation. Its key aim is not penalizing those who do sex work. However the current reality of enforcement is the exact opposite where entrapment operations by authorities focus on punishing women. Sex worker's rights are violated repeatedly, stigma is increased and they have no access to justice.

¹ https://www.khaosod.co.th/around-thailand/news_347125#

Empower Foundation wishes to express our deep great concern and calls for the following:

- 1. The practice of entrapment operations against sex workers cease immediately**
- 2. Ensure that sex workers are treated with equal respect for human rights, dignity and in proper accordance with the law**
- 3. Ensure that authorities strictly follow the Thai Criminal Code in their treatment of all peoples, including sex workers**

Respectfully Yours,

1. Empower Foundation
-Patpong Chiang Mai Phulet Krabi Mae Sot Mae Sai Mukdahan Udon Ubon Nontaburi
2. Can Do Bar Chiang Mai
3. Foundation For Women
4. Foundation for Women Living with HIV
5. Mplus
6. Social Equality Promotion Foundation
7. MAP Foundation
8. Drug Uses Network
9. WESEA
10. Indigenous Women's Network
11. Shan Women's Action Network (SWAN)
12. Gender Equality Network
13. LGBTQI Network
14. People Who Use Drugs Network
15. Northern Labor Network
16. Mekong Migration Network (MNN)
17. Highland Ethnic Health Network
18. Migrant Workers Federation
19. Rainbow Dream Group
20. Sangsan Anakot Yawachon Development Project
21. Gender and Human Rights Classroom Buku Bookstore
22. Togetherness for Equality and Action Group
23. The Center for the Protection of Children's Rights Foundation (CPCR)

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