

A person is shown from the back, wearing a black zip-up top and blue jeans. The top has a visible zipper running down the center. The person is also wearing a light blue t-shirt underneath, which is visible at the waist. The background is blurred, showing some colorful lights.

SAME SAME

BUT DIFFERENT

A BASELINE STUDY ON THE
VULNERABILITIES OF TRANSGENDER
SEXWORKERS IN BANGKOK'S SEX INDUSTRY

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Same Same But Different

A Baseline Study on the Vulnerabilities of
Transgender Sex Workers in Bangkok's Sex Industry

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Introduction

This research has been conducted as part of a wider series of research projects where both those who have experienced sexual exploitation and those who are buyers of sex have been given the opportunity to explain their perspective. This is based on the philosophy that people are experts of their own experiences and that listening to this perspective is valuable to those of us who are trying to understand and make a positive difference in their lives.

As researchers trying to do this, we are aware that we must be careful not to sensationalize these experiences and say that everyone's experience is the same. Every person is different and every person's experience is different. But there are patterns and this series of research projects is seeking to identify some of these patterns. As practitioner researchers we understand the need to be careful not to exaggerate the problems and to be honest about where we are coming from. None of the researchers were in fact transgender people so we did not have insights that we might of otherwise had if we were. Providing quotes has also proven to be useful as a way of hearing their authentic voices.

There has been limited research on transgender women who are prostituted. Prostitution appears to be one of the multiple inter-related reasons why this group appears to be vulnerable to violence and stigma. What we found in the Cambodia transgender study "More than Gender" was that a number of transgender women chose to do prostitution not only for the money but also because, "having sex with men made them feel more like women" even though, if they did so, they understood the high risk of sexual and other forms of violence.

The phrase "Same, Same but Different" is frequently used in Thailand and is even commonly seen on T-shirts in tourist markets. In some ways it illustrates Thailand's tolerance of people who are different. The number of ladyboy bars found in Bangkok and the number of transgender women found in gainful employment in the media, mainstream shops and beauty parlors can give the impression that they are well accepted and even loved in society. But what is life really like for them? Again, it is important to hear what they have to say about themselves, rather than making assumptions.

Thanks for taking the time to read this and understand a little more of this extremely marginalized group of people. We hope to inspire others to build relationships with them and treat them with dignity.

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Executive Summary

This study is the second in a series of studies by Miles and Davis in collaboration with partnering organizations that explores the little-known lives, experiences, and vulnerabilities of male-to-female transgender persons (from here on referred to as “transgender persons” or Ladyboys) within the sex industry in Southeast Asia. It is a part of a small, collaborative movement among interested organizations in the region who have both recognized and acted upon the neglect of sexual minorities in discussions on sexual abuse and exploitation.

This research adds to the currently limited data on transgender sex workers and discrimination against them particularly in Thailand. It is part of a larger study of transgender persons in sex work in Southeast Asia and follows the 2014 report, “More than Gender: A Baseline Study of Transgender Persons in the Phnom Penh Sex Industry”.

While the vulnerability of women and girls continues to be the subject of much research and a key concern of social programming and development agencies, few attempts have been made to understand the vulnerabilities and lived experiences of Thai transgender persons in the sex industry. Among the minimal studies that have been conducted, nearly all have solely focused on sexual health and their likelihood to contract or spread HIV/AIDS, while often ignoring the existence of other potential vulnerabilities. This study attempts to provide a baseline of data to better understand the lives of Thai transgender persons in the sex industry, utilizing both quantitative and qualitative research methodologies and merging careful fieldwork and extensive, one-on-one structured interviews. This baseline of data is intended to be used as a resource for social service providers and future researchers who hope to provide useful and informed intervention strategies for transgender persons desiring alternatives to sex work.

The study interviews 60 transgender persons working within Red Light areas of Bangkok and finds a majority of respondents (81%) who had entered the sex industry due to financial necessity. The research finds a particularly high vulnerability among transgender sex workers to physical and sexual violence. This includes nearly one-fourth (24%) who cite being forced to have sex against their wishes and 26% who cite physical assault within the last 12 months. Further, the research finds strong stigma and discrimination coming from family members and peers and social structures in Bangkok. This includes, more than one-third (36%) citing having to change their place of residence or being refused residence due to their gender identity, 20% citing loss of employment, and 38% who cite police abuse and/or bribery to avoid arrest. Beyond this, particularly high rates of substance abuse are cited among respondents, which may significantly contribute to vulnerabilities of violence and exploitation carried out against them. This includes instances of being asked to take drugs while having sex with clients, high amounts of alcohol consumption, and the usage of particularly damaging drugs such as methamphetamines.

The authors of this study aim to provide a broad baseline of data that is descriptive of the holistic needs and vulnerabilities of transgendered persons working in the sex industry in Bangkok. It is hoped that such a survey will allow for a deeper understanding of such groups, including their trajectory into sex work and potential alternatives. Additionally, this study aims to aid in the development of programming and social services that meet the needs of such groups holistically, looking beyond gender expression and social identity to address human needs and vulnerabilities that may often go overlooked.

Literature Review:

This review of literature was conducted in 2014 and 2015 on over a hundred and fifty sources that are academic and journalistic studies as well as qualitative and quantitative analysis. The literature review was limited to English language research thus, a large amount of research was overlooked particularly that of local Thai practitioners and researchers, which have vast knowledge on issues of transgender, rights in Thailand particularly in the sex industry.

Today, 'transgender' is an evolving term first coined in the United States in the late 1980's (Carroll, Gilroy, & Ryan, 2002:131). It is defined to include a range of behaviors, self-expressions, and personal identity that challenge and traverse boundaries traditionally imposed on gender. Within western societies, a binary gender system (two gender identities), female and male-dominated culture and thinking. Behaviors and expressions are associated as either "masculine" or "feminine" and a person's gender identity or self-identification is categorized as a man or a woman. The third category, or transgender, is a pluralism of traditional male and female expressions and as such it encompasses a wide range of personal identity and self-expression (Carroll et al., 2002:131).

Research Approaches in Asia

There are numerous ethnographic, qualitative studies and books documenting the culture and lives of transgender persons throughout Asia (See: Jackson & Cook, 1999; Totman, 2003; Winter, 2006; Peletz, 2009; Winter, 2009).

HIV funded studies have been, in many ways, the catalyst for the majority of quantitative research regarding transgender persons in Asia. These studies focus on the "risk factors" ascribed to the transgender population such as awareness and physical health risks for sexually transmitted infections (STI) and HIV, "high risk" behaviors and occupations (such as unprotected sex and sex work), and health care services (Winter, 2012:1-3). Studies are often designed to inform HIV policy and resource allocations in international health organizations, government ministries, and national healthcare systems.

As a result of these efforts in HIV, research has now evolved over the past decade to include other key questions regarding basic human rights, access to health care, and quality of life within transgender communities. Winter (2012) provides an exhaustive review of literature describing transgender human rights concerns and HIV vulnerability in the Asia-Pacific region (2012: 8-33). Sood (2009) provides a comprehensive evaluation of the laws and policies of twelve Asian countries (Bangladesh, Cambodia, China, India, Indonesia, Laos, Malaysia, Nepal, Pakistan, Philippines, Thailand, and Vietnam) in regards to access to sexual health services and the basic human rights of transgender persons. Today, there is more of a broad scope of literature documenting the struggles among transgender persons for basic human rights and quality of life in Asia. However, there is still a minority of studies that look beyond sexual health and vulnerabilities to HIV and deal with transgender people holistically as persons.

In Asia, transgender populations have been heavily discriminated against and marginalized. A 2011 study from Bangladesh and Papua New Guinea looking at gender-based¹ violence among

¹ In countries such as Sri Lanka and Afghanistan, instances of abuse and sexual exploitation committed against boys is cited as higher than that of women or girls making up about 90% of sexual exploitation

sexual minorities including transgender persons, found instances ranging from being teased by people on the street to being raped and murdered (Wong & Noriega, 2011:4). Violence was attributed to a wide variety of sources, including members of the respondents' communities and families. Violence in this study was purported to have been committed due to the stigma associated with individuals' particular identities or exhibition of behaviors, which violated existing societal norms (2011:5).

The laws in many countries do not acknowledge transgender persons and are insufficient in protecting them in society. For instance, the rape of a transgender person is not a criminal offense in many countries in Asia. Sood reports that apart from Thailand, rape laws in the other 11 countries did not afford protection or legal recourse for men or transgender people, including Bangladesh, Cambodia, China, India, Indonesia, Laos, Malaysia, Nepal, Pakistan, Philippines, and Vietnam (2009: 13).

A 2015 report titled, *"Blueprint for the Provision of Comprehensive Care for Trans People and Trans Communities in Asia and the Pacific"*, provides evidence-based recommendations to strengthen and enhance the policy for health and human rights situation for transgender persons in the Asia Pacific. A UNDP press briefing states:

"Transgender people continue to be pathologized as mentally ill, are widely denied recognition of their gender and are discriminated against by laws and policies. Few laws in Asia and the Pacific actively prohibit discrimination on the grounds of gender identity or gender expression" (UNDP, 2015).

Transgender persons, along with Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) people in general, are commonly excluded from national discussions on vulnerability in Thailand. Larger research and development and multi-national organizations have historically overlooked the transgender population. However recently the International Labour Organization (ILO) since 2012 has conducted a study entitled, *"Gender Identity and Sexual Orientation: Promoting Rights, Diversity and Equality in the World of Work"*, which looks at how discrimination is manifest in the workplace. The report is cited to have been the first dedicated project on sexual orientation and gender identity in the ILO.

Thailand Overview

The United Nations Development Program put out a report in 2014, *"Being LGBT in Asia: Thailand Country Report"*, which deals with government policy and social inclusion of the LGBT community in Thailand (UNDP & USAID, 2014). The report cites:

"Secondary data about people living with HIV and AIDS in Thailand are widely available but secondary data about sex workers are scarce. Time was insufficient to elicit in-depth information from respondents in sex work in this research. Respondents who were sex workers, in particular gay men, were reluctant to discuss details of sex work with the

cases in Sri Lanka. see: Asquith Stewart and Turner Elspeth (2008). *Recovery and Reintegration of Children from the Effects of Sexual Exploitation and Related Trafficking*. Oak Foundation. Geneva. Furthermore, in 2015 an in-depth study interviewed 51 street-involved boys and found the majority of boys, 65%, disclosed experiencing at least some form of sexual violence on the streets or within their communities. See: Davis Jarrett & Miles Glenn (2015). *"They Didn't Help Me; They Shamed Me: A Baseline Study on the Vulnerabilities of Street-Involved Boys To Sexual Exploitation in Manila, Philippines"*
<http://gmiles.co.uk/wp-content/uploads/2015/10/TheyShamedMe-Final.pdf>

female researcher. A separate research project with a different approach may be needed to obtain more in-depth data on LGBT sex workers and discrimination experienced by them." (ILO, 2014:37)

This research adds to the data on transgender sex workers and discrimination against them particularly in Thailand. This study aims to provide a broad baseline of data that is descriptive of the holistic needs and vulnerabilities of transgendered persons working in the sex industry in Bangkok.

There is an estimated 9-9.5 million transgender people in the Asia Pacific region (Winter 2012:9, UNDP 2015), with the largest percentages of (openly) transgender persons being found in Thailand and the Philippines (Moessinger, 2015). Within this region, Thailand has become a noted home for a large and vibrant transgender community over the past few decades. The figures on how many transgender people are in Thailand vary; estimates range from 10,000 to 100,000 (Armbrecht, 2008), while other studies range from: 660,000 transgender persons (Ocha 2013 & Qian, 2014: 145). Furthermore, based on small-scale empirical work in Thailand, Sam Winter and Lynn Conway have estimated that around 0.6% (1.167) of birth-assigned males may be trans-women (Winter & Conway, 2011).

Within the past few decades, Thailand has made significant social and political strides toward greater tolerance of its transgender community. In 1972, Thailand performed its first sex change operation, and the country now hosts more of these procedures per year than any other country in the world (Armbrecht, 2008). In 2007 an amendment to the country's "rape law" was made which extended legal protection for rapes committed against men and transgender people, including marital rape (Likhitpreechakul, 2008; Sood, 2009). In 2008, some Thai schools began to include separate toilets for transgender people (Head 2008, The Guardian 2008). In 2012, Thailand elected its first transgender Provincial Administration Organization leader (Chetchotiros, 2012). Also, the same year Thailand implemented its Social Welfare Act, which gave broader attention to equality and sexual diversity (UNDP, 2015). In 2014, further support for the transgender community was demonstrated as a clinic was set up for transgender youth at Ramathibodi Hospital to help provide access to adequate medical care (Intathep & Chookaew, 2014). In 2015 Thailand's Gender Equality Act² came into effect. It is the first national legislation in Southeast Asia to specifically protect against discrimination on the grounds of gender expression and a big step for Thailand (Knight, 2015).

What's in a name?

Transgender persons are not new concepts in Thailand or Asia, however concepts of sexuality and discussions of sexual identity are fairly recent and come largely out of Western thought and scholarship (Tarr, 1996: 27).³ In many Southeast Asian societies, concepts of sexuality remain

² Kath Khangpiboon a member of Thai Transgender Alliance for Human Rights (TGA) said, "The legislation is not completely perfect" talking about the the Gender Equality Act. See more of her interview here: USAID (2015) "Gender Equality Act Comes into Effect in Thailand." September 9, 2015 Website. Furthermore, Anjana Suvannananda founder of Anjaree Foundation said of the Gender Equality Act, "The bill is very inclusive, but there are still legal loopholes when it comes to the rights of the LGBTI, particularly in Section 17," she said. See more: Bangkok Post (2015). "Gender Act Loophole 'Denies Equality'" September 7, 2015. <http://www.bangkokpost.com/archive/gender-act-loophole-denies-equality/683196>

³ There is a need for further research that is culturally diverse and does not rely on western notions of gender identity/expression and sexuality. There needs to be a more in-depth review of both Thai and

obscure (Hernandez & Imperial, 2009: 26-36). The term ‘transgender’ is Western, modern, and potentially hegemonic. Many ‘transgender’ individuals across the Asia-Pacific are in fact likely to identify using indigenous labels (Winter, 2012: 08). Thus, it is important to provide contextualization and use indigenous terms when speaking about Thailand.

There is no equivalent in the Thai language for a “transgender” person. The word “phet” represents “gender” and “sex” and is very broad. The terms transgender (loosely translated as kham phet) is not commonly used in Thailand (Qian, 2014). “Ubhatpbyanjanaka” and “pandaka” describe hermaphrodite and their modern day equivalent is the term “*kathoey*” (กะเทย), which incorporates: hermaphrodites, transvestites and transsexual.⁴

The term, “Khon Kham-phet” (คนข้ามเพศ) translated; “a person who goes beyond gender,” coined by activist Prempreeda Pramroj Na Ayutthaya, is another indigenous term (Winter, 2011: 252-253). Some transwomen like to be called, “sao prophet song” (สาวประเภทสอง) translated, “a second type of female.” Linguists and anthropologists have emphasized that the term ‘*kathoey*’ (กะเทย) cannot be paralleled with Western terms such as ‘gay’ or ‘homosexual’ (Jackson 1998; Brummelhuis 1999; Sullivan and Jackson, 2001). In Southeast Asia context and in Thailand these are often used as parallel terms. The term “*kathoey*”(กะเทย) has four diverse dimensions. It could refer to cross dressing, hermaphroditism, gender identity, and homosexuality (Costa & Matzner, 2007) The term “*kathoey*”(กะเทย) for the subgroup in Thailand is used by transgender persons to self-identify.

In the modern Thai context the term ladyboy is used for Thai’s to self identify. The term is not seen as degrading. Ladyboy in Thai context specifically refers to the cultural subgroup, rather than focusing specifically on the person's gender identity. The terms ‘transgender person’ and ‘ladyboy’ will be used throughout this study.

Culture, Religion, and Gender

Thailand is predominantly Theravada Buddhist, which makes up approximately 93.6% of the nation (CIA World Factbook, 2010). Thus, to understand transgender and surrounding concepts of sexual diversity within a Thai context, it is helpful to look at the Buddhist Pali canon scriptures. There are a number of Buddhist scriptures that mention various sexual orientations (Jackson, 1997). Archaeologists have also found wall murals in temples dating back to the Rattanakosin era (1782 AD) with homosexual behavior among Thai women and men (Hauser). There has also been historical documentation of transgender persons in Siam now known as Thailand (Irvine, 1982: 363; Schneider, 1989: 1989-197). Historians have found photographs of transgender dancers in late 19th century Siam and visitors from the East India Company wrote about transgender persons in their journals and publications (Therese Claes, 2011: 187). Thai Buddhism has no religious sanctions against the transgender community as a whole.

English language literature combined to see differences in cultural context and understanding when it comes to transgender issues particularly vulnerabilities and resiliencies.

⁴ The term “tom” can be used to describe transmen, lesbians and female person possessing masculine qualities. However, this is considered to be a derogatory term in Thailand.

Thailand, as in other Southeast Asian nations, has non-normative gender and sexual categories as a part of their cultural narrative (Brummelhuis, 1999). Until the last century, Thailand held the societal belief that there are three sexes: male, female, and male-female (Jackson, 1995).

In modern Thai society, transgender persons have become a common part of the Thai image. Käng posits, "Alongside temples, snakes, crocodiles, elephants, and beaches, kathoey[s] have come to represent one of the natural, scenic, and amazing wonders of Thailand" (Käng, 2011: 169). Both Buddhist teachings and Thai culture, in general, possess an aura of tolerance.

One fundamental teaching of Buddhism is tolerance toward those who act differently or hold different views. This tolerance was demonstrated in a study on acceptance within families of transgender persons. The study found 66% of mothers either accepted or were encouraging when their child told of their decision to change gender (Armbrecht, 2008). However, the same study found that only 40% of fathers accepted their transgender children--much lower amount than the mothers. Another study found that twenty-one percent of Thai transgender persons reported paternal rejection when transitioning (Winter, 2009:375).

This kind of family and social stigma may lead to further problems as an adult for transgender persons. Much of the hostility, bullying and social exclusion starts at a young age in school or among family members and continues throughout the person's life. As Natt Kraipet from Asia Pacific Transgender Network (APTNet) stated in 2014:

"When students are put into groups according to gender, the boys would yell at me to join the girls. I was sexually harassed – they touched my legs, bottom or face or hit me on my back or head...I couldn't really tell my teachers or my parents because I was afraid of being judged and punished. Sometimes I felt bullied by the teachers themselves because they would say it was just teasing among the children. It wasn't teasing." (Win Thin, 2014).

Research conducted between 2012-2013 interviewing 868 LGBTQ persons from eight provinces in Thailand found that 27.10% experienced violence based on sexual orientation or gender identity in the family, with the highest percentage (38.4%) being among transgender persons (Ronnaphoom Samakkikarom and Jetsada Taesombat, 2013). This seems to indicate that Thai society is more mixed when it comes to tolerating transgender persons within family life. Furthermore, a 2015 joint study found that 60% of Thai LGBTQ students had been bullied in the past month (Mahidol University, 2014). As Chakgai Jermkwan a gay man speaking of his homosexual relationship told The Nation, "We are a married couple in the US but here in Thailand, we are just two friends in the eye of the law...If something bad happened to him tomorrow, I wouldn't have a say in anything" (Thanthong-Knight, 2015).

Another Thai concept at the core of Buddhist teaching is the principle of karma (กรรม or "Gam"), which provides more insight into understanding transgender persons and their discrimination in Thai society. Karma is the notion that one is paying off debts from actions in past lives; many Thai's believe that transgender persons are paying off sexual sins (or 'Bap' in Thai) of past lives (Taotman, 2003). In 2006, a study found 48.4% of 198 transgender women surveyed "believed (strongly or otherwise) that being transgender was a karmic response" (Winter, 2006). Thus much of Thai society sees the transgender community as, Armbrecht suggests, "as group to be pitied,

not protected” (Armbrecht, 2008). This has led to the discrimination and marginalization of *kathoey*(กะเทย) within public and private life.

Although there are national and international bodies trying to protect human rights Thailand still has discrimination. The image of Thai society omits large amounts of discrimination towards the transgender community (Liljas, 2014). In 2010, for instance, the film “Insects in the Backyard” which was directed by a transgender woman was banned by Thai Culture Ministry National Film Board stating it was a “disruption of national order and public morals” (Bangkok Post, 2010).

Political History and Modernization of Sex and Gender

The modern political history of the Thai state took a turn in 1932 when a constitutional monarchy was formed. State making policies and a national culture were being propagated⁵, which put emphasis on clear and definitive concepts of sexuality and gender (see: Winichakul, 1994; Thananithichot, 2011; Anderson, 2006; Ivarsson and Isager, 2010). The governing body has yet to accept sexual narratives that are counter to the norm. Although, there are some basic protections in Thai law,⁶ however sexuality in general is taboo.

In Thai schools, sex education is addressed from only a biological standpoint and there is little emphasis on sexual health or sexuality (UNDP & USAID, 2014: 15). To further nuance the picture, Thai culture is known to be non-confrontational. Thus, if there is any animosity towards transgender persons, it may not be directly communicated (Jackson, 1999).

Although the Thai state might not expect gender diversity there has been a movement bringing the LGBTQ community to the surface in Thailand. For example Thai civil society groups in 2013 started the process of forming a political party called, Sexual Orientation, Gender Identity and Expression Rights Party SOGIE Rights Party (SRP). They believe that party could unite politically members from both the pro- and anti-Thaksin⁷ camps (Jikkham, 2013).

⁵ For more information on state making policies and nationalism in Thailand see: Scott James (2010). *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*. Yale University Press; Suksamran Somboon (1977). *Political Buddhism in Southeast Asia: The Role of the Sangha in the Modernization of Thailand*. London Hurst and Company; Winichakul, Thongchai. 1994. *Siam Mapped :A History of the Geo-body of a Nation*. University of Hawaii Press; Anderson, Benedict (1979). “The Studies of The Thai State: The State of Thai Studies”. In *The Study of Thailand* edited by Elzizer Ayal. Athens: Ohio University Center for International Studies Southeast Asia Program.

⁶ On a national level, there are some legal mechanisms that are applicable to the protection of LGBT rights. These are found in Thailand’s Constitution of B.E. 2550 (2007) in the Articles 4, 5, 30 and 40 (6). Within the General Provisions, Article 4 cites: “human dignity, rights, liberty, and equality of the people shall be protected” (Constitution of the Kingdom of Thailand 2007). Furthermore, Article 5 says: “the Thai people, irrespective of their origins, sexes, or religions shall enjoy equal protection under this Constitution.” (Constitution of the Kingdom of Thailand B.E. 2550 2007). However, sex does not necessarily state that persons of diverse gender are protected under Thai law.

⁷ Thaksin Shinawatra is a Thai business tycoon who in 2001 became Prime Minister of Thailand till 2006. He is seen as one of the most influential and polarizing characters the nations politics. He received support of the Red shirt party (United Front for Democracy Against Dictatorship). The UDD first formed in 2006 to oppose the military government and the military coup which overthrew former Prime Minister in exile Thaksin Shinawatra five weeks before scheduled elections. UDD organized anti-government rallies during the military government’s rule in 2006–2007 and opposed the military’s 2007 constitution. Thaksin Shinawatra was very popular among the poor in northeastern and ran a kind of populist politics for the poor.

Peter Jackson in his book, *Queer Bangkok: the 21st Century Market, Media and Rights* coined a phrase, “Bangkok’s Twenty-First-Century Queer Boom” in which he highlights several factors emerging:

“the opportunities provided by new electronic media; the rise of intra-Asian gay tourism; the expansion of local Thai gay and lesbian markets; the political successes of Thai queer NGOs and the contributing role of international HIV/AIDS agencies” (Jackson P. A., 2011: 20-21).

On top of these factors Jackson highlighted many people from around the world come to Thailand to have sex reassignment surgeries.⁸ According to Josef Woodman, chief executive officer of Patients Beyond Borders, a consulting firm based in the United States, Thailand is the most popular destination for patients seeking this type of surgery. Thailand in general has low cost for medical treatment and has professional surgeons that know how to perform the male to female procedure. Although the surgery is becoming more popular and affordable, especially in Thailand, many transgender persons don't see it as a necessity. Sam Winter head of sexology at Curtin University in Perth posits: “A lot of trans people don't find it medically necessary to get surgery -- it becomes a social necessity. According to Gale, the social necessity of reassignment surgeries can become “degrading and inhuman” (Gale, 2015)

Although Thailand has made progress in some arenas, LGBT people, particularly transgender persons, face discrimination and social stigma particularly Thai society historically has had institutional discrimination against the transgender community. Thai laws have been very conservative regarding LGBTQ and particularly transgender rights. Despite these realities, Thailand is seen as an oasis of tolerance in the continent. It is one of only seven Asian signatories of the U.N.'s declaration of LGBT rights.⁹

However, activists still voice concern and want more protections in place for transgender persons. Kyle Knight, a researcher with Human Rights Watch said, “Thailand is quite friendly to LGBT people and it's a global hub for sexual reassignment surgery, yet the country still lacks policies to protect basic human rights.” Although Thailand has recently passed the “Gender Equality Law”, it still does not have proper legislation protecting persons based on sexual orientation. The law only protects against discrimination on the grounds of gender expression (Mosbergen, 2015).

Legal Gender Recognition and Identity Cards

There are no laws or policies enabling gender recognition in Thailand (Health Policy Project, Asia Pacific Transgender Network & UNDP, 2015: 63). It is mandatory for legal documents to have gender titles on them. In 2008, the LGBT community in Thailand advocated for the courts to allow trans women to change their titles from ‘Mr.’ to ‘Ms.’, however, this can only change after

⁸ According to a 2015 Bloomberg article there is a “growing niche in Thailand’s medical tourism industry, which attracts more than 2 million visitors a year. Those patients generated about 140 billion baht (\$4 billion) in revenue last year, an 18 percent increase on 2013” (Gale Jason 2015, “How Thailand Became a Global Gender-Change Destination” Bloomberg Business, October 26, 2015.)

⁹ Malaysia, which borders Thailand, is not a signatory and has very strict policies against transgenders persons. See report Human Rights Watch Report, (2015) “I’m Scared to be a Woman: Human Rights Abuses Against Transgender People In Malaysia.”

a full gender reassignment surgery has taken place (UNDP & USAID, 2014; Health Policy Project, Asia Pacific Transgender Network & UNDP, 2015).

Prior to 2011, the Thai military did not allow transgender recruits. Identifying as a transgender person was considered a mental disorder. The present military can still dismiss transgender persons saying they have 'feminine characteristics'. This brings about employment problems for transwomen, who are required to possess military documents for employment (UNDP & USAID, 2014: 25) although military policy has changed, discrimination still takes place. Thus many transgender persons work in the informal economy and the Thai government see many transgender persons as legally male.

Legal gender status for transgender persons in Southeast Asia has become very difficult. In Thailand, It is nearly impossible to amend any personal identification documentation (Winter, 2009: 357-82). The inability to change their ID cards or passports has brought about problems with employment for transgender persons in Thailand (Armbrecht, 2008). There is a kind of "mechanics of marginalization" in Thailand (Winter, 2011:257). Structural mechanisms are in place in Thai society to marginalize transgender persons. For example the identity card is important in Thailand and has to be used everyday. As Winter (2011) states:

"It facilitates activities at the interface with business (e.g. opening bank account), bureaucracy (e.g. registering for an educational course or medical care), and law enforcement (e.g. when asked for identification by a police officer). Whenever Khon-kham-phet (transpeople) need to show their identity cards, their status as transpeople is communicated: They are 'outed'" (cited in Jackson, 2011: 257).

This mechanic of marginalization and discrimination as Jackson shows happens in small ways everyday for the transgender community, through opening a bank account, going to a hospital, or government facilities.

Asia has seen major steps to help transgender people self identify on their ID. In Nepal for example in 2015 a transgender person was the first Nepali citizen to have their passport marked O for "other" instead of the traditional M for "male or F for "female". This came about because of many years¹⁰ of activism by civil society and government loosening restrictions (Knight, 2015). Thai transgender activist Prempreeda Pramroj Na Ayutthaya, said in 2013 that politicians need to create social spaces with transgender people in mind and legal recognition of transgender identity with the ability to change names and gender on ID cards (DeHart, 2013). Legal gender recognition is also an essential element of other fundamental rights for transgender persons.¹¹

¹⁰ According to Kyle Knight a researcher for Human Rights Watch LGBT Program Nepal made a move towards further practical rights for transgender people in 2007. This is when the Supreme Court ruled that individuals should have their gender legally recognized based on "self-feeling". Since the "activist have fought successfully to have a third category added to citizenship documents, public bathrooms, and even the federal census" (Knight, 2015, "Dispatches: Nepal's Transgender Passport Progress" Human Rights Watch, August 10, 2015. <https://www.hrw.org/news/2015/08/10/dispatches-nepals-transgender-passport-progress>)

¹¹ For more information on how legal gender recognition can uphold other rights see: Human Rights Watch (2016). "Rights in Transition Making Legal Recognition for Transgender People a Global Priority." <https://www.hrw.org/world-report/2016/rights-in-transition>

There are key human rights principles that apply in the Asia Pacific context in regard to gender identity. For example, The Yogyakarta Principles adopted in 2006 after well documented patterns of abuse took place. A body of international human rights experts met in Yogyakarta, Indonesia and articulated 29 rights and principles from various international human rights standards for persons of diverse sexual orientations and gender identities. Principle 3 for example states:

“No one shall be forced to undergo medical procedures, including sex reassignment surgery, sterilisation or hormonal therapy, as a requirement for legal recognition of their gender identity. No status, such as marriage or parenthood, may be invoked as such to prevent the legal recognition of a person’s gender identity. No one shall be subjected to pressure to conceal, suppress or deny their sexual orientation or gender identity” (Yogyakarta Principles, 2006).

Furthermore, principles 6, 12, and 13 also talk about legal rights for the LGBTQ community. Many activists and human rights groups believe discrimination can be combated by having governments and regional bodies uphold rights for transgender persons. The 2011 a report by Office of the High Commissioner for Human Rights on violence and discrimination based on sexual orientation and gender identity cited that many countries including ones in Southeast Asia continue to not allow for legal gender recognition of transgender people.¹² Thus many may face difficulties, including applying for employment, housing, bank credit or state benefits, or when traveling abroad (Human Rights Watch, 2016). Furthermore, in 2015 twelve UN agencies called on governments to ensure “legal recognition of the gender identity of transgender people without abusive requirements” (UNAID, 2015).

Physical and Sexual Violence

In Thailand, there continues to be major vulnerabilities within the transgender community. Rape and physical violence are serious concerns in transgender communities in Asia, especially in Thailand. One study interviewed 2,049 men who had sex with men (MSM; Guadamuz, et al., 2011). In the study, 474 identified themselves as transgender persons. As a group, the transgender persons had significantly higher history of forced sex (26.4%) as compared to MSM (19.4%) and male sex workers (MSW; 12.1%), respectively.

A second study in Thailand showed similar results with transgender people reporting the highest history of forced sex (29%) among MSM and MSW (Chemnasiri, et al., 2010: 103). In wider Southeast Asia, a study in Cambodia interviewing 70 transgender sex workers found 37.5% and 52.3% reported being gang raped by clients and gangsters, respectively, at least once over the past year (Jenkins, et al., 2006; 14-28). The act of gang rape included an average number of six men. Furthermore documented murders of tom and dee¹³ took place. There were 15 murder

¹² for more information see, UN General Assembly Resolution 17/19 (General Assembly Resolution, 17/19) and 2014 resolution 27/32 both of which strengthen human rights principles and bring about non-discrimination. They call for an end to violence and human rights abuses committed against people because of their sexual orientation or gender identity (General Assembly Resolution, 27/3).

¹³ Women attracted to women are not referred to as “gay women,” but *tom* and *dee* (they are Lesbian or bi-sexual), depending on their specific sexual orientation and gender identity and expression. In Thailand a Dee (ดี้) comes from the English “lady”. It refers to a woman with a feminine gender identity and expression who is attracted to women (sometimes, “toms”). Furthermore, a “tom” (ทอม) is used in Thai language to refer

cases between 2006 and 2012 (Prachathai, 2012). The Thai police failed to “recognize possible hate crimes motives” behind these murder and other raping cases” (Canning, 2012).

Transgender Persons in the Sex industry

In 1960, Thailand passed the Prostitution Suppression Act of 1960. This act was then repealed and replaced with the Prevention and Suppression of Prostitution Act of 1996 (ILO, 1996). The 1996 law is a central legal framework prohibiting prostitution. However, the law is ill defined for example the Prostitution Law does not define what exactly a “promiscuous manner” constitutes. The crime of solicitation is equally ill-defined (Fox, 2009). Furthermore, Thai law does not give transgender specific protections.

Despite the law, the police are known to arbitrarily enforce policies, while participating in the underground economy and doing so with impunity.¹⁴ This includes, bribery, arbitrary arrest of transgender persons, and corruption.¹⁵ Statewide persecution based on gender identity, particularly by authorities and police, has taken place (Anderson, 2012; Käng, 2012; Sood, 2009: 19-20; Winter, 2012: 2) and is often violent and systematic, leading the transgender community to lack economic opportunity often pushing them into the informal economy¹⁶ (Nemoto, 2012: 8; Winter, 2012; Bangkok Post, 2012; Sood 2009).

Many transgender persons who wish to support their parents or siblings financially or to fund their own physical gender transition have used sex work as their means to do so. This stigma is compounded because sex work in Thailand is looked down upon (Winter, 2009: 12). As Winter states: “Many kathoey find themselves edged by circumstance into bar-work and prostitution, working in the business for months or years” (Winter, 2002). Transgender persons are more likely to live below the poverty line than others (Berry, 2012: 8; Jackson, 1999). One transgender sex worker, in an interview with Ocha in 2013 cites:

to a woman with masculine gender identity or expression who is attracted to women. The word comes from the english term “tomboy” (ILO, 2014:17).

¹⁴ The Economist in 2013 wrote that Thailand, “policemen immigration officials and others collude with brokers and factory owners. It creates what the State Department calls ‘enabling environment’” for corruption, rent seeking and patronage. For more information see: The Economist 2013. “Thailand’s Illegal Immigrants: A deadly cocktail”. The print edition. See also: Rock Michael and Bonnet Heidi. (2003). Comparative Politics of Corruption: Accounting for the East Asian Paradox in Empirical Studies of Corruption, Growth and Investment. World Development Vol. 32, No. 6.

¹⁵ For a history and introduction of Thai police, military corruption and economy see: Phongpaichit Pasuk and Sungsidh Piriyaarangsarn (1998). “Guns, Girls, Gambling, Ganja: Thailand’s Illegal Economy and Public Policy” Silkworm Books; Piriyaarangsarn Sungsidh and Phongpaichit Pasuk (1998) “Corruption and Democracy in Thailand” Silkworm Books; Baker Chris and Phongpaichit Pasuk (2002) “Thailand: Economy and Politics” Oxford University Press; 2 edition; Riggs Fred (1967) “Thailand: The Modernization of a Bureaucratic Polity” East-West Center Press. Furthermore, the military are also an active part of corruption for just one example in 2015 an Army general, politicians and police among those charged with human trafficking. See: The Guardian July 2015, “Thai officials among more than 100 charged with human trafficking” <http://www.theguardian.com/world/2015/jul/24/thai-officials-among-more-than-100-charged-with-human-trafficking>

¹⁶ The informal sector, informal economy, or grey economy is the part of an economy that is neither taxed, nor monitored by any form of government (World Bank, “Workers in the Informal Economy”).

"People think I have mental problems ... being a 'kathoe'y'. They didn't accept me for the job [at a factory] not because of my abilities but because of my gender identity. [Therefore] I decided to go where most transsexuals are welcomed, like the cabaret shows. Pattaya is really the place for us; we get respect as we attract tourists to visit Pattaya" (2013: 89).

Transgender persons within the sex industry have become a major tourist attraction in Thailand. There has been an emerging market of ladyboy sex tourism in Phuket and Bangkok (Gallagher, 2005:5). Thailand welcomes LGBTQ visitors. Its tourism industry, companies, and the government tourism authority targets¹⁷ the LGBTQ market and shows Bangkok as a hub for gay-friendly and transgender tourist destination.¹⁸ However, Thai society is less accepting of its own LGBTQ community (Thanthong-Knight, 2015).

Jackson and Cook note that much scholarship has overlooked the "growing population of male and transgender sex workers as a feature of the sex industry" (Jackson and Cook, 2000: 13). Sex tourists have found a romanticized and exotic orient to the *kathoe'y*/ladyboy. The depiction of transgender persons and ladyboys as servile has led to the hypersexualization of transwomen in Thailand particularly Bangkok and Pattaya. This reinforces notions of Thailand being both an exotic and erotic place. Furthermore, this fetishization of the transgender¹⁹ in Thailand has led to the sexualization of transgender body (Ocha, 2013). In addition to this, worldwide transgender pornographic websites are the fastest growing sector in Internet pornography (Thomas, 2005). This has contributed to Thailand being a significant sex tourist²⁰ destination.

In Southeast Asia there has been documentation of forced sex or physical abuse of transgender persons selling sex. In a study, in Pattaya, Thailand, it was found that 89% of transgender persons cited experiencing violence as a result of their gender identity and/or behavior (Policy Research and Development Institute Foundation, 2008) and in many cases, these abuses are propagated by law enforcement officers (UNDP: 2013:9, Jenkins C., 2006).

The United Nations Development Program (UNDP) found that there is a shift in "direct" sex work in places such as brothels towards "indirect" sex work occurring in less regulated places such as bars, clubs, and on the streets (UNDP, 2004:53). Street-based sex work has led to harsh policing by Thai authorities. After the 2014 military coup, the National Council for Peace and

¹⁷ For example, The official site of Tourism Authority of Thailand (TAT), has a whole website focused on LGBTQ tourism. See here: "Go Thai Be Free": <http://gothaibefree.com/>.

¹⁸ As Kath Khangpiboon, the only transgender lecturer at Thammasat University says Thai, "Society seems to have space for transgenders [only] specific to the entertainment and tourism industry." See: Thanthong-Knight Siraphob (2015). "The bitter truth behind Thailand's gay-friendly image" The Nation.

¹⁹ A good example of the fetishization and sexualization of *kathoe'y* in Thailand is Bangkok's Mid-Way bar, which only hires "women who can penetrate." See: Ocha Witchayanee and B. Earth. (2012). "Identity Diversification among Transgender Sex Workers in Thailand's Sex Tourism Industry." *Sexualities* 16 (1/2). Page, 206.

²⁰ As Qian Hui Tan's thesis argues, "I contend that an imperialist and Orientalist tourist gaze continues to have salience in Thailand's *kathoe'y* tourism." See: Qian Hui Tan (2014). *Orientalist obsessions: fabricating hyper-reality and performing hyper-femininity in Thailand's kathoe'y tourism*. Page, 2.

Order (NCPO) started a crackdown on Pattaya sex industry. The new military government was targeting ladyboy persons thought to be selling sex for money (Yongcharoenchai, 2014a). In view of this, the ladyboy community is also seen as a target for police²¹ because they are given less access to rights protection. One instance of this, documented by the Bangkok Post, cite arbitrary arrests of ladyboys in Pattaya, fining or jailing them overnight. On some nights, the detention of as many as 100 ladyboys has been documented (Yongcharoenchai, 2014b).

Another instance of abuse in Cambodia by police was in August 2009 a transgender sex worker said police had verbally abused her citing police calling her disparaging words, “You fuck up the ass. You have HIV/AIDS and you infect other people. You deserve to be shot” (Human Rights Watch, 2010: 24).

Transgender sex workers in Asia and in Thailand are often targeted under “public nuisance” and loitering laws and can be easily jailed (Balzer & Hutta, 2011: 73-75; Hookway, 2014). Interviews done in 2012 in Phuket found that transgender persons found it hard to find proper employment outside the the sex industry and retain their identity (Phuket News, 2012).

Another major vulnerability for sex workers particularly transgender persons is HIV/AIDS. The National AIDS Prevention and Alleviation Committee estimates that HIV prevalence for transgender persons is approximately 10 times the average of the general population (J. Sass, 2010). Another study estimates that the HIV prevalence of 12.5% (Baral SD, 2013). Studies in recent years show a rise in HIV in cities in Southeast Asia, including Bangkok (UNAIDS, 2009: 45; WHO, 2009: 28).

Transgender sex workers are at great risk of HIV particularly in Bangkok. Additionally, the low socioeconomic status of transgender persons in Thailand makes it so they have trouble seeking health and other social services, which, makes transgender persons more vulnerable to HIV (Berry, 2012:8).²² A UNDP study cites that less than 20% of Thai MSM (including transgender persons) had access to a minimal package of HIV services (UNDP, 2010: 21).

Studies have documented grave physical abuses toward transgender sex workers and shown that transgender persons have high rates of family discrimination. There the studies also showed chronic social stigma transgender persons face throughout their lives. However, no studies have gone beyond evaluating risk factors and little is known regarding mental health or suicide rates among transgender persons in Thailand. Studies have omitted resilience of transgender persons to stigma and discrimination. Further research is needed to document everyday life experiences, both resilience and vulnerability of transgender sex workers.

The study attempts to fill in gaps and provide a baseline of data to better understand the lives of Bangkok, Thailand's transgender sex workers. The study utilizes existing academic research and journalistic studies to paint a picture of the lives of transgender persons in the sex industry. It

²¹ Such instances have also been documented in neighboring Cambodia. In 2010, a transgender woman sex worker in Phnom Penh was beaten by police (Human Rights Watch, 2010:4-5)

²² A study found that there is need to give access to sex workers to such things as: water-based lubricants, condoms, and provide rapid HIV testing in community based facilities that are *kathoe* friendly (see: Pawa D, Firestone R, Ratchasi S, Dowling O, Jittakoat Y, et al. (2013). “Reducing HIV risk among Transgender women in Thailand: A Quasi-Experimental Evaluation of the Sister Program. PLoS One 8(10): e77113. Doi: 10.1371/Journal.pone).

further utilizes both qualitative and quantitative research methodologies, fieldwork and extensive one-on-one structured interviews. An objective of this research is to provide useful data as a resource for social service providers and researchers who hope to provide useful and informed intervention strategies including alternatives to sex work for transgender persons

Methodology

Sampling

This study employs both purposive and “snowballing” data sampling methodologies. Prior to the collection of data for this study, observational field research was conducted in a variety of areas in the Bangkok area where transgender persons are known to engage in freelance and bar-based sex work. Sites for data-gathering were primarily uncovered through interviews with the NGO *Dton Naam* (our key partner working with transgender populations), sexual health clinics, and information from field informants in various LGBTQ bars and entertainment establishments in Bangkok.

This initial field work defined four key areas within Bangkok in which transgender persons were known to be purchased for sex. During data collection, respondents were asked if they were aware of other areas in Bangkok in which transgender persons were known to be purchased for sex. This uncovered a number locales and housing areas in which transgender sex workers lived in community. Within these communities, some groups were found to have sex work as their primary source of income, while for others, sex work was a supplementary source of income.

A total of 60 interviews were conducted with self-identified transgender sex workers within or near these areas. Thirty-eight interviews were collected from freelance workers and 22 in bar-based establishments. Interviews were conducted with transgender sex workers in several public locales where they work, at the beginning of their work hours. In order to be eligible for participation in this study, respondents were required to meet four basic criteria:

- Biologically male at birth
- Self-identifying as “third gender” or “female” (ladyboy/transgender)²³
- Reporting to have been paid for sex within the past three months
- Able and willing to give informed consent to participate in the study

All field research and data gathering was conducted in July - September of 2013.

Research Instrument

The research instrument used for the study was adapted from a similar study, originally developed by Jasmir Thakur of the Samabhavana Society in Mumbai India and Glenn Miles of Love146. This instrument was originally used to survey vulnerability among street-based male masseurs in Mumbai, and was adapted culturally for usage in similar studies with males in

²³While all of our respondents self-identified as either “female” or “third gender”, three of our respondents--after further questioning--stated that they still understood themselves to be male to some extent, even though they commonly self-identified as third gender (Kh eboy). Because of this stated self-identity, these respondents were included in the sampling.

Phnom Penh and Siem Reap, Cambodia. In adapting this survey to be used for the present context, questions were reviewed and scrutinized to ensure their relevance among transgender persons in Bangkok, and additional questions were added to create an expanded section looking at social stigma, exclusion, and discrimination. The final survey was a combination of multiple choice and open-ended questions covering areas including the following: demographics; relationships; personal and family finances; social exclusion, prejudice, stigma and discrimination; migration and entrance into the sex industry; sexual history and sexual health; personal sexual history; substance abuse; violence and sexual abuse; income generation; dignity and future planning; spirituality and existential well-being.

Ethical Considerations

All interviewers and field researchers were trained prior to data collection and field research using UNIAP Ethical Guidelines for Human Trafficking Research (2008). All interviewers were familiarized with survey questions and we're trained using role-playing scenarios prior to conducting interviews. References for sexual health, counseling services, and legal aid were provided to respondents when relevant. Prior to beginning each interview, interviewers familiarized each respondent with the study's purpose and the kinds of questions that would be asked during the interview. Respondents were informed that they could choose to skip any question or stop the interview at any time. Each interview lasted about 45 minutes and following each interview. As a precaution, all interviews for this study were conducted in public or semi-private areas within close proximity to other members of the research team so as to provide security and accountability. All interviews were conducted in the Thai language by a team of four staff and volunteers associated with the implementing organization, Dton Naam.

Limitations

Data collected during interviews relied largely upon self-reporting. Thus, this study is only able to report the data that respondents were willing to disclose, and through the particular social and ideological lens by which they chose to disclose it. As will be discussed later in this report, it was common for a number of respondents to give seemingly contradictory answers to interview questions. For instance, a number cited that they like sex work, yet went on to describe graphic acts of physical and sexual violence committed against them regularly in their line of work, and admitted that they have no other choice but to do the work that they were currently doing (sex work). While we understand this data to be contradictory and perhaps somewhat confusing, we can only provide analysis on what some of these contradictions might imply and present the words of respondents at face value.

While the data collection team attempted to gather a sampling of respondents that was representative of transgender sex workers in Bangkok, field researchers were limited to interviewing only those respondents who were readily accessible in areas of data collection, self-identifying as sex workers, and those who were willing to be interviewed. Within the past few decades, there has been increased vigilance and harsher legislation for child abuse and endangerment, which might drive younger sex workers to go underground or to give incorrect information about their ages. Given this, it should be noted that ages shown here are "reported ages" and it is understood that some respondents in this study may, in fact, be younger than what they have reported.

Definition of Terms

To understand the diverse nature of gender, it is vital to unpack the many aspects of gender which are so often conflated. The diagram below (page 22) is entitled “The Genderbread Person, 3.0” and depicts how gender identity, gender expression, sexual orientation (sexual attraction and romantic attraction), and biological sex, are actually separate components within each human being (Killermann, 2013: 83). Each aspect is measured on its own scale. For many people, these components are in line with traditional gender binary. For example, a person who is biologically female, identifies as a woman, expresses herself as feminine, and is sexually and romantically attracted to men. Any number of combinations of these components can and do exist. In this research, respondents do not fit within the traditional gender binary and have been labelled in this report as “transgender” persons. The term “transgender” can be used to refer to people whose gender identity differs from their biological sex, as well as a general term to encompass a range of gender identities and expressions which fall outside the traditional gender binary (i.e. those who are not in the cisgender majority). Terms such as “trans*,” “trans-,” and “genderqueer” are similarly used to encompass a range of gender identities and expressions, however for the purposes of simplicity only the term “transgender” is employed in this report. An adapted glossary from the creator of The Genderbread Person, Sam Killermann, has been included to demonstrate the intended meanings behind phrases used such as “gender binary,” “cisgender,” “transgender,” etc. (Killermann, 2013: 226-237 and ILO, 2014:15-17).

This report has chosen to use the term “transgender persons” to refer to respondents, instead of “trans-woman” as is sometimes used in the development community. This is to recognize that many of our respondents (as is often the case in SE Asia) do not understand their gender identity within binary male/female terms, as is commonly the case in the west. Thus, instead of subjecting them to a label, which we may perceive them to fit, we have chosen to retain a degree of ambiguity to reflect more accurately the respondent’s own variety of self-understandings. Some respondents used the term ‘ladyboy’ when speaking of themselves, which is often understood as a sort of third-gender (neither male nor female) self-identity. At times, this report will also use the term “ladyboy” to refer to the cultural and individual self-identities of the respondents themselves. Bangkok is a metropolitan city in which the English language becoming increasingly a part of the colloquial Thai language and cultural context. Some English language terms that are commonly used include: “gay,” “lesbian,” “bisexual,” “transgender” and “intersexed”. While the words in Thai context have their own cultural understanding and additional nuances, we recognise many of the terms as working terms and cultural concepts in the Thai context, that are dynamic social identity to which many respondents align and could change overtime.

This report aims to sensitively explore this matter of gender and identity in a respectful and comprehensive manner, however the topic of gender and language surrounding it continuously evolves to encompass increasingly expansive understandings of gender. Therefore, despite our best efforts, there may be flaws or slight inaccuracies in the terminology used in this report. Nevertheless, we hope that the thoughtful manner in which this was written and researched and the good intentions behind it will be clear to readers as we continuously strive to develop our understanding and strip back assumptions and misconceptions.

The Genderbread Person, 3.3

The Genderbread Person v3.3

Gender is one of those things everyone thinks they understand, but most people don't. Like *Inception*, Gender isn't binary. It's not either/or. In many cases it's both/and. A bit of this, a dash of that. This tasty little guide is meant to be an appetizer for gender understanding. It's okay if you're hungry for more. In fact, that's the idea.

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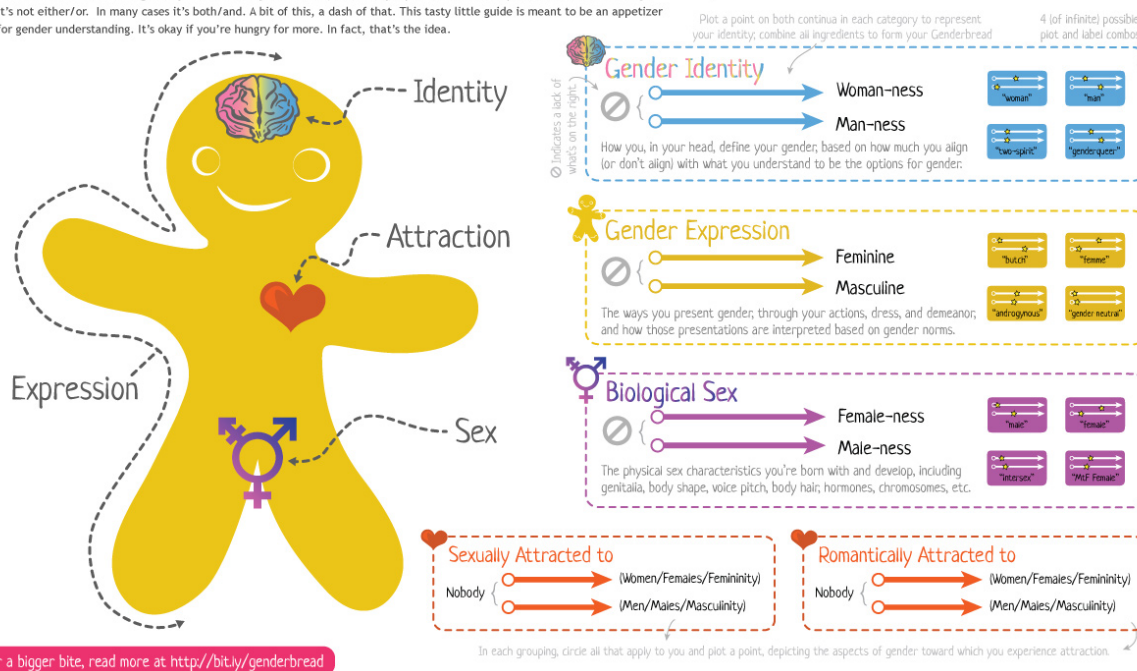


Diagram Reference: (Killermann, 2013: 83)

Glossary of terms²⁴

Biological Sex: the anatomy and hormones each person is born with that are usually described as “male” or “female”. “Intersex” people are born with anatomy/hormones that do not fit with male/female categories (used to be called hermaphrodites, however this term is outdated for a number of reasons).

Gender Expression: how a person chooses to show their gender, usually marked on a scale of masculinity and femininity, displayed through clothing, behaviour, language, social behaviour, and more. Cross-dressing means to wear clothes that conflict with the gender identity prescribed to their sex under the traditional gender binary, often those who partake in this are called transvestites; this is not to be confused with being transsexual.

²⁴ Adapted from: Killermann, 2013: 226-237.

Gender Identity: how people perceive their own gender and subsequently label themselves.

- **Cisgender:** description of someone whose gender identity, gender expression, and biological sex all matches up. Within this category is: cis-man: man, masculine and male, or cis-woman: woman, feminine and female.
- **Transgender:** umbrella term that is used to describe a range of non-cisgender people who fall outside the gender binary, including but not limited to:
 - **Bigender:** fluctuates between “woman” and “man” gender-based identities, identifying with both, and sometimes also with a third gender.
 - **Ladyboy:** term used in some countries, including Thailand and Cambodia, to refer to transgender women.
 - **Third-Gender:** term usually used in countries/cultures that recognize three or more genders, to describe people who neither identify as “man” or “woman”.
 - **Trans-man:** a person whose gender identity is male, but whose biologically assigned sex is female.
 - **Trans-woman:** a person whose gender identity is female, but whose biologically assigned sex is male.
 - **Two-Spirit:** a term that is used to recognize people that express or identify with both genders, originally coined by Native Americans.

Sexual Orientation: describes the kind of attraction (including, but not limited to sexual, romantic, physical, spiritual attractions) a person feels towards other, usually labelled according to the genders of that person and those whom they are attracted to.

- **Gay/lesbian (homosexual):** terms used to describe people who attracted to others of the same sex.
- **Straight (heterosexual):** describes someone who is attracted to people of the other sex.
- **Skoliosexual:** attracted to people who are not cisgender.
- **Bisexual:** describes a person that is attracted to both people of their own gender and people of the other gender.
- **Pansexual:** term used to describe a person who experiences attraction to people of all gender identities/expressions.

Thai Terms:²⁵

- **หญิงรักหญิง, ญรญ. Ying rak ying** – literally “women who love women,” a collective and preferred term for lesbian women, toms and dee
- **ทอม Tom** – from English “tomboy,” a woman with a masculine gender identity/expression who is emotionally/sexually/physically attracted to women who are often but not always a dee
- **ดี้ Di or Dee** – from English “lady,” a woman with a feminine gender identity/expression who is emotionally/ sexually/physically attracted to women who are often but not always a tom.

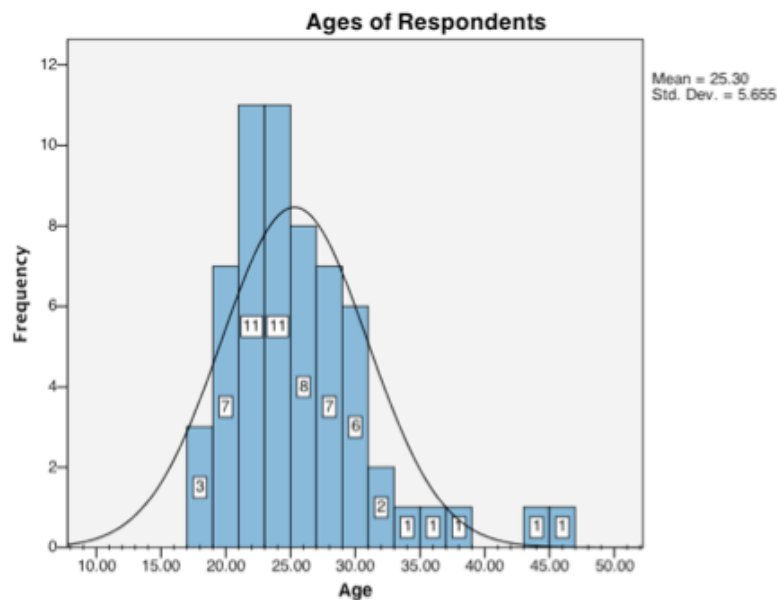
²⁵ Adapted from: ILO 2014, Busakorn Suriyasarn “Gender identity and sexual orientation in Thailand; ILO Country Office for Thailand, Cambodia and Lao People’s Democratic Republic ; Promoting Rights, Diversity and Equality in the World of Work (PRIDE) Project”: 15-17

- **ชายรักชาย, ชรช. Chai rak chai** – literally “men who love men,” a collective and preferred term for gay men.
- **กะเทย Katoey** – a person who was born male but has a feminine appearance, expression and behavior more consistent with that of a female person. In current usage, katoey refers exclusively to MTF transvestite/transsexual/transgender persons.
- **สาวประเภทสอง Sao praphet song** – literally “woman/women in the second category,”.
- **ตุ๊ด Tut** - from the American film “Tootsie”, featuring Dustin Hoffman. Tut is the Thai equivalent for the English term “fag” or “faggot,” is a common but highly pejorative term for gay men, katoeys and MTF transgender persons.
- **เพศที่สาม Phet thi sam** – literally “the third gender,” referring to individuals who are not heterosexual, including lesbian, gay, bisexual, and transgender persons. This term is not favored by many Thai LGBTs as it reinforces gender hierarchy.
- **คนข้ามเพศ Khon kham phet** – literal translation of the English term “transgender.”
- **หญิงข้ามเพศ Ying kham phet** – literal translation of the English term “transwoman,” used with MTF transgender persons who have had, or are in the process of, sex reassignment.
- **ชายข้ามเพศ Chai kham phet** – literal translation of the English term “transman,” used with FTM transgender persons who have had, or are in the process of, sex reassignment.
- **เพศกำกวม Phet kam-kuam** – literally “ambiguous sex,” which refers to intersexuality. An intersex person is also referred to as **คนที่มีเพศกำกวม Khon thi mee phet kam-kuam**, “person who has an ambiguous sex.”
- **คนสองเพศ Khon song phet** – literally “person with two sexes,” meaning an intersex person.

Results

Demographics

Ages: The ages of respondents ranged 28 years, the youngest respondents reporting to be 18 years of age and the oldest reporting to be 46 years of age. Over half of respondents, or 53%, fall within the United Nations definition of youth, which is defined as 15–24 years of age. The mean age of respondents was found to be 25 years, which is somewhat offset by two respondents who reported to be significantly older than the others (44 and 46 years of age). While no one in the sampling reported to be under the age of 18, a number of respondents appeared to be quite young.



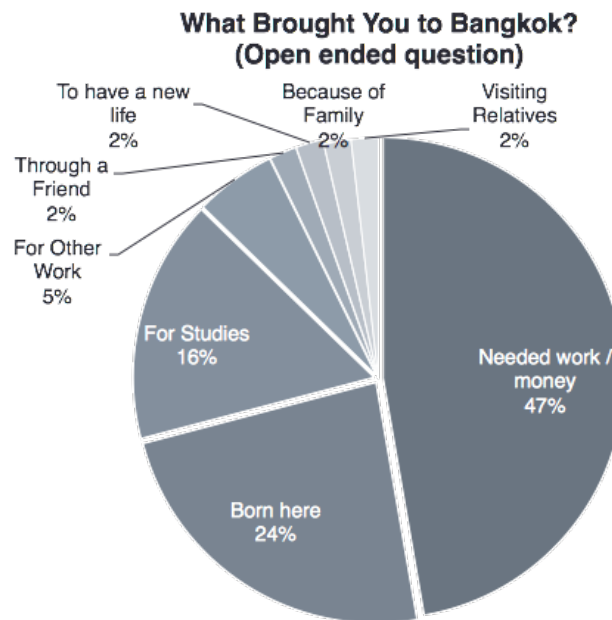
Educational Attainment: The majority of respondents (63%) had completed between a 7th and 12th grade education. This includes more than one-third of respondents (35%) that had completed a tenth to twelfth grade education, and more than one in four respondents, or 28%, completed a 7th to 9th grade education. Only four respondents cite completing lower than a 7th grade education: two had lower than a fourth grade education and two had completed between the 4th and 6th grades. Eighteen percent of respondents cite completing some form of education beyond secondary school, this includes six respondents (or 10%) that had completed vocational college, 5 people (or 8.3%) that had completed a kind of post-secondary diploma, and seven people (or 11.7%) that had completed, or were currently completing a university-level degree.

Living Arrangements: Participants were asked about their present living arrangements. The majority of respondents, or 23 people (38%) indicated that they were presently living with friends. Another large group, or 18 people (30%) cited living alone and one-in-four (25%) indicated living with biological family members.

Ethnicity: Participants were asked about their ethnic backgrounds. A notable majority of the sampling, or 20 people (37%) cited coming from Isaan province, one of Thailand's poorest

regions²⁶. Fourteen respondents (26%) had not migrated and cite growing up in Bangkok. Only four respondents were found to have migrated from outside of Thailand: Two participants (4%) cite coming from Cambodia and another two respondents (4%) cite coming from Laos. Lastly, fifteen respondents (25%) cited coming from other various Thai provinces.

Migration and Entrance into Entertainment Work



Migration: Respondents were asked to discuss their reasons for migrating to the Bangkok area. This was an open ended question to which respondents could answer however they pleased. Qualitative responses were analyzed and broken down into themes. The majority of respondents, or 26 people (47%), indicate migrating to Bangkok in search of work or because they needed money. Sixteen percent of respondents indicate migrating to the Bangkok for the purpose of completing studies. Four respondents, or 7% of the sampling, indicate migrating to Bangkok in order to escape problems at home. Lastly, nearly one-in-four, or 24%, indicate that they had been born in Bangkok and did not migrate. Of those who had migrated to Bangkok, nearly half indicate that they had migrated within the past 6 years and 23% of respondents indicated doing so within the past 3 years.

Stated reasons for migration into Bangkok were far more diverse than what were found in a similar study among transgender sex workers in Phnom Penh, Cambodia. In this study, 63% of respondents indicated migration into Phnom Penh because they were looking for work, and no

²⁶ Isaan has been overlooked by government and politics who focus their attention elsewhere. There is growing anger and frustration coming from the Isaan region. As David Streckfuss, an American scholar based in the Isaan posited, "There's a generalized anger at the military government." He went on to add there is an, "anti-Bangkok" movement-taking place (Campbell, 2014). The majority of people in Isaan are "red shirts" siding with Thaksin Shinawatra. See also: Sopranzetti Claudio (2012). "Red Journeys: Inside the Thai red-shirt movement". Silksworm Books. Print Edition; Ferrara Federico (2011). "Thailand Unhinged: The Death of Thai-Style Democracy". Equinox Publishing; Montesano Michael, Chachavalpongpun Pavin, Chongvilaivan Aekapol, (2012). "Bangkok, May 2010: Perspectives on a Divided Thailand." Institute of Southeast Asian Studies; Terwiel B. J. (2011). "Thailand's Political History: From the 13th Century to Recent Times" River Books Press Dist A C. Print Edition.

respondents indicated migration for the purpose of studies. A similar number of respondents in Phnom Penh (28%) indicated that they were born in the city and did not migrate. This is only slightly higher than the 24% in Bangkok who indicated the same.

Entrance into the industry: Respondents were then asked to discuss what brought them into the entertainment industry, as opposed to any other form of work. A strong majority, or 81% of respondents, indicate coming into the entertainment industry due to direct financial needs, this includes 25 people who indicated that they perceived that they could earn significantly more money through this mode of work and 18 people who indicated they saw this as a form of “easy money.” Greater than four out of five respondents, or 82%, indicate that they were introduced into the entertainment/sex industry through a friend. Eight people, or 14% indicated that they came into the industry through their own means, and two people (or 4%) were introduced into the industry through a relative. Many of the respondents indicate differing levels of agency in sex work and state wanting to be involved because of easy money, satisfaction, feeling empowered, and freedom in the business. Some found using their gender expression as an easy way to pursue goals in the sex industry.

Financial Implications

Total income reported by respondents varied greatly. Except for four respondents who reported having no earning in the past month, the lowest reported income estimate for one month was 3,000 THB (~\$85 USD) and the highest was 110,000 THB (~\$3,100 USD), with a income range of 107,000 THB (~\$3,015 USD) per month. The mean income for all respondents was 23,766THB (~\$675 USD) in one month. This mean is offset by six respondents who reported earnings of greater than 45,000 THB (~\$1,820 USD) within the past one month. If these six cases are dropped, the mean income for all respondents is 17,611 THB (~\$500 USD) for one month— 6,155 THB (~\$175 USD) less than than the mean income if these six are included.

Incomes between freelance and bar-based entertainment workers were found to be greatly divergent. The mean for our-based entertainment workers was 31,450 THB (~\$895 USD) for one month, while the reported income for freelancers was 22,139 THB (~\$630 USD) for one month, a difference of 9,311 THB (~\$265 USD) per month. Slightly more than three out of four respondents, or 78% of all respondents reported sex work to be their primary source of income, while 60% of all respondents reported sex work to be their only form of income.

Stigma / Discrimination

In order to build a better understanding of the social and emotional development of respondents, respondents were asked series of questions about their personal relationships, and the extent to which they feel that their gender identity, and work within the sex industry affects these relationships.

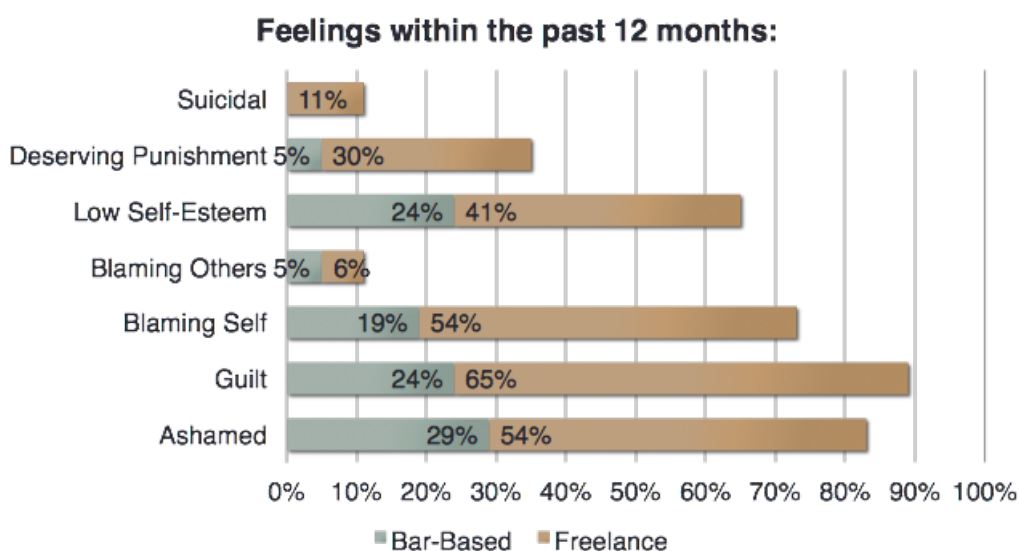
Effect of sex work on relationships: Slightly over half of all respondents, or 58.5% indicate that there work with in the sex industry has no effect on their intimate personal relationships. Among the 41.5% of respondents (n=51) who indicate an effect on their intimate personal relationships, 17% indicate “moderate effect”, 13.2% indicate “very much” effect, and 11.3% indicates “a little” effect on such relationships. Nearly one-in-three respondents (31% of sampling) describe themselves as being in a committed relationship. Among this group, one-in-six cite that their intimate partner is unaware of their work. Respondents were then asked to discuss the ways in which sex work affects their intimate, personal relationships. Only 24

respondents, or 40% of the sampling, chose to respond to this question. Nearly 30% of those that responded this question (or 7 people) indicate fears that their partners will find out about their sex work. In particular, several indicated fears of boyfriends finding out and no longer desiring to provide them with financial support, while others indicated fears of shame, gossip, and non-acceptance from family members.

Effect of gender identity on relationships: Respondents were asked to what extent they believe that being a ladyboy affected their intimate personal relationships. Nearly half, or 48.3% indicated that their gender identity had “no effect” on their intimate, personal relationships. While over half indicated that it did affect such relationships—27.6% stating a negative effect, and 24.1% stating that their gender identity had a positive effect on their intimate, personal relationships.

Best Friend: Nearly 90% of respondents, or 52 people indicated having a “best friend”, and six people indicated that they did not have anyone that they could call a “best friend”. Among those who indicated having a best friend, 81% indicated that this best friend was another lady boy, 13.5% indicated that this best friend was another male or female from their village, and 5.8%, or one person, indicated that this best friend was someone else. In a similar study conducted with transgender sex workers in Phnom Penh, Cambodia, a similar theme was found where nearly all respondents indicating to have a best friend, also stated that this best friend was also transgender.

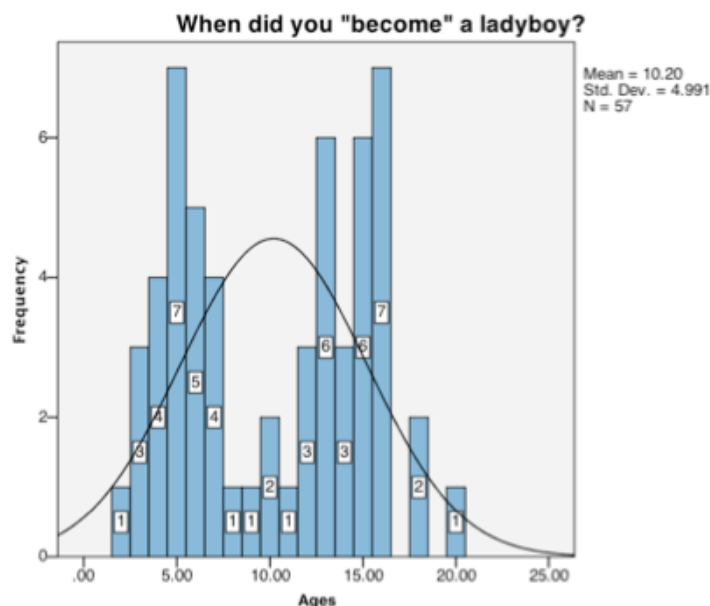
Well over one third of the sampling (36%) reported having to change residence/were being refused residence at a particular location based upon the gender identity. One-in-five respondents (20% of sampling), indicate losing employment or being refused employment and 9% indicated being dismissed from education, or prevented from receiving education due to gender identity. Lastly, 3% of respondents indicate being denied health services, on the basis of their gender identity, within the past 12 months.



A series of questions was asked regarding personal feelings experienced by respondent in the past 12 months because of their gender identity. The highest frequency of emotions reported by respondents were guilt (reported by 89%), shame (reported by 83%), self blame (reported by

73%), and low self-esteem (reported by 65%). In addition to these emotions, 35% of respondents indicated that they have felt “deserving of punishment and the past 12 months, 11% indicate that they have feelings of “blaming others”, and the same number of respondents, 11%, indicated having suicidal thoughts within the past 12 months.

Gender/Sexual Identity



Respondents were asked when they “became” a ladyboy. This refers to the time in their life that they became aware that they were different and started adopting more feminine roles, dressing in female clothing, etc. It is important to note here that we are distinguishing the culturally denoted term “ladyboy” as separate from the international concept of “transgender”. The respondents understanding of when they became a ladyboy refers to their adoption of the socially and culturally constructed identity of a ladyboy in Thai society. This question was asked to as to better understand respondent's upbringing and social development within their present social identity as a ladyboy.

Looking at the distribution of ages at which respondents report that they first became a ladyboy, results show a distinctive double bell-curve which seems to demonstrate two distinct populations: the first indicating that they became a ladyboy around the ages of 4 to 6 years, and the second group indicating that they became a ladyboy around the ages 13 to 16 years. Results from this variable were similar to the findings in previous studies among transgender sex workers in Phnom Penh, Cambodia (Davis, et al., 2013). In this study, the distribution of ages in which respondents indicate acknowledging their gender identity was also represented by a double bell-curve, the first group peaking around the ages of 5 to 6 years, and the second group peaking around the ages of 13-15 years of age. More research is needed to explore the reasons for the divergence in reported ages at which respondents felt that they knew that they were transgender.

The series of questions was asked regarding the respondents first sexual experiences. Respondents ages at the time of the first sexual experience ranged 12 years, the youngest being nine years of age, and the oldest being 21 years of age, with a mean age of 15.45 years. Respondents were asked to be estimated age of their first sexual partner. On average, respondent's first sexual partners were found to be somewhat older (significantly older in some cases) with a mean age of 19 years. The age difference between respondent and their partners at their first sexual experience range between zero and 23 years. Twenty-seven percent (27%) of respondent's first sexual experiences qualify as child sexual abuse, in which the respondent was still a child under the age of 18 while the partner was legally an adult. One respondent indicates a first sexual experience at the age of nine with a partner that was 30 years of age. Each respondent was asked to describe the nature of this first experience. Ten people, or 18%, describe that the first experience was forced or coerced. Half, or 50% of respondents state that this first partner was a boyfriend, 18% say that this first partner was there "partner", and 10% state that this first partner was a stranger. All respondents indicated their first sexual partner was male.

The usage of hormonal (estrogen) supplements was found to be commonplace among respondents. Such supplements are taken to increase levels of estrogen and make respondents appear more feminine. Nearly 87% of respondents, or 52 people, indicate taking such supplements. While such treatments are commonly used to make biological males appear more feminine, the supplements are commonly taken without medical consultation for awareness of the drugs full effects. Respondents who stated that they were currently taking estrogen supplements were asked if they were aware of the drugs side effects. Well over one third (36%) of respondents stated that they were unaware of the side effects of such supplements.²⁷ Along with feminizing drugs, reconstructive surgeries were also found to be commonplace among respondents. Nearly two out of three respondents (65.5%) indicate they have had some form of reconstructive surgeries to appear more feminine.

Sex Work

Respondents were asked a series of questions regarding their sex work. Respondents were asked the frequency with which they had met clients for sex within the past week. Responses ranged from 0 to 40 clients, with a mean (average) of eight met within the past one-week. Rate of meeting clients for sex in the past week were significantly higher among respondents working as freelance workers, compared with those working in bar-based establishments. Freelance workers reported an average of 10 clients met for sex within the past week, while those working in bar based establishments reported an average of 4.5 client for sex with in the past week – 5.5 clients fewer than freelance workers.

Respondents were asked as to the nature of the sexual services the people required to provide to clients. These questions were asked in order to better understand the nature and frequency of sexual experiences between sex workers and their clients and to better assess their vulnerabilities in terms of violence, identity formation, and sexual health. This question was phrased, "out of 10 clients, how many would require the following..." Responses were given on

²⁷ Some of the side effects for trans-females include: pulmonary embolism (blood clots in the lungs and arteries), strokes, as well as altered liver function. For more information on this, see: "A guide to hormone therapy for trans people": Trans wellbeing and healthcare. (2007). London: NHS. Accessed: <http://www.teni.ie/attachments/9ea50d6e-1148-4c26-be0d-9def980047db.PDF>

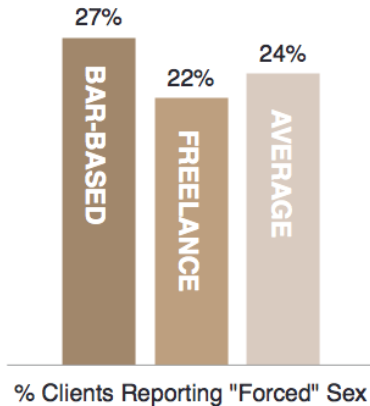
a scale of 1 to 10, estimating the number of clients that would require a particular sexual service. Results to these variables found an estimated 96% of sexual encounters with clients required respondents to have sex receptive anal sex, 20% of instances required them to have insertive anal sex, 46% required active oral sex, 73% required receptive oral sex, and 78% required the respondent to masturbate their clients. It is also understood that many of these sexual services would be done in conjunction with one another for the same client. In addition to sexual services provided, the research found that well-over half of respondents, or 56%, indicated that they had been filmed/photographed for pornography.

In each of the vicinities of data collection, respondents were asked to estimate the percentage of their clients that are foreign. Respondents working within the Soi Cowboy area stated that all of the clients that they serviced were foreign, while respondents from Nana and Patpong estimated that nearly all (98% in each location) of their clients were foreign. In contrast to these three locations, the area of data gathering in North Bangkok (comprised entirely of freelancers) estimated only 18% of their clients, on average, to be foreign. Field researchers found that, while red-light areas catering to foreign tourists were far more visible, and readily advertised, freelance and establishment-based sex work in other areas of Bangkok that do not cater to foreign tourists seems to be an expansive and prolific industry, both in terms of freelance and bar-based sex work. This study was only able to put together a small sampling of sex industry catering to local Thai clients, more research is needed to understand the nature of the sex industry and the vulnerabilities of those working within its ranks.

Violence and Sexual Abuse

A series of questions was asked regarding experiences of violence and sexual abuse within the past 12 months. More than one in four respondents, or 26%, indicate instances of physical assault the past 12 months. Among these cases, 55% of the assaults were committed by clients and 18% from boyfriends; other persons committing assault included mamasans (a bar “madame”, or manager). Instances of physical violence were highest among freelance sex workers, where 44% report such instances within the past 12 months and less prevalent among bar-based sex workers, where 23% indicate such instances within the past 12 months. Nearly two out of three respondents indicate instances of sexual violence (or unwanted sexual touching) within the past 12 months. 69% of these cases are said to have come from clients, 11% from games, and 6% from police. Nearly half, or 48% of those reporting sexual violence for the past 12 months indicate that this happens “always”. Sexual violence was most common among bar-based sex workers, with 89% reporting such instances, and less prevalent among freelancers, where 61% reported such instances within the past 12 months. One third of respondents, or 20 people indicate instances of having to bribe police to avoid arrest for prostitution. Bribery towards police officers was found to be most common among freelance sex workers, where 50% of respondents in this group indicated having to give bribes. While 5% of those working in bar-based establishment report having to give bribes, such instances were found among respondents who also did freelance sex work in addition to their primary employment in a bar-based establishment.

“Forced” Sex: Bar-Based and Freelance



Qualitative analysis of experiences of sexual violence.

13 Respondents shared stories of being “forced” to have sex against their wishes

6 stories involved rape/gang rape by strangers on the street

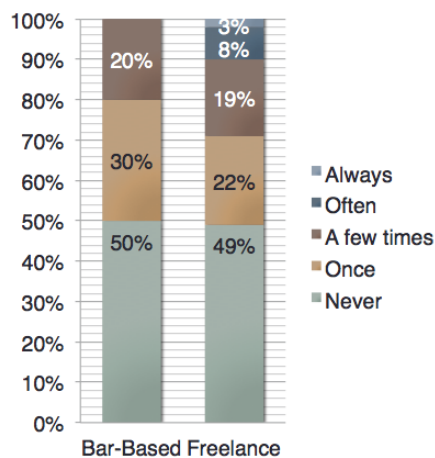
5 stories involved forced sex/forced bareback by clients

1 story involved persistent rape by a family member

In addition to questions regarding physical abuse and sexual violence, respondents were asked about instances in which they were forced to have sex against their wishes. Nearly one in four respondents indicated times in which they had been forced to have sex. This number was slightly higher among respondents coming from bar based establishments, where 27% of respondents state instances of forced sex, and slightly lower among freelancers, where 22% of respondents indicated instances of forced sex. In interviews where respondents reported instances of being forced to have sex against their wishes, they were asked if they would be willing to share an instance of what had happened. Thirteen respondents agreed to share stories of being “forced” to have sex against their wishes. A qualitative analysis was done of these 13 stories. Nearly half of these stories, or six, involved instances of rape or gang rape committed by strangers on the street. Well over one third, or five stories, involved instances in which the respondent was forced to have sex without a condom. Lastly, one story involved persistent rape by a family member throughout the respondent's childhood.

Sexual Health

Frequency of Unprotected Sex with Clients



REASONS FOR UNPROTECTED SEX (OPEN ENDED; N=21)

Likes Client	4	19%
Offered More Money	6	29%
Drunk	1	5%
Tricked	1	5%
No Condom	4	14%
Broken Condom	7	33%

26% state that they have **NOT** received any formal sexual health education.

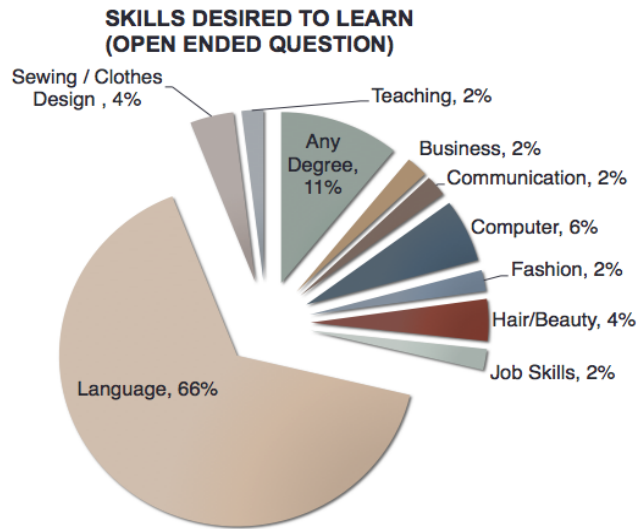
A variety of questions were asked on sexual health including: sexual health education, sexual health services, and symptoms of sexually transmitted infections (STIs) within the past six months. Nearly three in four (74.1%) respondents stated that they have had some form of sexual health education prior to beginning their work in the entertainment industry.

A strong majority of respondents (83.9%) indicated that they do have an active concern about contracting HIV/AIDS through their employment in the entertainment industry. When asked about the extent to which they have unprotected sex with clients. Nearly half of respondents (49.1%) cite that they have “never” had unprotected sex with a client. Nearly one in four respondents or 24.6% state that they have had unprotected sex with the client at least once, one in five, or 19.3% state that they have done this “A few times”, 5.3% say that they do this “often”, and one person, or 1.8% states that sex is “always” unprotected with clients. Responses to this question include feeling “scared”, “believing that they will be infected”, and one respondent who cites, “I fear getting HIV/AIDS everyday”. Another respondent, 20, cites, “I am very scared, sometimes I don’t have sex if I feel that I could get HIV”.

Respondents who cite having unprotected sex with clients were asked their reasons for having unprotected sex, or under what circumstances they would have unprotected sex with a client. This was an open-ended question and respondents were invited to respond however they saw fit. Responses from this question were broken down into themes and analyzed. Among the 21 respondents giving reasons for having unprotected sex, seven people or 33% of the group state that “broken condoms” have caused them to have unprotected sex with clients. Nearly one third or six people state they would have unprotected sex with clients if they are “offered more money”. Four people, or 19% of the group, state they would have unprotected sex if they “like the client”, and the same number of people (four or 19% of group) state that they have unprotected sex if there is “is no condom”. One respondent (5% of group) mentions having unprotected sex due to being drunk, and another one (5% of group) cites instances of being “tricked” into having unprotected sex, where the client pretends to put on a condom, then slips it off when the respondent is not looking.

Alternative Employment

Respondents were asked about their willingness to take an alternative job offering 6,000THB a month. This number was calculated to be the average income for an unskilled worker, making minimum wage in Bangkok. Only 19% of respondents say that they would be willing to take such an offer. Respondents working as freelance sex workers were relatively more likely to take an alternative job, with 24.3% of respondents in this category responding that they would take the above-mentioned offer. Respondents coming from far based establishments were somewhat less likely to take the offer, with only 9.5% of respondents in this group answering in the affirmative.



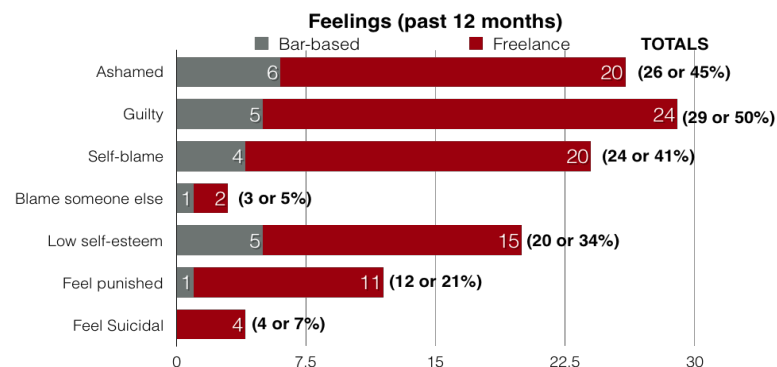
Respondents were asked if they had any additional skills that they desired to learn which would help them in their income generation. Nearly two in three, or 66% of the group, indicated that they desired language skills to aid in their income generation. Beyond this, 11.3% (6 people) stated the need to complete a degree program, 5.7% (3 people) state needing computer skills; two people mention hair or beauty skills, another two-mention sewing/clothes design. Other responses to this question included “business”, “communication”, “fashion”, “job skills”, and “teaching”, each mentioned by one person each.

Analysis & Discussion

In this study, exploitation seems to happen on a variety of levels. There are clear and demonstrable instances of direct exploitation where force or threat is used to violate and abuse respondents through physical and sexual violence. There also seems to be a strong indication of exploitation, which is structural. We understand these instances to include those in which poverty or human need drives an individual to make choices that they would not otherwise make if alternative options were made available to them. Instances such as this are often accompanied with stories of children, or other family members who are in need of financial support and/or debts, instances of discrimination in employment, housing and education. Beyond these structural instances of exploitation, there seems to be indication of exploitative factors that are implicit within the social identity that an individual assumes as a transgender (ladyboy or third gender) person within Thailand. Data in this study shows that transgender persons occupy a very limited space within Thai society and are often offered a very small range of income generating “choices.”²⁸ The analysis and discussion section will look at the interplay of the study’s results, literature and draw on qualitative data from respondents to look at transgender sex workers; self-concept, social roles, societal exclusion, discrimination, and resiliencies.

Stigma

Stigma and social exclusion from family and friends was found to be a significant vulnerability found among respondents in this study.²⁹ Feelings and experiences such as these can lead to emotional distress and vulnerability. Respondents from this study cite experiencing a wide variety of negative feelings and self-concepts, which include feelings of guilt (50%), feeling ashamed (45%), blaming themselves (41%), low self-esteem (34%), feeling deserving of punishment (21%), as well as having suicidal ideations (7%).



²⁸ Peter Bauer wrote in 1957, “I regard the extension of the range of choice, that is, an increase in the range of effective alternatives open to the people, as the principal objective and criterion of economic development; and I judge a measure principally by its probable effects on the range of alternatives open to individuals” This range of choice can be applied not just to economic development but to other instances including transgender person’s ability to choose their place of work. See: Bauer Peter T. (1957). *Economic Analysis and Policy in Underdeveloped Countries*. Durham N.C; Duke University Press pp. 113-114.

²⁹ In a previous study conducted among freelance transgender sex workers in Phnom Penh (Davis & Miles, 2014) cites that over a third of transgender sex workers cite that coming out as transgender had a “negative” effect on their relationships. Much of this is due to stigma and discrimination from cisgender family members, neighbors, and peers.

Qualitative data from the respondents show a variety of feelings:

"If people understand my work and that men know that ladyboys have the same feeling as women" -- bar-based worker, 20.

"I can find real love in sex work" -- bar-based worker, 25

"I don't want everyone to know that I still have this job." -- freelance worker, 21

For those who cite feelings of guilt and those feeling that they are deserving of punishment, it is possible that this may be linked to traditional Thai Buddhist 'karmic' beliefs. According to a 2006 study 48.4% of 198 transgender women surveyed "believed (strongly or otherwise) that being transgender was a, "karmic consequence" (Winter 2006:53-60). Thus, it is possible that some transgender persons may feel that their being transgender is a product of wrongdoings committed in a past life. These karmic beliefs can lead to increased vulnerabilities to exploitation and violence as transgender sex workers may accept certain levels of violence and/or exploitive situations as merely their "lot" in life, paying off the accrued debt from their past life. "Karma" is understood in Thailand to be the notion that one is paying off debts from actions in past lives.³⁰

There is very little research in Asia on transgender people's vulnerabilities to depression, anxiety, and suicide particularly among sex workers.³¹ Findings in Cambodia in 2014 show that the intersections of personal identity, social exclusion, and challenging life experiences can leave many transgender persons vulnerable to depression, anxiety, severe stress, and suicide (Davis et al., 2014:12). The Cambodia study is one of the few studies showing depression, and suicide, including thirty-two percent (32%) indicating that they have low self-esteem and one-in-five respondents, or 20% of the group, indicate having suicidal feelings within the past 12 months (Davis et al., 2014:23-24).

Due to the visibility of transgender persons in Thailand, in the sex industry, Thai society is often assumed to be much more tolerant and accepting toward transgender persons than what it really is (see Armbrrecht 2008; Winter 2009:372-375; Yongcharoenchai 2013; Mosbergen, 2015). Although Thailand may seem like a safe haven for transgender persons, many cite feelings that society is not fully accepting of them and cite feeling marginalized and stigmatized. Many respondents cite hopes for societal change in their views towards transgender communities.

"I would like for people to understand that ladyboys are not bad people and society should accept this job" -- freelance worker, 23,

"I would like society to be more accepting. I want to be viewed by society as a woman"
-- freelance worker, 19

³⁰ Furthermore, self-imposed family and social pressure may occur among transgender persons in Thailand for example many decide to wait until after they are ordained as Buddhist monks to start to come out to friends and family (Cameron, 2006:29).

³¹ The attempted suicide rate among Asian transgender persons living in the United States is 43% as compared to the general population average of just 1.6% (Grant et al., 2012:2). For more information see: Grant, J., Mottet, L., & Tanis, J., (2012). "Injustice at Every Turn: A Look at Asian American, Southeast Asian, and Pacific Islander Respondents in the National Transgender Discrimination Survey." Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force.

"I was born this way, I don't want to do this. I (am) just like everyone else. This is not an evil job." -- freelance worker, 28

Transgender persons are seen as a part of Thai culture but still not fully accepted especially transgender sex workers (Ocha 2013, Käng 2011; Mosbergen 2015). From 1980-90s fast economic growth helped shape Thailand's entertainment industry for gay men and transgender sex workers and affirmed global reputation as a "queer paradise" (Matzner, 2002). Thai media may have shaped local people's ideas of transgender persons or "ladyboys" in a negative way portraying them as freaks, jokers, violent people, or people with mental sickness, and deviant (Chubumroong et al. 2012; Pravattiyagu Jutathorn, 2015; Costa & Matzner, 2007). Social exclusion in Thai society happens beneath the surface. As Cameron in 2006 describes:

"Those who break or defy social mores in Thailand are not directly challenged but rather they are ignored and rejected from society. Social alienation in Thailand is often a very subtle, but an extremely painful and debilitating, force for those who experience it. The visibility in society of...transgender people does not mean acceptance. Along with many men who are open about having sex with men, they are highly stigmatised and socially sanctioned members of Thai society " (Cameron, 2006: 6).

Thai society tends to mask such exclusion and it comes out in relational ways. Social exclusion, particularly by family members, has been found to be another key vulnerability among LGBT people in Asia and Southeast Asian societies. Openly gay or transgender people often face ostracization from families and are often provided with no social or economic support system, leaving them even more vulnerable (Cambodian Center for Human Rights, 2010: 7; Phlong et al., 2012: 36; Khan S. et al., 2009).

The study found that 28% of respondent stated that being a sex worker negatively affected their relationships. Furthermore, 67% of respondents reported that their village or community back home were unaware of their work. Freelance workers families were less likely to know of their work than bar-based (41% compared to 95%). Half (50%) of the freelance respondents stated that their partners knew what they did for work compared to 58% of bar-based workers.

Freelance Sex workers respondents cited some of their biggest obstacles including:

"Boyfriend and family acceptance" -- freelance worker, 27

"I need acceptance from my father" -- freelance worker, 28

"I would like social acceptance [for] ladyboys because they don't make trouble for Thai society. Everyone should have equal rights." -- freelance worker, 21

Discrimination

Respondents within this study cite experiencing a number of forms of discrimination.³² Many cite difficulties in finding jobs outside the service industry or entertainment sector. For example, a 30 year old Bangkok Native in Nana cites feeling that they had few options for work, "I think

³²Another instance of discrimination was that 19% of respondents cite being denied places to rent from landlords.

ladyboys don't have a good choice of work in Thailand for example they can only work as: prostitutes, at the Tiffany Show, and selling food”.

A 2014 report from the International Labour Organization (ILO), describes how discrimination against transgender persons is manifest in the workplace by employers and fellow staff members (ILO, 2014). Within this study, 10% cite instances in which they have been refused employment because of their gender identity.³³ The ILO also found that many transgender persons were motivated to enter into sex work because of “unfriendly and hostile work environment for workers” in other places of work (ILO, 2014:64). Further, anecdotal data confirmed that employment discrimination is a major obstacle for transgender persons in the sex industry particularly in civil society or and government.³⁴ Transgender persons are discriminated against in places of employment either in the hiring phase or not being able to work in many sectors including government (ILO, 2014; Jackson, 1999).

“I want to be able to work in the government” -- freelance worker, 24

Anecdotal data from practitioners find that many transgender sex workers were found to have completed primary and secondary education, yet many are still unable to attain employment. Field partners indicate, anecdotally, numerous cases of such difficulties. In one case, a client who had fully transitioned (physically) from male to female had completed her college degree and had been certified as a public accountant. However, she said was not able to find employment because on her Thai ID she was still listed as male.

Police Bribes

More than a third of respondents (38%) in this study cite instances of abuse from police, in which they had to bribe police to avoid arrest for prostitution, with as many as 58% of respondents experiencing this among freelance sex workers. Anecdotal data from field practitioners cites that freelance sex workers are more vulnerable to police exploitation because they are not afforded the protection from mamasans (a pimp or broker) within bar-based establishments. Transgender sex workers in Thailand appear to be an easy target for police possibly because they are given less access to legal protection and are looked down upon by

³³ Tu Anh Hoang is the director of CCIHP a Vietnamese research organization on sexual and reproductive health. Speaking about Vietnamese NGOs working with transgender persons in 2015, she said: “They provide important emotional support and some do micro-credit for poor transgender people. What our research suggests is that any attempt to improve employment for transgender people has to include self-employment in the “informal sector”. We should have little bit more ambition and flair than providing micro-credit for pedicure or noodle shops. A major challenge will be to bridge the gaps between transgender people and reduce some structural inequities (Hoang, 2015). Organizations working with transgender sex workers could try to implement micro-credit programs that are focused on creative and innovative business outside of the normal models: street food and handicrafts. See: Hoang Tu Anh (2015). “Being transgender in the workplace is difficult in Vietnam or anywhere” Institute of Development Studies. 26, August 2015. Website.

³⁴ According to many LGBTQ organizations in Southeast Asia, employment is a major obstacle for the transgender community. Ging Cristobal, with OutRight Action International stated, “Every day we don't protect LGBT people, some of us die, some of us turn to sex work because we don't have the skills or access to better employment, some of us turn to illegal work to live.” For more information see: Mosbergen Dominique (2015). “Being LGBT In Southeast Asia: Stories Of Abuse, Survival And Tremendous Courage” Huffington Post. January 10, 2015, http://www.huffingtonpost.com/entry/lgbt-in-southeast-asia_55e406e1e4b0c818f6185151.

society. Beyond bribes, only one respondent indicated being physically assaulted by a police officer.

There are many documented instances in the literature where police brutality happens against transgender persons working in the sex industry. One example after the 2014 military coup, the NCPO started a crackdown in the Pattaya Red Light District. The new military government was targeting “ladyboys” thought to be selling sex for money (Yongcharoenchai, 2014a). In 2009 a study interviewed one transgender person that cited an experience of not being able to pay a bribe to a police, “Occasionally, I did not have money, so I had to do oral sex for a police as reciprocity of a fine.” The study found ongoing violence enacted by police including verbal harassment as well as physical abuse and extortion of money or sex to avoid arrest (Betron M, 2009:9).

The study on transgender persons in the sex industry from Cambodia in 2014 showed police as a vulnerability and source of abuse and harassment towards transgender sex workers. One transgender sex worker said in Cambodia, “I really hate police. They chase us like dogs” and another cited, “The police are good at threatening. Sometimes I become the scapegoat. Once I was arrested by police without a reason and I had to pay a \$20 fine (Davis et al., 2014:50-51).

Overall in Southeast Asia freelance sex workers are more vulnerable to police abuse.³⁵ In the Cambodia report in 2014 high levels of discrimination and violence were reported to come from societal structures that are intended to provide safety. In the study well over half, or 29 respondents, mentioned the police as a primary source of stigma and discrimination (Davis et al., 2014:23), much higher than what took place among respondents in Bangkok.

Sexual Violence

Respondents in this study indicate significant vulnerability to a variety of forms of sexual violence. These include forced sex, adult to child sexual abuse, and physical abuse. Nearly one in four respondents in this study (24%) cite that they have been forced to have sex against their wishes and 27% said they knew another transgender person who had been forced.

In recent years, several studies conducted in the region have begun to take note of forced sex or physical abuse experienced by transgender persons in the sex industry (see UNDP, 2013:9; Jenkins, 2006; Miles & Davis, 2012; Davis and Miles, 2013). A 2011 study found that transgender persons had significantly higher histories of forced sex (26.4%) as compared to men who have sex with other men (MSM) (19.4%) and male sex workers (MSW; 12.1%), respectively. A 2010 study among Thai male, female and transgender sex workers showed similar findings and reports transgender persons as having the highest histories of coercive and forced sex (Chemnasiri, 2010; Guadamuz, 2011).

³⁵ For example in 2009 in Cambodia a transgender sex worker was arrested in a local park telling stating, “When I told the police that I am living with AIDS and I need to take ARVs, the police beat me more and accused me of going around infecting other people” (Human Rights Watch, 2010:26-27). For more information see: Human Rights Watch 2010, “Off the Streets: Arbitrary Detention and Other Abuses against Sex Workers in Cambodia” July 20, 2010. See also: Nichols, A. (2010). Dance, Ponnaya, Dance! Police Abuses Against Transgender Sex Workers in Sri Lanka. *Feminist Criminology*. 5(2), 195–222; Davis, J., Lippmann, H., Miles, G., Morrison, T., Miles, Z., Hem, V., Sokun, C., Song, P. and Issac, E. (2014) More Than Gender. A Baseline Study of Transgender Persons in the Phnom Penh Sex Industry. <http://digitalcommons.unl.edu/humtrafcon6/3/>.

Many respondents cite experiencing forced or coercive sex as minors, which is a major vulnerability. Ten people (17%) of respondents cite that their first sexual experience was forced or coerced, 9 out of these 10 cite that this had happened prior to the age of 18.³⁶ Further, qualitative data from the study showed that 27% of first sexual experiences qualify as adult to child sexual abuse.³⁷

One 21-year-old freelance sex worker from Nakhon Phanom working in a discreet area in North Bangkok that is frequented by local clients cites graphic accounts of abuse:

"My uncle raped me when I was 9 years old and kept raping me after that until he could successfully penetrate me. When I saw the semen, I asked what it was, he told me that it was because he took lots of tylenol tablets".

This kind of experience of sexual trauma in the person's past and the ongoing work in the sex industry lead some sex workers wanting to leave the industry. One 21-year-old respondent cites:

"I really want you to know that nobody would never choose to do this and live this lifestyle and I really want to leave, I don't know what to do anymore."

Some other respondents gave qualitative answers about forced sex they experienced:

"The man promised to pay me 500 baht then forced me to have sex with him. I was very scared and crying." -- freelance worker, 24

"He said that he is a husband of my aunt. At that time nobody was at my home. [He] used force and violence against me." -- freelance worker, 28

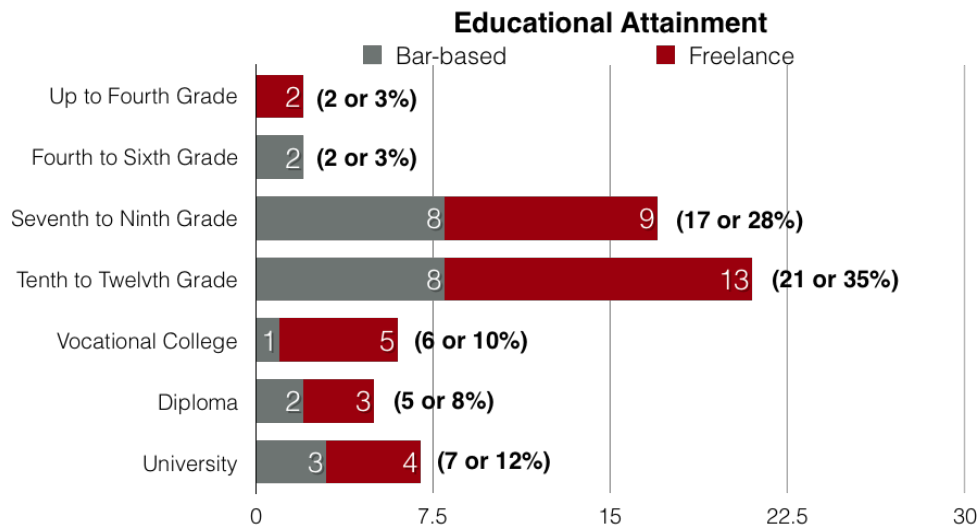
The study showed a wide variety of fears, forms of violence, and abuse including one instance of a 25 year old freelance worker that stated being afraid of, "sexual harassment from a motorbike gang." Again this kind of sexual and physical assault was widespread in this study and in the literature. In a 2006 survey of more than 2,000 MSM in Thailand, which included transgender persons, 18.4 percent reported being coerced into sex and, of those, 67.3 percent were coerced more than once (Guadamuz et al., 2006).

³⁶ NGOs and CSOs could help provide counseling services including art therapy to process and deal with sexual violence and physical trauma that many of the transgender sex workers cite in this study. For more information on a holistic model of healing and restoration through trauma informed art therapy see BuildaBridge International website, <http://buildabridge.org/>. See also the recommendation section of this study.

³⁷ In South Asia UNICEF and IRC indicates that boys experience significantly less legal protection from sexual abuse and exploitation and less access to service for victims than girls. See: Frederick, J. (2010). "Sexual abuse and exploitation of boys in South Asia: A review of research findings, legislation, policy, and programme responses". United Nation's Children's Fund (UNICEF). Innocenti Research Centre. A New York Times article released 2015 found that the U.S. military told their soldiers in Afghanistan to "look the other way" when they heard of instances or saw the Afghan army sexual abusing young boys. See: Goldstein Joseph (2015). "U.S. Soldiers Told to Ignore Sexual Abuse of Boys by Afghan Allies" September 20, 2015. New York Times. Furthermore, a study done in 1994, conducted 26 autobiographical interviews with male survivors of childhood sexual abuse, of which 92.3% of cases involved multiple instances of abuse. See: Lisak, D. (1994). "The psychological impact of sexual abuse: Content analysis of interviews with male survivors". Journal of Traumatic Stress, 7(4), 525-548.

Varying Degrees of Vulnerability Regarding Educational Attainment:

Educational attainment among respondents varies greatly, ranging from respondents having no education to a few who cite using their earnings from sex work to pay for university tuition. Eighteen people (20% of respondents) cite enrollment in or completion of at least some form of tertiary education (University or Vocational training); on the other hand, 21 people (35%) have less than a 10th grade education.



While both bar-based and freelance groups display a broad range of educational levels, slightly higher rates of educational attainment are notable among those working as freelance sex workers. Among bar based sex workers, 42% (or 10 people) ended their education before the ninth grade, while among freelance sex workers, only 31% ended their education before the ninth grade. Similarly, among freelance sex workers, 33% indicate some form of educational attainment above a secondary level of education (university, vocational training, or a diploma course), while only 25% of those in bar based establishments indicate educational attainment above a secondary level education. Initially, it was thought that this difference in educational attainment may be due to the age differences that are notable between bar based and freelance sex worker categories. However, a comparison of age and educational attainment did not support this assumption, and showed no significant connection between the age of the respondent and their educational attainment.

While little difference is notable between the educational attainment of respondents working in the bar-based establishments and as freelance sex workers, some differences are notable between the educational attainments of their families. Twenty nine percent of those in bar-based establishments come from families in which their father has had no education and 82% in which their father has had less than a 10th grade education. Among freelancers, 6% report coming from families in which their father has had no education report the same and 59% from families in which their father has had less than a 10th grade education. Considering the educational attainment of respondents' mothers, a similar pattern is notable; 21% of those working in bars cite that their mothers have had no education, while only 3% of those working as freelancers (one person) cites the same.

The educational attainment of respondent's parents may not seem to have direct impact on the work and vulnerability of respondents, however it may indicate the socioeconomic contexts of the families from which respondents are coming. For instance, respondents coming from families in which their parents have had no, or very little education, there may be significantly lower incomes, and potentially much higher pressure for respondents to earn greater amounts of money for their families at home³⁸.

There has been numerous studies showing lack of education to be a vulnerability factor for women in the sex industry but this is not such a risk factor for transgender sex workers. According to Dr. Nitet Tinnakul women in Thailand, “become prostitutes for economic reasons, and lack of education” (Farrell, 2015). Transgender sex workers might enter sex work for economic factors but less because of lack of education.

While it is well documented that educational attainment plays a role in females choosing exploitive careers (GAATW, 1999; Cornish, 2006; Ranebennur, 2014: 9-18; Farrell, 2015; Empowers Education), it seems that educational attainment may play a lesser role among transgender persons. While respondents in this study have a relatively high educational attainment, the majority still cites economic reasons and lack of employment to be key “pull” factors bringing them into sex work. It would be helpful for studies to explore other motivating factors for entering females, males and transgender persons entering into sex work including push factors from stigma, identity affirmation and family history.

Health Vulnerabilities and Resilience

Healthcare in Thailand is very good for the majority of the population, in comparison with its neighboring Southeast Asian nations. Thailand has a socialized healthcare scheme. This should also include sex workers, but in practice, this looks different among sex workers both freelance and bar-based and those that are internal and external migrants. The healthcare provided by the Thai government requires that each person be registered at government health factuality in the same area as the person's official place of residence. Each Thai home must have a “house registration” document, which keeps documentation of names of who resides in the house. This house registration has to be produced when seeking a Thai Identity Card (ID), Thai passport and healthcare.

Many sex workers migrate from other places in Thailand (as indicated in this and other studies) and work at unregistered places of entertainment. Sex workers mostly rent their homes and it is very hard for them to find someone willing to include them on their house registration. For example, in Thailand internal migrants (of which there are many in the transgender community) do not always find it easy to access the ‘universal healthcare scheme’ outside their home province (Winter, 2009:33). For these reasons the Open Society Institute cites in a 2006 study that the health care in Thailand is not as easily accessible as thought for sex workers (Cameron, 2006: 45).

Some studies conclude stigmatization and negative treatment of transgender persons particularly sex workers in health care in Thailand. For example in 2013, HIV-related stigma is

³⁸ Many respondents when asked what their biggest obstacle was cited “family” or “family obligations”, “financial debts”, “family debt” and “supporting family” as some of their main concerns. Many transgender sex workers send money home to family, 95% of bar-based do and 76% of freelance workers do.

found in healthcare settings in Thailand. Negative experiences in government healthcare settings have contributed to a reduced engagement around seeking health care particularly among transgender persons (Churcher, 2013; United Nations Educational Scientific Cultural Organization, 2012; Cameron, 2006: 45-48). Furthermore, 3% of respondents indicate being denied health services on the basis of their gender identity, within the past 12 months.

HIV/AIDS, STIs and Unprotected Sex

There are five key health vulnerabilities found in this study among transgender sex workers including, sexually transmitted infections (STI), fears of HIV transmission, inconsistent condom usage, and substance abuse and disallowed from obtaining employment if they have HIV/AIDS.

HIV is a major concern for transgender persons in the sex industry. Within the community of transgender sex workers HIV/AIDS is a real fear and area that affects everyday life. It is a cause of trauma for those that have friends that have died, those fearing contracting the virus and those that have HIV/AIDS.³⁹ When asked if the respondents had tested positive for HIV/AIDS, two of the respondents said they were positive.⁴⁰ Furthermore, 45% of respondents said they knew someone with HIV/AIDS, 53% said they did not, and 2% didn't answer. Some qualitative answers illustrate the situation well:

"I have a friend who just died from the disease" -- freelance worker, 30

"I believe I will contract HIV/AIDS" -- bar-based worker, 20

Additionally, according to anecdotal stories most jobs also require blood testing and a health check before being hired. Many transgender persons are often disallowed from employment if they are found to be HIV positive. Qualitative answers for circumstances where the respondent would have unprotected sex:

"If he is handsome or if he offers enough money" -- bar-based worker, 22

"If I was paid more than 5,000 baht" -- bar-based worker, 22

"I loved him like a boyfriend" -- bar-based worker, 20

In 1974 the Population and Community Development Association (PDA) was founded to promote family planning in Thailand (PDA Website). This development tried to promote condom usage through education and training in Thailand making them widely available⁴¹ in rural and urban areas. Then in the 1990s Thailand adopted the 100% Condom Use Policy (CUP) to control

³⁹ According to the Open Society Institute, many, "NGOs do not include sexual health rights or sex worker rights advocacy as a part of their sex worker programs. USAID funding policy encourages this neglect of rights issues by insisting that the organizations they fund provide only basic services to sex workers, while opposing sex work at the same time" (Cameron 2006:47).

⁴⁰ All respondents stating that they were HIV+ stated that they were presently receiving treatment.

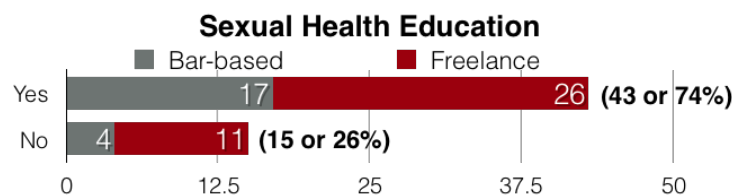
⁴¹ This effort tried to make condoms as available as cabbages in rural Thailand. A restaurant and campaign started called, "Cabbages & Condoms" this was headed by Mechai Viravaidy. See D'Agnes Thomas (2001), "From Condoms to Cabbages: An Authorized Biography of Mechai Viravaidy" Post Books; 1st edition.

the epidemic of HIV/AIDS. The approach in the late 1980s and 1990s was flawed because it overlooked men sex workers, transgender people and MSM in its campaigns (Cameron, 2006: 9). Furthermore, alarmingly in 2005 the Thai government stopped supplying free condoms (Cameron, 2006: 42)⁴².

Another major vulnerability among transgender sex workers are Sexually Transmitted Infections (STIs). Some 16% cited having rashes, ulcers or lumps and 84% said they had none and 7% cited having discharge or urination or testicle pain. Just over a third 37% said they had some other sickness, mainly a cold (84%).

Sex Education

Sexual health education was commonly cited among respondents, with nearly three-fourths (74%) of respondents citing that they had received such education. When looking at whether education had an impact on having healthy sexual behavior including protected sex, the higher level of education the higher the likelihood of having some form of sexual health education. Although this to is only a small increase.



Given the high prevalence of sexual health education among respondents, and the simultaneous low reported levels of safe sexual practices, it would seem that present sexual health education may not play as significant factor in producing safe sexual practices as hoped. For example, 47% of respondents cited having unprotected sex while 74% (43 people) cited having some form of sexual education. Although accessing health services is a top priority among the transgender sex worker population furthermore, there is much less education among sex workers about the side effects of hormones use. Furthermore, other factors indicate that sexual health education does not necessarily produce safe sexual practices for example, less than half, or 47% (18 people) of the 38 people who received sexual health education cite unprotected sex, compared with 53% (8 people) of the 15 people who have never had any sexual health education citing unprotected sex. Nearly one third or six people state they would have unprotected sex with clients if they are “offered more money,” regardless of risk factors.

Substance Abuse

High amounts of alcohol consumption and drug use (largely methamphetamines) were found among respondents in this study. In addition to the vulnerabilities of substance abuse itself, one-in-five respondents (21%) cite drug abuse while providing sexual services to their clients. Among the respondents a number of different drugs were used: methamphetamine primarily in the form of “ice” which is a highly purified form of methamphetamine with a crystal-like

⁴² There are some NGOs and sex worker unions groups helping bring health services, condoms and social services to transgender sex workers in Thailand including: Anjaree Group, Dton Nam, Bangkok Rainbow Organization, Sisters, Rainbow Sky Association of Thailand, and SWING (Service Workers In Group).

appearance, “yaba”⁴³ which is a combination of methamphetamine and caffeine, sleeping pills, and ketamine which induces a trance like state while providing pain relief, sedation, and memory loss⁴⁴ (Green, et al., 2011). Additional reasons given for taking drugs included: stress, fun, being forced, and to cure insomnia.

Qualitative data from the Bangkok study had respondents indicate that drug use can add compounded vulnerability and many clients want the transgender sex workers to use drugs while having sex. For example, a 24-year-old Cambodian freelance sex worker in Nana told a story of abuse by a customer who promised he would give an iPhone for payment. They described being pressured to use drugs and in the morning woke up to realize that the customer had left without payment. Social practitioners in Bangkok cite that many transgender sex workers used yaba and speed to stay awake because they were working at night at bars dancing and selling sex and going to university during the day.⁴⁵

Comparing the previous study in Cambodia, over three-fourths indicated alcohol consumption during sex with their clients. More specifically, 30% indicated that they “sometimes” had alcohol during sex with their clients, 8% indicated “often”, 26% stated that they did this “very often” and 12% indicated doing this “always” (Davis et al. 2014: 28). The study in Cambodia also found performance enhancing drugs (PEDs) such as Viagra™ and Cialis™ to be much less commonly used than in Thailand. In Cambodia in 2014, only two respondents indicated that they used these enhancers “sometimes” and one indicated doing this “often” (Davis et al., 2014:28).

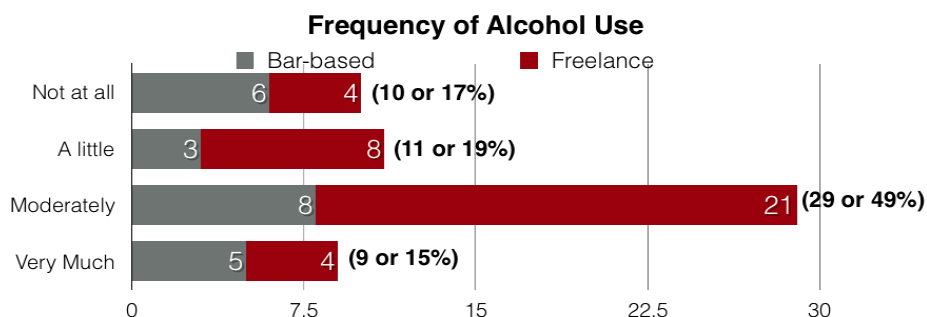
Research in 2013 found that transgender sex workers in Thailand use alcohol and drugs before sex. The research found more than 50 percent of trans women in Thailand who were sex workers used alcohol or drugs before sex (Pawa et al., 2013). Although substance abuse is a vulnerability among the transgender sex worker community it is not the case that every sex worker uses substances on a regular bases. In Thailand when ask how frequently respondents drank 15% cited “very much”, 49% said “moderately”, 19% “very little”, and 17% said “not at all”.⁴⁶

⁴³ “Yaba” is a Thai word that translates to “crazy medicine” in English.

⁴⁴ In Cambodia in 2014 Davis found that 10% of respondents indicated using illegal drugs predominantly methamphetamines. See: Davis, J., Lippmann, H., Miles, G., Morrison, T., Miles, Z., Hem, V., Sokun, C., Song, P. and Issac, E. (2014) *More Than Gender*. A baseline study of transgender persons in the Phnom Penh sex industry. page, 28.

⁴⁵ Insomnia may also occur when taking amphetamines.

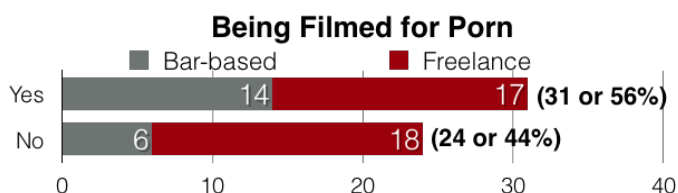
⁴⁶ In 2012 a study in Cambodia cited transgender sex workers reported multiple, concurrent partners, high-levels of drug and alcohol use, and inconsistent condom use (Phlong, Weissman, Holden & Liu, 2012, p. 35-36). For more information see: Phlong, P., Weissman, A., Holden, J., & Liu, K. L. (2012). *Examining Life Experiences and HIV Risks of Young Entertainment Workers in Four Cambodian Cities*. Phnom Penh: Ministry of Education, Youth and Sport Report, FHI 360 & UNICEF.



On top of the drug use many transgender sex workers use hormones. There are side effects and education about proper hormone use needed among the transgender sex worker community. The majority of respondents (87%) cite using hormones and 66% cite having had at least some form of gender reassignment work done (i.e. breast augmentation, facial restructuring, and/or a full gender-reassignment surgery). Among this majority, more than one-third (36%) indicates that they were not aware of the potential negative side effects of such hormones and treatments. There needs to programs in place for transgender sex workers to learn about the effects of hormone therapy on the body; both positive and negative.

Being Used for Pornographic Material:

More than half of respondents in this study cite being filmed and/or photographed for pornographic materials. In view of this, qualitative data from respondents, along with anecdotal information from field practitioners indicated not being able to give full consent when filmed for pornographic material. While there may be varying levels of personal agency, qualitative data from respondents, and anecdotal field data indicates numerous vulnerabilities among transgender sex workers not being able to give full consent to being filmed/photographed. Field practitioners cite, anecdotally, that transgender sex workers are often high or under the influence of alcohol when they are approached by pornographers and are thus unable to give full consent to be filmed and/or have a sexual encounter.



Respondents cite being filmed and/or photographed for pornographic material within all locations surveyed in this study. Being used for pornographic materials was more prevalent among those in bar-based establishments, where 70% cite being filmed, compared with 49% among those working as freelance sex workers.

These findings correlate with a 2005 study, which shows transgender pornographic websites have been one of the fastest growing sector in internet pornography (Thomas, 2005). Furthermore, as Witchayanee Ocha (2013) found in his study on “queer rights in Thailand”, sex tourists have found a romanticized and exotic orient to transgender person in the sex industry.

“I don’t want the people to have contempt for this job because this job helps tourists to come to Thailand” -- bar-based worker, 21

This has led to the over fetishization of the transgender sex workers⁴⁷ in Thailand. Leading to the sexualization of the transgendered body. This can be seen as exploitative and overlooks the real needs of transgender sex workers, as many just see them as something to be consumed and used.

Ladyboys in the study furthermore cite instances of being paid to be filmed. Anecdotal data confirms a demand for porn with ladyboys. This demand could potentially be on the rise further research is needed to look at this phenomenon. Instance of being paid for porn are cited among respondents including one freelance respondent being paid 10,000 baht (about \$300 USD) for one film.

Exploring motivation for sex work

Motivations for entering into sex work are diverse and often compounded with a variety of influencing factors. Despite the diversity, the potential for greater earnings or what is initially considered ‘easy earnings’ is mentioned by a majority of respondents. For many, reported earnings were high with more than half of respondents (58%) citing earnings of more than 19,000 baht (about 550 USD) a month, with 6 people earning 60,000 baht (about 1,700USD) a month or greater—the highest earner of which cites earning 110,000 baht (about 3,100 USD) within the past month. With the current daily minimum wage in Thailand set at 6,300 THB per month (about \$189 USD), sex work provides significantly higher earnings for transgender persons in comparison with what one would be earning with a minimum wage job. However, the working life of a transgender sex worker, like many sex workers, is limited (Sandy, 2014; Brison, 2006; Sullivan, 2005: 5; Human Rights Watch, 2013: 19; Sahni, 2008: 171-172).

Some differences are notable between those working as freelance sex workers and those working within bars. Among freelancers, a strong majority (76%) cite entering into sex work for financial reasons: either due to greater earning potential or perceived greater ease of earning income from sex work. Specifically, 52% of freelancers cite entrance due to greater earning potential and 24% due to ease of income. Beyond this, 12% of freelance sex workers cite entering sex work due to having few alternatives for employment.

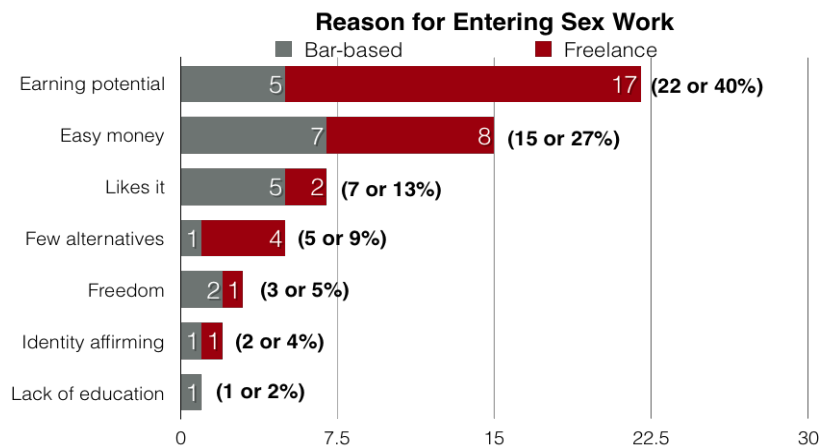
Respondents cite economic need to be a strong force that drives them into sex work. While this is also a very common reason for cisgender males and females to enter the sex industry, stigma and social exclusion seem to interplay with economic reasons in a distinct way for transgender persons, significantly increasing their likelihood to enter into sex work. Respondents indicate consistent difficulty in obtaining and maintaining employment as transgender persons in Bangkok.

Field practitioners indicate, anecdotally, that many transgender persons use sex work to earn money for sex reassignment surgeries. Qualitative data from respondents illustrate this environment and some of the push factors involved in entering into sex work:

*“I moved [to] Bangkok because I needed to save money for gender reassignment surgery
” -- freelance worker, 22*

⁴⁷ A good example of the fetishization and sexualization of ladyboys in Thailand is Bangkok’s “Midway” bar which only hires “women who can penetrate” (Ocha and Earth, 2012: 206).

"I work at a beauty salon primarily, and sometimes I join with friends to do sex work. I am saving money for reconstructive and sex reassignment surgeries" -- freelance worker, 22



A somewhat broader range of reasons are given among bar-based sex workers as to why they entered into sex work. Seven people, or 32%, cite entering sex work because they perceived it to be a source of "easy money" and five people, or 23%, cite entering sex work due to greater perceived earnings. Combined, 55% (12 people) cite entering sex work for financial reasons. For example:

"I didn't know what else to do. Before, I was in the tiffany show but the business was not going well. I thought this job is very easy. I can get money very easily." -- bar-based worker, 25

"I had tried to find some job that would pay good money for a better life. Then I found this job. I can get a lot of money." -- bar-based worker, 22

Beyond finances, another five people (23%) of bar-based sex workers cite that they entered the sex industry because they 'liked it' for example:

"I want to have a good money. I thought this job would be challenging and fun. I love to dance. I love the music and I like foreigners" -- bar-based worker, 18

The majority of both bar-based workers and freelance workers cite entering into sex work through a 'friend' (88% and 79%, respectively). One key difference is seen among freelance sex workers who are somewhat more likely to cite entering the sex industry through their own means (21% compared with 4% among bar-based sex workers).

Self-identity and Sex work:

In considering the various 'pull' factors through which transgender people might choose sex work over another career, it is important to understand the common stigma and social exclusion applied to transgender person in Thailand, as well as the resulting self-concepts held by members of this community. This is significant, in that "ladyboy"⁴⁸ denotes a particular cultural

⁴⁸ A Majority of freelance respondents (63% or 24 people) identified as, "ladyboy." More bar-based sex workers identified as a "women" than freelance (62% of bar-based compared to 29% of freelance) when

identification⁴⁹ within Thailand that carries its own stigmas and assumptions about not only who a ladyboy is, but also what a ladyboy has the potential to become.

Stigma and social exclusion has been cited as a significant factor for cis-women to both enter and remain in sexually exploitive careers. Such careers were “found to rely upon and exploit gender-based norms that blame and stigmatise women and girls for involvement in the commercial sexual exploitation industry, regardless of the patterns of force and violence that have led to their presence there” (Brown, 2007: 10). Similar patterns of blame and social stigma is strongly seen toward transgender persons within the sex industry.

In the previous study, conducted among transgender sex workers in Phnom Penh, a strong connection was found between the respondent’s self-identification as a transgender person and their participation in sex work (Davis, et al., 2014: 35). Findings from this previous study found that, for a number of transgender persons in the sex industry, their choosing of sex work as a career option was not only influenced by their self-identification as a ladyboy, but at times, seemed to be conceptually linked. As one Cambodian respondent cited:

Similar linkages to Cambodia between identity and stigma are also found in Thailand among transgender persons leading them into work in the sex industry. One respondents seems to indicate a similar conceptual linkage between her being born as a transgender person and her participation in the sex industry. She cites:

"I was born this way, I don't want to do this. I (am) just like everyone else. This is not an evil job."

Seeming conceptual linkages such as these raise a number of questions about potential harmful self-identities resulting from social stigmas assigned to transgender persons within the Thai context. Further research on self-identity and in-group / out-group relationship would be useful to better understanding some of these apparent linkages between identification as transgender and participation in exploitive fields of work.

Migration

Overall, nearly identical percentages of bar-based and freelance sex workers cite migration to Bangkok in search of work or income (53% and 54%, respectively). One key difference between the two groups is that freelance sex workers were more than twice as likely to have migrated to Bangkok in pursuit of studies (27% of freelance, compared with 12% of bar-based). The vast majority (64%) of migrants have come to Bangkok for economic purposes.

Over the next decade, Thailand will most likely see a steady rise in migration to city centers. Part of the global trend in sex work is migration, which includes both internal and external flows of people. Sex workers rarely work in their local communities. A majority of the world's population 54% lives in urban areas, this is set to increase to 66% by the year 2050 (UN and DESA, 2014). The main hubs for sex work in Thailand are the major urban centers including: Bangkok, Pattaya,

asked about their understanding of their gender. Overall 41% (21 people) of the respondents identified as women and 2% (one person) said they were unsure of their gender identity.

⁴⁹ The Western notion of gender as male or female is not so binary in Southeast Asian cultures particularly in Thailand. The term, "Khon Kham-phet" translated; “a person who goes beyond gender,” or “ladyboy” are both very much third genders.

Phuket and Chiang Mai (Cameron, 2006:46). The majority of migration seen in this study is internal migration within Thailand and involves movement to Bangkok from rural areas. A fourth of the respondents or 20% were from one specific region, Isaan, which is one of Thailand's poorest regions.⁵⁰

Isaan makes up a third of the population of Thailand and many of the local men have for decades gone to Bangkok to work as taxi drivers or laborers returning home yearly for the rice harvest (the women usually stay behind). Some of the women also go to Bangkok to find work and are vulnerable to trafficking and exploitation. According to Charlie Campbell, many end up working in the sex industry (Campbell, 2014). Much of the Isaan region is politically aligned with Thaksin Shinawatra who in early 2000s started populist policies including almost free healthcare and small micro loans with low-interest to the rural poor which made him a hero in Isaan (Carsten and Tempahirojana, 2013).

In addition to this, there are also a few cases of external migration (trans-border migration) involving people moving from others Southeast Asia countries to Bangkok including Khmer, Lao, and Myanmar Shan (or Tai Yai). The majority of respondents were Thai 60% and 40% were ethnic minorities. Transgender sex workers when asked about their migration purpose gave a variety of reasons including:

"[My] parent's divorced, so I escaped to Bangkok" -- freelance worker, 30

"I need to save money for sexual reassignment surgery" -- freelance worker, 20

"I dropped out of school then came to Bangkok to make money" -- bar-based worker, 37

Cross border migration and internal migration are factors that can create vulnerability and isolation from family kin. Many studies focusing on migration in the region look at vulnerabilities to trafficking and forced labor in the finishing industry among people coming from Cambodia, Myanmar and Laos.⁵¹ The vulnerability of exploitation among migrant workers was not focused on in this study among Transgender sex workers in Bangkok.

A variety of "push" and "pull" factors have been found among transgender sex workers—both from the literature and from the results of the survey to stimulate the migration process. The following are specific factors for migrants coming from different parts of Thailand or other countries to Bangkok: schooling, insufficient income from farm or rural work back home and the lure of better income and increased savings from working in Bangkok than in their hometown or country. The findings of the study did not find major differences in vulnerability between Bangkok natives and migrants. A small factor is that Bangkok natives have more connected social networks and families ties compared to those who have migrated.

⁵⁰ See footnote 26 literature references and background on this region.

⁵¹ See UNIAP 2007, "Human Trafficking in Thailand: Data Collection and Integration of Selected Human Trafficking Information"; IOM 2008, "Research on Trafficking in Persons in Southeast Asia: A Comment on Recent Trends, along with Remaining Gaps and Challenges"; UNIAP 2008, "Exploitation of Cambodian Men at Sea: Facts About the Trafficking of Cambodian Men onto Thai Fishing Boats"; and UN-ACT 2015, "Migration experiences of Cambodian workers deported from Thailand in 2009, 2010 & 2012."

Recommendations

Sexual Exploitation research and social programming has largely focused on cisgender young girls and some women. Transgender persons (as well as boys and young men) need a higher profile in this conversation. While much of the research on transgender vulnerability looks at their vulnerabilities to HIV and other STIs, there has been a minority of studies, which look at the needs of these groups holistically, in particular, their vulnerability to sexual exploitation and other forms of violence. Data from this study finds a wide range of vulnerabilities among Transgender sex workers in Bangkok, including vulnerabilities to physical and sexual violence, as well as other forms of dehumanizing violence. It is important that greater efforts be made to underscore the vulnerability of all persons regardless of gender identity or expression. Below, we recommend some potential ways of making this a reality.

To the development community and their donors

Advocacy and Understanding

It's notable that all respondents cite having a best friend, who is also transgender. Additionally, respondents cite friends and other peers within their community to be an integral part of what brings them into the sex industry. With this in mind, it is important for social practitioners to recognize the vital role played by such peer-networks and social connections within the transgender community, as well as its function for identity development, self-esteem, and identity affirmation. It is important that NGOs and services providers recognize the role of these close-knit social relationships and the role it could play in creating identity affirming and safe communities outside of the sex industry.

Further, Transgender, gay, and questioning youth and young adults need a higher profile within advocacy and social programming on sexual violence. It is important for such programs to be able to look beyond binary gender assumptions about male resilience and female vulnerability to deal with violence in more 'human' terms, regardless of what the individual's gender identity and/or expression may be. It is important for social programming and advocacy to recognize and respect the unique differences between the 'LGB' (Lesbian, Gay, Bisexual) and the 'T' (Transgender) within the LGBT community and be able to address their needs individually. It is important for such groups to help advocate these nuances between gender identity and sexual orientation, helping to build understanding, empathy, and respect.

Client-centered Counseling

Respondents in this study indicate experiencing significant amounts of gender discrimination, stigma, and trauma due to their experiences with clients and with their society, including 34% who cite low self-esteem and 7% citing suicidal ideations within the past year. Given this reality, NGOs and civil society organizations (CSOs) should help provide counseling services, including art therapy, to process and deal with sexual, physical, and emotional violence and the resulting traumas that many of the transgender sex workers cite in this study. Service providers should work to adopt a more holistic model of healing and restoration through trauma informed art therapy, such as the model used by Build-a-Bridge International. Further, the majority of counseling resources available tend to be from western sources, thus it is important that resources and counseling approaches are carefully adapted to the Thai context. Such

resources must be sensitive to the unique and numerous stigmas and areas of discrimination, which may vary greatly from the west.

Diversification

The development community has largely focused on HIV and sexual health when addressing the needs of transgender persons. While this has been needed and has resulted in some very robust programs for sexual health, it is also important that the development community is able to address the needs of transgender persons as whole person: physically, emotionally, and spiritually. Thus there is need to look at a holistic range of issues that may be affecting their lives and development as persons, including emotional health and self-esteem, issues of stigma and discrimination and its effect on the options that are afforded to them in society. Further, it is important that such groups promote and implement social dialogue⁵² with transgender persons (and other LGBTQ people) and employment organizations in different sectors to create sustained equality in the workplace for transgender persons. As a part of this, it may be important for such organizations to provide more diverse job alternatives and vocational training opportunities to transgender people who are seeking to leave the sex industry. These options must cater to a broader range of skillsets and interests, beyond merely the entertainment and beauty industries.

Collaboration

The development community needs to work with bars and entertainment establishments employing transgender entertainment workers to provide health training and social services. Within Thailand, many programs and organizations work in their own 'silos'. There is need for further and sustained coordination and partnership between sex worker groups, businesses, NGOs, and faith-based initiatives to coordinate resources, networks, and human capital. Such groups must work together to protect human rights, providing social services, and upholding the human dignity of those within the sex industry. Addressing needs holistically may require a diversity of approaches, so it is important that diverse group are able to work together, focusing more on what values they hold in common (ie. upholding a person dignity, human rights, and personal safety), rather than the philosophical differences that may separate them.

To Government, Religious, and Community groups

It is important that government, religious, and other community groups work towards the development of policy and programs that recognize and affirm the holistic needs and vulnerabilities of transgender persons, beyond merely addressing sexual health needs. This should include the creation of accessible legal, social, and health services within their local communities that cater to their broader human needs rather than the needs of only cis-women and children.

Religious Groups

Religious institutions should review their scriptures to find encouragement to treat all people with dignity and care. As a part of this, faith-based NGOs should understand that transgender

⁵² Social dialogue can be any communication activity involving and developing of work related issues. As the ILO posits, social dialogue is created "to promote better wages and working conditions as well as peace and social justice in the workplace." See: "ILO Tripartism and social dialogue" <http://www.ilo.org/global/topics/workers-and-employers-organizations-tripartism-and-social-dialogue/lang--en/index.htm>

do not choose their gender identities and are often victims of various traumas on many different levels. When considering vulnerable groups, this group deserves our attention.

Legislation

In May 2015 at the “International Day Against Homophobia and Transphobia (IDAHOT)”, there was a joint statement issued calling for more legislative safeguards to be put in place in support of the rights of Thailand’s LGBTQ community. We echo their recommendations that:

- Thailand needs to amend and update their anti-discrimination laws to include gender identity.
- The Gender Equality Bill must also focus on equality in education.
- Transgender people should be able to change their gender on legal identity papers.
- ASEAN should coordinate and work alongside the ASEAN People's Forum to understand and value the voices of those within the transgender community.

Ministry of Education

Communities, schools, and family environments can be volatile and even violent environments for children whose gender identity and/or expression does not conform with the status quo. Thus, it is important that teachers, school administration, and school nurses receive education and training in understanding the particular needs of transgender children, to notice the signs of abuse, and to be able to stop or prevent stigmatisation and bullying. As a part of this, it is important that schools provide education that includes and affirms the existence of a broad range of sexual identities and orientations, encouraging acceptance and non-discrimination, helping to normalize the reality of LGBTQ persons within schools and mitigate the violence committed against them.

Health

There is a constant need for further and better training of doctors and nurses in public health programs and hospitals, both rurally and within urban areas, to prevent stigmatization and negative treatment of transgender individuals under their care. Information from key informants in this study indicates a common and pervasive fear, among transgender sexworkers, of stigma and discrimination from healthcare professionals. Further, the desk review in this study uncovered many cases of stigmatization and negative treatment of transgender persons, particularly sex workers in health care in Thailand (see page, 41). There needs to be specific and sensitive health care services for transgender people including advice on the use of estrogen, hormones, botox, breast implantation and gender re-alignment. There needs also to be the knowledge that there are illegal clinics functioning in Thailand. Professionals who work in sexual health need to learn to treat everyone including transgender clients with dignity and kindness. Additionally, there is need for increased funding for rights-based LGBTQ programs and services involving health needs more broadly, beyond those that support HIV prevention, treatment, and care.

To Social Researchers

While research on transgender persons has increased within development circles over the past several years, studies are still quite limited and often focus solely on sexuality and sexual health. Much more research (particularly qualitative and phenomenological studies) are needed to give nuance and depth to this developing conversation, including:

- Further qualitative research on the formation of identity and the effects that stigma and discrimination play within the psychosocial development of these groups may be a vital part of holistically understanding the complexities of marginalized people groups such as these.
- Further research would be useful to explore the existence of trauma and other coping strategies employed by transgender sex workers, particularly looking at the high levels of stigma, discrimination, violence, and sexual abuse that has been found among such groups.
- Further research (particularly qualitative) is needed to understand family life, roles and expectations within families, as well as development of identity among transgender persons.
- Research looking at gaps within social services and the development community would be useful to determine the understanding of the needs of transgender persons so that the needs of transgender persons can be met more fully.

There need for health services for ladyboy including physiological services because of large amounts of sexual abuses. Additionally, NGO and government need more community health workers, people trained to deal with sexual trauma, trauma-informed art therapy counselors, trainers on safe-informed migration.

Conclusion

This study has sought to provide a basis for understanding the needs and vulnerabilities of transgender sex workers in Bangkok in hopes to highlight the often hidden vulnerabilities to exploitation and violence in their day-to-day lives. This is to help build a better understanding of this often-overlooked group of people in order for NGOs and social service providers to serve them better. The study finds Transgender people in the Bangkok sex industry to be deeply vulnerable to a wide range of violence, including sexual and physical violence — with some dealing with this as a reality of their daily lives.

This study has attempted to fill in some of the gaps that exist in our knowledge of transgender persons in the Bangkok sex industry and provide a baseline of data to better understand their experiences. International studies, as well as our previous baseline work in Phnom Penh, Cambodia, have documented grave physical abuses toward transgender sex workers and shown transgender persons to have high rates of family discrimination. These studies have also demonstrated that chronic social stigma transgender persons face throughout their lives. However, no studies have gone beyond evaluating risk factors and little is known regarding mental health or suicide rates among transgender persons in Thailand. Studies have omitted resilience of transgender persons to stigma and discrimination. Further research is needed to document everyday life experiences both resilience and vulnerability of transgender sex workers.

It is our hope that this brief look into their lives helps to build a more multifaceted understanding of their experiences among social service providers so that such groups are able to address their needs more appropriately. While LGBT and human rights organizations have done significant work in addressing vulnerabilities of Transgender groups with regard to sex and sexuality (providing condoms, sexual health education, and LGBT rights advocacy), stigma, discrimination, and other forms of violence often prevent these groups from positively integrating into Thai society at-large. In such a climate, it is vital that NGOs, churches and the Royal Thai government adopt a holistic and balanced understanding of transgender persons, and the vulnerabilities that exist in groups such as these. It is important to develop an understanding of transgender persons that is holistic in nature as individuals with equal hopes, dreams, vulnerabilities, and needs that goes beyond gender identity and expression, but also recognizes and respects the deeper human needs of acceptance and affirmation as individuals.

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