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Casinos, cyber fraud, and trafficking in persons for forced criminality in Southeast Asia

Policy Report

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Abbreviations

AI	Artificial Intelligence
ASEAN	Association of Southeast Asian Nations
COVID-19	Coronavirus disease 2019; SARS-CoV-2
FATF	Financial Action Task Force
GDP	Gross domestic product
HR	Human Resources
HRC	Humanity Research Consultancy
IFF	Illicit financial flows
IOM	International Organization for Migration
IT	Information technology
Lao PDR	Lao People's Democratic Republic
MDT	Multi-disciplinary team
MoU	Memorandum of Understanding
NGO	Non-government organization
NRM	National referral mechanism
OHCHR	Office of the High Commissioner for Human Rights
PAGCOR	Philippine Amusement and Gaming Corporation
POC	Province of China
POGOs	Philippine Offshore Gaming Operators
PhD	Doctor of Philosophy
PR	Public Relations
PDR	People's Democratic Republic
SAR	Special Administrative Region of the People's Republic of China
SEZ	Special Economic Zone
SOP	Standard Operating Procedure
TOC	Transnational organized crime
TRM	Transnational referral mechanism
UNODC	United Nations Office on Drugs and Crime
US	United States
USD	United States Dollar

Section 1: Introduction

The transnational organized crime (TOC) landscape in Southeast Asia has evolved dramatically in recent years. Trafficking in persons for the purpose of forced criminality to commit online scams and financial fraud, particularly occurring in Special Economic Zones (SEZs) and other areas of Cambodia, Lao People's Democratic Republic (PDR), and Myanmar, as well as other destination countries (including Malaysia, and the Philippines), has emerged as a new and growing trend. Trafficking in persons for forced criminality has been driven by organized crime groups in the region, which operate in a remarkably open way. Their illicit activities are linked to various legal and illegal entertainment establishments, such as casinos, hotels, and registered companies (businesses), which operate from compound-like buildings where victims are harbored and forced to commit, or be complicit in, cyber-enabled crimes. This phenomenon of trafficking for forced criminality has recently become prominent in Southeast Asia, though it had already been identified in many parts of the world. The United Nations Office on Drugs and Crime (UNODC) 2022 Global Report on Trafficking in Persons¹ has indicated a considerable increase in the identification of trafficking in persons for the purpose of committing criminal offences, currently reaching 10.2% of all reported trafficking cases globally.

Trafficking for forced criminality (or for exploitation in criminal activities) can be understood as trafficking in persons for the purpose of exploitation of victims through forcing or otherwise compelling them to commit criminal acts for economic or other gains of traffickers or exploiters.

While not included in the definition of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (Trafficking in Persons Protocol) explicitly, exploitation in criminal activities has been incorporated into the trafficking definition of many countries around the world. In the Southeast Asia region, currently only Malaysia has incorporated this form of exploitation into domestic legislation. Nevertheless, the intent of traffickers, the methods

by which persons are recruited, and means used firmly places this conduct in the trafficking realm. As such the trafficking in persons definition defined in Article 3 of the Protocol remains applicable and should provide guidance in assessing if the trafficking crime has occurred.

Article 3, paragraph (a) of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children states that trafficking in persons “shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Article 3, (b) states that: “The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used.”

Article 3, (c) states that: “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in subparagraph (a).”

Information about trafficking for forced criminality in Southeast Asia started to emerge in 2021 through media reports, which documented distressing stories of trafficking victims jumping from buildings in Cambodia, Lao PDR, and Myanmar to escape the ‘scam compounds’ (casinos hotels, guarded buildings) in which they were forced to commit cyber enabled scams and financial fraud.

Governments, international organizations, and non-government organizations (NGOs) have attempted to collate the available data and provide a regional

¹ UNODC, 2022, Global Report on Trafficking in Persons 2022: https://www.unodc.org/documents/data-and-analysis/glotip/2022/GLOTIP_2022_web.pdf

estimate of the number of trafficking victims. In early 2023, the International Organization (IOM) estimated that ‘tens of thousands’ of people had been trafficked for forced criminality in the SEZs of Cambodia, Lao PDR, and Myanmar.² In September 2022, top Cambodian Government officials spoke in various forums, and the Interior Minister and Secretary of State stated that an estimated 80,000 to 100,000 people had come to Cambodia to “work” in “illegal gambling”³, some of whom had certainly been trafficked. Some interviewees for this study similarly suggested that there may be at least 100,000 victims of trafficking for forced criminality in Cambodia alone.⁴ If accurate, these estimates of trafficking for forced criminality in Southeast Asia would suggest that this is one of the largest coordinated trafficking in persons operations in history, and occurring in the context of TOC.

The profile of the trafficking victims highlights that this is a global problem – victims from across Asia, and also Africa, the Middle East, and South America have been identified at the scam compounds. Overall, international NGOs have identified over 40 nationalities of trafficking victims in scam compounds in Southeast Asia. It is important to note that two distinct sets of victims are affected by the online scams and fraud: the trafficked people who are deceptively recruited and forced to commit the online scams and fraud; and the scam victims who lose significant amounts of money to the online scams and fraud (some referred to as victims of ‘pig butchering’ schemes). There is also another group that is not discussed to a great extent in this Report – the people working in the scam compounds who participate in illegal activities with a considerable degree of awareness and willingness, and who are not trafficking victims.

Trafficking in persons is just one aspect of TOC that is growing in Southeast Asia. Trafficking in persons for forced criminality is intertwined with operations of casinos, large scale money laundering, corruption, cyber enabled crimes, and a range of other criminal offences, such as torture, extortion, and others. Systemic criminality

is occurring on a large scale, generating enormous profits for organized crime groups. Similarly to the enormous geographical scale of the criminal impact, the profits of these organized crime groups have reached unprecedented levels, and illicit money is increasingly moving through the regional casino industry and other large cash flow businesses, including through a significant surge in the use of cryptocurrencies. Research carried out by UNODC to understand the illicit financial flows (IFFs) in the Mekong region suggests that the scam industry in one country in the region may be generating between USD7.5 and USD12.5 billion, which is half this country’s gross domestic product (GDP). One group of trafficking victims can generate hundreds of thousands of US dollars in a week for traffickers.⁵

Despite mounting evidence of organized crime groups perpetrating trafficking for forced criminality, and online scams and fraud on such a large scale in Southeast Asia, there has been little scholarly attention to this issue. Most of the available information on the phenomenon comes from media reports. NGOs and international organizations, such as INTERPOL, IOM, and Humanity Research Consultancy (HRC) have also published briefs on the issue, which provide important information on the online scams and fraud, and trends in trafficking for forced criminality. At the time of writing, UNODC could not identify any research reports, journal articles or book chapters on the subject of trafficking for forced criminality in Southeast Asia. The Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for South-East Asia recently published a briefing paper on this issue, based on primary and secondary research by OHCHR, including victim testimony. The briefing paper points to the large scale of the crime, with hundreds of thousands of victims, most of whom are men, and not citizens of the countries in which the trafficking occurs.⁶ Without evidence-based research, and factual documentation, policy makers and practitioners are developing responses to the problem ‘in the dark’. Thus, it is anticipated that this Report will strengthen the evidence base on TOC in Southeast Asia by synthesizing the available information and data on trafficking

2 IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia.

3 Voice of Democracy, “Officials Speak Out on Compounds: As Many as 100,000 Foreign Nationals Came to Cambodia”, 30 September 2022. Available at: <https://vodenglish.news/officials-speak-out-on-compounds-as-many-as-100000-foreign-nationals-came-to-cambodia/>.

4 Interview 15: International NGO.

5 UNODC analysis.

6 OHCHR, 2023, Online scam operations and trafficking into forced criminality in Southeast Asia: Recommendations for a Human Rights Response.

for forced criminality and that the findings and recommendations outlined are used to develop robust and coordinated mechanisms to prevent and combat trafficking for forced criminality.

Study methodology

In the absence of available statistical data on the phenomenon, the Report adopted a qualitative approach, comprising a review of the available literature on TOC (trafficking for forced criminality and online scams and fraud) in Southeast Asia and semi-structured interviews with representatives of government agencies, international organizations, NGOs, and private sector organizations.

Document review

At the start of 2023, UNODC searched for credible documents (reports, journal articles, book chapters) on TOC (trafficking for forced criminality and online scams and fraud) in Southeast Asia, published since 2020. The search was conducted using academic databases and Google Scholar. As the academic database search resulted in no useful results, a manual search was conducted for relevant grey literature (for example, NGO research briefs) on the websites of relevant NGOs and international organizations. UNODC also drew on a small number of restricted circulation reports on trafficking for forced criminality that were shared with UNODC by international organizations for the purpose of this publication.

UNODC also conducted an extensive review of media reports (in English) on trafficking for forced criminality in Southeast Asia. The search resulted in over 400 media reports in English. While this report does not cite these media reports, they were useful for background information, and helped triangulate findings from the semi-structured interviews on trafficking trends as well as State and civil society responses to the phenomenon.

Interviews

UNODC conducted 18 semi-structured interviews with representatives of government and law enforcement agencies, international organizations, NGOs, and private sector organizations. Four interviews were conducted with representatives of government agencies; two interviews with

representatives of international organizations; nine interviews with international NGO representatives; two interviews with national NGO representatives; and one interview with a private sector representative. Interviews were conducted during the period March to May 2023. Interviews were conducted in English,⁷ and each interview took approximately 60 minutes. The interviews collected information on TOC groups and their activities (for example, victim recruitment and control); the locations of the scam compounds; profits from the online scams and fraud; victims (profiles, and vulnerability factors); and State and civil society responses to the phenomenon (for example, victim identification, protection, investigation and prosecution, and prevention) as well as related gaps and challenges in the response. With the informed consent of interview participants, interviews were audio-recorded for transcription accuracy. Following transcription, audio-recordings were immediately deleted.

All information presented in this Report is derived from the interview data and other UNODC data sources, with the exception of information sourced from grey literature, which is referenced in footnotes. Interview participants are not identified by name, agency name, or country of work to protect their anonymity.

Limitations

A key limitation of the Report is that there was little literature or statistics on which to draw in order to triangulate findings from the interviews. Media reports, while a valuable source of information, are only minimally used in this report as it was difficult for UNODC to authenticate the information contained in the media reports. However, as the research for the Report progressed, some research briefs were published by international organizations and NGOs; these publications proved highly useful for triangulating results with the emerging evidence base on trafficking for forced criminality in Southeast Asia.

A second limitation is that some aspects of the organized crime hierarchy, and financial and corruption elements of trafficking for forced criminality remain blurry. Interviewees discussed profits made by TOC groups (for example, profits

⁷ Interpretation was not required by any interview participants.

from scams as well as from extorting trafficking victims and their families), but could not elaborate on the true scale of the profits. Similarly, interview participants discussed how corruption has facilitated, and driven, TOC in Southeast Asia, but were reluctant to name corrupt individuals, agencies, or their specific actions. Thus, the Report does not attempt to estimate the global profits from organized crime activities (trafficking in persons, and online scams and fraud), and only discusses the different ways in which profits are made. The Report also does not ‘name names’ in terms of the corruption element. The Report does, however, shine a light on how corruption has facilitated and driven TOC in Southeast Asia, and how corruption is playing an inhibiting role in some States’ responses to combating organized crime.

Structure of the report

Following this Introduction section, the Report is divided into two findings sections. The first section examines trends in trafficking for forced criminality in Southeast Asia. It provides an overview of the organized crime context in which trafficking for forced criminality, and online scams and fraud are occurring. The section explores the modus operandi of the TOC groups, discussing the framework for the online scams and fraud; profiles of victims; and victim recruitment and control tactics. The section then discusses the locations of the scam compounds; the financial element (profits from the organized crime activities); and the profiles of offenders and facilitators.

The second findings section examines responses to trafficking for forced criminality in Southeast Asia, and related gaps and challenges. The section considers victim identification; protection and repatriation; investigation and prosecution; regional cooperation; and prevention.

The Report concludes with a summary of the key points and a series of policy recommendations across the areas of legal and policy frameworks; initial identification and release of presumed victims; formal victim identification; victim protection and repatriation; investigation and prosecution; prevention; and regional cooperation.

Section 2: Trafficking in persons for forced criminality in Southeast Asia

Overview of the transnational organized crime context

Southeast Asia faces significant challenges posed by organized crime, including trafficking in persons and illicit economies. These threats are becoming increasingly integrated and interlinked across the Mekong, as well as with neighboring countries and connected regions around the world. Rather than operate or hide in the shadows, TOC groups in the region can be remarkably open, in some cases presenting themselves as legitimate business entities or even philanthropists. What is more, TOC leaders have developed alliances with influential figures in government and the private sector with the intent of expanding their wealth and power.

An example of this can be seen in relation to SEZs and casinos, which are promoted and proliferating across the Southeast Asia region to facilitate economic development. As a result, Southeast Asia's economies have developed rapidly over recent decades as significant amounts of foreign direct investment for large-scale projects have poured into the region. However, in some cases, SEZ and casinos may also be enabling organized crime groups to traffic various illicit goods and launder money. These risks are of particular concern in the Mekong countries, which have a long and well-documented history of organized crime and illicit economic activity, in part due to broader geopolitical circumstances, but also as a result of the social and political environment within the region.⁸

Casinos and Special Economic Zones

The casino industry in Southeast Asia, and in particular the Mekong, has experienced exponential growth in recent years. By the end of 2021, UNODC estimated that there were 340+ licensed and non-licensed casinos located in the region, alongside 45 casinos in Macau SAR, and 17 in the Republic of Korea. In addition, many junket operators,⁹ online casinos, and illegal gambling establishments operate in the region. Most casinos in the lower

Mekong are in border towns neighboring the People's Republic of China and Thailand where gambling is illegal, and patrons can easily travel to visit. Casinos located on the Cambodian borders with Thailand and Viet Nam also attract cross border gamblers, while those in Sihanoukville on the Cambodian coast have become known for targeting tourists and online bettors from mainland China.

The growth in the industry is due to several factors. Many countries in the Southeast Asia region and China introduced bans on gambling on their territories and/or for their citizens. China also strengthened control over junkets operating in Macau SAR. Simultaneously, there was a rise in TOC against a backdrop of an expanding regional economy. Growth in the casino industry is particularly noticeable in the Mekong region, where political and environmental factors that are attractive for organized crime and casinos converge. As high-volume cash-based businesses, casinos are ideal venues for money laundering. Illegally obtained money can be commingled with legally obtained money and paid out in a different denomination or form. As a result, casinos often serve as magnets for TOC. Whether casino operators are complicit or willfully blind to money laundering in their premises is often difficult to determine. What is not difficult, however, is to recognize an inordinate flow of cash that is often out of proportion to the number of people gambling and their gambling habits. Casinos can also be ideal core businesses for larger development projects. For organized crime groups, the opportunity to invest and hide millions, and sometimes billions of dollars, in related property investments is attractive.

SEZs offer tax incentives, trade benefits, lax regulation and oversight, and investment privileges to attract domestic but primarily foreign direct investments. However, in some instances, SEZs are exploited as hubs for various illicit commodities, as well as for trade-based money laundering. SEZs have evolved rapidly in Southeast Asia in recent years, from their original conception as locations for traditional manufacturing and trade, to service and tourism-based areas.

The latest Financial Action Task Force (FATF) mutual evaluation reports conducted for Cambodia, Myanmar, the Philippines, and Viet Nam

⁸ UNODC analysis.

⁹ A junket is a company with an arrangement with a hosting casino to facilitate and finance gambling by an individual or group of players for a period of time.

demonstrate that the regulatory and enforcement mechanisms in place in relation to casinos and SEZs are not robust enough to address the heightened risks associated with money laundering in the casino industry. Evidence also suggests that a number of casinos, particularly in the Myawaddy area of Myanmar, close to the border with Thailand, also do not appear to have official licenses to operate. Myanmar is uniquely home to non-state armed groups that control important border areas and have a history of working with organized crime syndicates. These non-state armed groups operate numerous casinos in autonomous Special Regions and territories, and in border towns such as Tachileik adjacent to Thailand. Due to limited access and conflicting reports, it is not possible to determine the exact number of casinos operating in Special Regions, however, UNODC estimates that around 20 significant casinos are operating in these areas, with most located in Special Regions 1 and 4.¹⁰

There is also growing evidence that the illicit economies of Southeast Asia have evolved and grown alongside the licit economies of the region. In particular, the illicit drug economy has grown to the point that state sovereignty is severely challenged in certain places such as Shan State in Myanmar. In this environment, the proliferation of casinos in SEZs is of significant concern. It is also important to note that some significant organized crime syndicates are involved in SEZs in the region as owners, developers, and investors. In addition to illicit drugs, there is a strong convergence of environmental and other crimes in SEZ and casino complexes in the border areas of Lao PDR and autonomous regions or Special Regions of Myanmar, as well as in Cambodia. TOC groups that control the SEZs in Lao PDR and Special Regions in Myanmar use the same trafficking routes to transport wildlife and drugs and other contraband into neighboring countries.¹¹

The presence and growth of SEZs, unregulated casinos and associated entertainment complexes in border areas of the Mekong has also raised the risk of trafficking in persons. There continue to be regular reports by government agencies and human rights organizations of forced labour, sexual exploitation, and debt bondage in compounds housing online gambling and fraud operations, as well as pornography production and streaming.

In Cambodia, the proliferation of casinos and other commercial enterprises in Sihanoukville has reportedly led to an increase of sex trafficking and forced labour among Cambodian women and girls.

Online casinos in Southeast Asia

The rapid proliferation and expansion of the online casino and gaming industry in several high-risk jurisdictions of the Mekong region has been flagged as a concern by regional authorities in recent years. This trend accelerated with the onset of the COVID-19 pandemic, as evidenced by a significant increase in online betting and gambling platforms, as well as the expansion of online betting products and payment methods including cryptocurrency payments. At the same time, the rapid emergence of technology including mirror websites, cryptocurrency and third-party betting software or so-called 'white-label' service providers in the region has meant that it has never been easier to set up an online casino operation with limited technical expertise and overhead capital, irrespective of gambling laws within a given jurisdiction.

In 2020 alone, authorities in China arrested over 75,000 suspects involved in illegal cross-border gambling, with at least 600 extradited to China with the support of local authorities in Cambodia, Malaysia, Myanmar, the Philippines, and Viet Nam. Chinese authorities have also reported raiding more than 2,260 online betting platforms and 1,160 betting promotion platforms in 2020, shutting down approximately 1,960 illegal payment platforms and underground banks during the process of adjudicating over 3,500 cross-border gambling cases.¹² In 2022, Chinese police investigated more than 37,000 cases involving cross-border gambling. Since the beginning of 2022, police operations nationwide busted over 2,600 online gambling platforms, more than 1,100 casinos, as well as in excess of 2,500 illegal payment platforms and underground banks. Over 1,200 technical support teams and 1,600 platforms promoting gambling were investigated during 2023.¹³

¹² UNODC analysis.

¹³ The State Council, The People's Republic of China, China cracks over 37,000 cross-border gambling cases in 2022, December 29, 2022 China cracks over 37,000 cross-border gambling cases in 2022 (www.gov.cn); Global Times, China resolves 464,000 cases of telecom and network crimes in 2022; 351 ringleaders and key members of criminal groups arrested, May 30, 2023 <https://www.globaltimes.cn/page/202305/1291662.shtml>

¹⁰ UNODC analysis.

¹¹ Ibid.

Despite slowly intensifying regulatory and enforcement efforts across Southeast Asia, millions of new online betting customers emerged during the pandemic. This, in turn, broadened the customer base for betting operators based in countries including Cambodia, Lao PDR, Viet Nam, the Philippines, and increasingly, Myanmar, while boosting betting revenues and creating new outlets for facilitating money laundering. As the Asia-facing junket industry has long been dominated by Macau-based groups, including groups with triad syndicate connections, diversification by junket operators and dispersion of online gambling operations across the Mekong, and particularly in and around the Golden Triangle, risks providing significant new revenue streams for organized crime and their partners. Complicating matters further is the transnational nature of online illegal betting where, for instance, an organized crime syndicate operating out of Macau SAR may run websites hosted in Taiwan Province of China (POC) while being licensed in Cambodia with customers in China. It makes it extremely difficult to determine under which country's jurisdiction any related crimes may be taking place.

Online scams and fraud in casinos and SEZs and trafficking for forced criminality

There are several important reasons why TOC groups have rapidly increased the operation of online scams and fraud, driving the rise in trafficking for forced criminality since the start of the COVID-19 pandemic in early 2020. The first reason is that COVID-19 brought to a rapid halt the ambitions of organized crime groups to attract millions of gamblers and tourists from China and Southeast Asia to the casinos in the SEZs of the Mekong region and the Philippine Offshore Gaming Operators (POGOs). Strict lockdowns and border controls meant that gamblers could no longer travel freely to Cambodia, Lao PDR, Myanmar, or the Philippines. As a result, the organized crime groups' need for new sources of revenue intensified.

A second reason is that in 2021, the government of China encouraged its nationals living or travelling in Southeast Asia to return home or face strict penalties. This created a major labour gap, which organized crime groups needed to rapidly address.¹⁴ The third reason is that during

the pandemic the popularity of digital payments, e-commerce apps, and cryptocurrencies increased, with people spending more time at home online. This created an important market for organized crime groups to invest in. The fourth reason is that the pandemic had significant negative effects on the ability of law enforcement to investigate crime. The travel and investigation limitations imposed as a response to the pandemic, combined with the remote locations of some of the casinos, as well as the impunity afforded to offenders through their relationships with corrupt government officials, meant that criminal operations could expand with little scrutiny.¹⁵

In response to these challenges, organized crime groups identified opportunities to develop new revenue streams by committing online scams and fraud, targeting people in Asia, North America, Europe, and other regions of the world. Organized crime groups also understood that they could address their new labour needs by trafficking young, educated, media savvy (and multi-lingual) people from Asia (and beyond) into the various scam compounds (casinos, hotels, building rented/owned by shell companies) where they could be confined and made to carry out the scams.

Planning for the new organized crime activities (online scams and fraud, and trafficking for forced criminality) was not conducted by organized crime groups overnight, and the COVID-19 pandemic simply acted as a catalyst for organized crime plans that had already been in the works prior to the pandemic. Importantly, a significant amount of the crime 'infrastructure' was already in place. The casino complexes and the presence of organized crime group leaders in the SEZs were factors prior to the COVID-19 pandemic, and this is why organized crime groups managed to quickly turn casino complexes into large-scale online scam and fraud compounds. Dormitory style bedrooms were constructed in the complexes; scammer training manuals were created; enforcers were hired to control trafficking victims; and the mass recruitment of trafficking victims began. Since then, the organized crime groups have continued to expand their operations and increased the sophistication of scams:

14 United States Institute of Peace, 2022, Myanmar's criminal zones: A growing threat to global security: <https://www.usip.org/publications/2022/11/myanmars-criminal-zones-growing-threat-global-security>

15 UNODC (2022), The effects of the COVID-19 pandemic on trafficking in persons and responses to the challenges: A global study of emerging evidence.

“The types of crimes we saw at the beginning, they weren’t basic, but the level of sophistication that we’re seeing now is incredible. I’m not even sure we’re aware of the level of crime that they are perpetrating” (International organization representative).

Modus operandi of the organized crime groups

The framework for the online scams and fraud

The modus operandi of the organized crime networks in terms of carrying out scams and fraud is quite consistent across countries in the Mekong region. Organized crime groups first recruit victims. They primarily target university graduates who are fluent in multiple languages (especially English and Mandarin), have skills in Information Technology (IT), familiarity with social media, and some working knowledge of cryptocurrency.¹⁶ These conditions are important for the organized crime groups because they require a skilled labor force to carry out criminal activities in cyberspace, from various scams to money laundering and illegal gambling.¹⁷ The profile of victims is continuously evolving, however. With the increase of use of artificial intelligence (AI) and translation tools that allow for communication in various languages instantly, the need for victims with diverse language skills is being superseded by a need for IT skills and/or experience using various social media platforms and communication channels. The trafficking victims are lured by job advertisements that offer high pay and interesting professional work. The victim secures the ‘job’ after one or more false job interviews, signs a six-month work ‘contract’, then quickly travels to Southeast Asia for what they believe will be an exciting new professional role.¹⁸

Recruitment of trafficking victims is targeted and sophisticated, with recruitment and organized crime networks operating across borders. There is strong evidence from victim testimony of the presence of act, means, and purpose of trafficking

in persons. These trafficking indicators are briefly outlined below; a more detailed list of indicators is presented in Annex 1 of this report.

It is important to note that organized crime groups also recruit workers whom they pay a salary to willingly and knowingly carry out online scams and fraud, as well as trafficking people for forced criminality in Southeast Asia. In fact, tens of thousands of people are being used and exploited by organized crime groups, there is simultaneously a gradual professionalization people working for organized crime groups, with more skilled IT professionals and people with advanced degrees in computer science being targeted by networks. Additionally, the most recent reports from government counterparts indicate increased use of AI tools to commit online scams, including face swapping and voice replication to bypass banking security systems. However, the reasons for which organized crime groups continue to mainly use a trafficked workforce merit some brief attention. According to interview participants, using trafficked victims is better for the organized crime groups than using professionals because trafficked individuals are easier to control and manipulate. Another reason is that trafficking victims, who are controlled and intimidated, are less likely to try to collect evidence of criminal activity from the scam compounds or share details of offender activities with law enforcement. Trafficking victims may be extremely fearful of the organized crime group members.

“When you have coerced conditions (...) you can be assured that anyone who makes enough noise to get rescued, that they will be removed of anything they might take with them, information on their phones, in documents etc. And that they will be escorted out of the country very quickly, so that no one can tell a story that will be damaging.” (International NGO representative).

Many trafficking victims endure similar situations. Upon arriving at the casino compound, they are taken to a room, where they learn that they will not be working in the role that they were promised but, rather, that they are to conduct criminal activities, particularly online scams and fraud. The trafficking victims are placed in rooms in groups of around 10

¹⁶ Interview 2: International NGO; Business and Human Rights Resource Centre, 2022, Southeast Asia: Human trafficking syndicates target college graduates to work for phone scam operations: <https://www.business-humanrights.org/en/latest-news/southeast-asia-human-trafficking-syndicates-target-college-graduates-to-work-for-phone-scam-operations/>

¹⁷ Waluyo, B., Prasetyo, H., and Subakdi, 2022, Independent worker application: Means of protecting workers’ vulnerability to human trafficking crimes through job vacancy fraud. *Italianisch*, Vol 12(2).

¹⁸ Interview 2: International NGO.

Table 1: Modus operandi of trafficking networks



to 30 people.¹⁹ Their screens are linked to a central screen so that their online activities are always monitored by the members of organized crime group. They are required to interact online with social media users and make a certain number of 'friends' each day (up to 15). The trafficking victim is then forced to entice these social media friends into various activities that will result in financial loss for the scam victims through online betting²⁰ and / or investing in cryptocurrency and in fake online currency brokerages.²¹

The available evidence suggests that most trafficking victims are forced to deceive people (the scam victims) into investing in cryptocurrency, among other fraud schemes (e.g. romance scams, e-commerce, illegal gambling). First, victims are

forced to tempt scam victims with initial small profits by buying and selling cryptocurrency such as Ethereum and Tether. When the scam victim starts to follow instructions and deposits money several times, the trafficking victim then hands over the phone (ongoing communication with a fraud victim) to one of the organized crime group members, who prepares for a major 'strike' against the scam victim. The scam victim is reassured that they have been making profit through their previous deposits, and trust between the scam victim and the person whom they believe is now a friend (the trafficking victim) has been established. The scam victim is thus more easily deceived into investing a much larger sum of money. This technique is commonly referred to as 'pig butchering': the process of scammers 'fattening' (in terms of profit) their victims by slowly building trust before moving in for 'the kill'.²² Once a significant sum has been transferred by the scam victim, the cryptocurrency

19 Interview 1: International NGO; Interview 2: International NGO; INTERPOL, 2023, Operational analysis: Online scams and human trafficking in South East Asia – Update 1.

20 INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

21 Interview 1: International NGO; PROPUBLICA, 2022, Human Trafficking's Newest Abuse: Forcing Victims into Cyberscamming: <https://www.propublica.org/article/human-traffickers-force-victims-into-cyberscamming>

22 The Bureau of Investigative Journalism, 2023, 'Sham credibility': How UK shell companies fuel 'pig-butcher' crypto scams: <https://www.thebureauinvestigates.com/stories/2023-01-29/sham-credibility-how-uk-shell-companies-fuel-pig-butcher-crypto-scams>

investment platform alerts the scam victim to false taxes and fees they allegedly have to pay if they want to cash out. It is usually at this stage that the scam victim starts to seriously question whether the cryptocurrency platform is real. At this stage, the trafficking victim is instructed by the organized crime group to cut off all communication with the scam victim (as the scam victim has now lost all their money and is thus no longer of any use to the organized crime group). The scam victim at this point realizes that they have been scammed.²³

Profiles of victims

There is no accurate data on the number of people who have been trafficked for forced criminality for online scams and fraud in Southeast Asia; however, what is known is that an increasing number of trafficking in persons cases have been documented in the SEZs in Cambodia, Lao PDR, and Myanmar, as well as other parts of those countries and other Southeast Asia countries, such as the Philippines. Cases of trafficking for forced criminality have been increasingly reported by the victims' countries of origin. According to available information, in mid-2022, there were tens of thousands of trafficking victims confined to high-security scam compounds in Cambodia, Lao PDR, and Myanmar alone.²⁴ Taiwan PoC estimated in mid-2022 that between 2,000 and 5,000, or even more trafficked people from Taiwan POC remained detained at the time in Cambodia.²⁵ Around the same time, Thailand reported that despite the initial identification and release of around 3,000 Thai victims from the scam compounds, around 1,500 Thai nationals were still confined in Sihanoukville, Cambodia.²⁶ Hong Kong, China, reported receiving, between January and September 2022, at least 43 appeals for help from its nationals who were trafficked for forced criminality in Southeast Asia.²⁷ Migrant Care, an

Indonesian NGO, stated that between May and August 2022, they received 124 complaints of Indonesian citizens trafficked for forced criminality and needing initial identification and release in Cambodia, Lao PDR, Myanmar, the Philippines, and Thailand.²⁸ In September 2022, Viet Nam reported coordinating with Cambodia to organize the repatriation of over 600 Vietnamese nationals who were lured to Cambodia and trafficked for forced criminality.²⁹ The Government of the Philippines reported to UNODC that 208 of its citizens had been identified and repatriated from Southeast Asia during the period March 2022 to April 2023. Of these, 58 Filipino nationals were identified and released in Cambodia; 68 in Lao PDR; 78 in Myanmar; and four in Thailand.³⁰ In June 2023, 2,700 people, presumed victims of trafficking, were identified and released in the metropolitan Manila area.³¹

The profile of the trafficking victims highlights that trafficking for forced criminality is an international problem. International NGOs have identified over 40 nationalities of trafficking victims in scam compounds in Southeast Asia. Most of the early victims identified were from Hong Kong, China; Malaysia; China; Indonesia; the Philippines; Singapore; Thailand; Taiwan PoC; and Viet Nam.³² Nationals of these countries were targeted because of their language skills (English, Mandarin) as well as their familiarity with social media, and cryptocurrency. As the crime trend has grown, however, victims are no longer exclusively from Southeast and East Asia, and only Chinese and English-speaking people.³³ For example, the initial identification and release of victims from Africa, especially Kenyan victims, points to the widening scope of initial targets. Trafficking victims from South Asia (India, Nepal, and Pakistan), Central Asia, South America, the Middle East, as well as

23 INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

24 NRC, 2022, Chinese cyberslaven in cambodjaanse torenflats de mafia van Sihanoukville", NRC, 05 August 2022: <https://www.nrc.nl/nieuws/2022/08/05/chinese-cyberslaven-in-cambodjaanse-torenflats-de-maffia-van-sihanoukville-a4138038>

25 Khmer Times, 2022, Taipei estimates between 2,000 and 5,000 remain human trafficking victims are in Cambodia, 16 August 2022: <https://www.khmertimeskh.com/501132814/taipei-estimates-between-2000-and-5000-remain-human-trafficking-victims-are-in-cambodia/>

26 The Diplomat, 2022, Inside Southeast Asia's Casino Scam Archipelago, 02 August 2022: <https://thediplomat.com/2022/08/inside-southeast-asias-casino-scam-archipelago/>

27 Time, 2022, Asia's Human Traffickers Target New Victims, Time, 01 September 2022: <https://time.com/6210514/human-trafficking-asia-hong-kong/>

28 IDN Times, 2022, Migrant Care Masih Terima Aduan WNI Terjebak Loker Bodong, 08 September 2022: <https://www.idntimes.com/news/world/sonya-michaella/migrant-care-masih-terima-aduan-wni-terjebak-loker-bodong>

29 INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia; Viet Nam Plus, 2022, Authorities repatriate over 600 citizens lured to work illegally in Cambodia, 01 September 2022: <https://en.vietnamplus.vn/authorities-repatriate-over-600-citizens-lured-to-work-illegally-in-cambodia/236654.vnp> ;

30 Data provided by a government agency in the Philippines in May 2023.

31 Information provided to UNODC during a high-level dialogue meeting in Bangkok, Thailand, 2023.

32 Interview 1: International NGO; Interview 2: international NGO.

33 Interview 1: International NGO; interview 2: International NGO.

other countries in Africa (in addition to Kenya, also Ethiopia, South Africa, and Uganda) have also been identified in more recent months.³⁴ Some victims are also recruited domestically, that is, within the country where the scam compounds are located.

Both men and women are targeted by organized crime groups to conduct online scams and fraud. While it is currently impossible to estimate the true scale of trafficking for forced criminality and the gender composition of victims in Southeast Asia, there was consensus in the interviews conducted for this report that the majority of trafficking victims for this purpose are young men.

Most trafficking victims are young adults, often educated professionals, between the age of 20 and 30 years. The organized crime groups are mostly interested in recruiting young people because they are familiar with social media, smart phones, and cryptocurrency. There are some exceptions to this age range. Some presumed victims are in their forties, and some victims are children who have completed high school and have knowledge of using social media. Children are also trafficked for sexual exploitation into the scam compounds. An international NGO interview participant talked about a case involving one girl victim who was recruited from China when she was 13 years old and placed in the 'sales department' of the scam compound in Cambodia. She did not perform well conducting online scams and fraud and was therefore sold by the organized crime group into sexual exploitation.³⁵

Most trafficking victims, however, are well-educated.³⁶ Many have tertiary level education while some presumed victims identified and released in Myanmar have completed a Master's degree or a Doctorate of Philosophy (PhD).³⁷

"These are phone scams, you need to be savvy with social media and be able to manipulate people, those are the job requirements. Those capabilities tend to exist almost exclusively among the educated class." (International NGO representative).

Victim of trafficking recruitment tactics

Trafficking victims are recruited in different ways, but most recruitment occurs through fraudulent job advertisements on messaging apps and social media. The job advertisements request applicants for skilled positions as English and Mandarin translators, hotel receptionists, customer service representatives, business managers, communications personnel, or Human Resources (HR) or IT specialists.³⁸

"The lion's share of victims is recruited via fraudulent advertisements and posts on social media. WeChat for Chinese nationals, and other platforms for everyone else." (International NGO representative).

WeChat has been identified as a site that is regularly used to recruit Chinese victims. The 'White Shark Channel' Telegram group has also been identified as a platform widely used by organized crime groups for recruitment.³⁹ Fraudulent job advertisements and posts have also been identified on Facebook (Meta) and Instagram. Contact between organized crime groups and potential trafficking victims occurs through WhatsApp, Line, Telegram, and Messenger.

The recruitment advertisements and posts rarely share the names of the companies that are offering jobs. There is usually no more specific address or location of the work other than, for example, Sihanoukville or Cambodia. The only contact is a profile on a social media site. The pay offer is usually the equivalent of around USD1,000-1,500 per month⁴⁰ with generous benefits such as free food, housing, and/or travel costs.⁴¹ In recent months,

34 Interview 2; INTERPOL, 2023, Operational analysis: Online scams and human trafficking in South East Asia – Update 1.

35 Interview 1: International NGO.

36 IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia; Freedom Collaborative and Winrock International, 2023, Emerging patterns in the use of technology for labour trafficking in Southeast Asia: https://static1.squarespace.com/static/5bd9f8a7710699aaf0e28fc6/t/643e59c572d7161ba46a334f/1681807826078/Emerging+Patterns+in+the+use+of+Technology+for+Labour+Trafficking+in+Southeast+Asia_FINAL.pdf; BBC, 2022, Cambodia scams: Lured and trapped into slavery in Southeast Asia: <https://www.bbc.co.uk/news/world-asia-62792875>

37 Interview 2: International NGO.

38 IOM Thailand, 2022, 2022 year in review.

39 INTERPOL, 2023, Operational analysis: Online scams and human trafficking in South East Asia – Update 1; VOD, 2022, Dark channels: Underground group chat teems with human trafficking ads: <https://vodenglish.news/underground-group-chat-teems-with-human-trafficking-ads/>

40 This is higher than the average national salary.

41 Freedom Collaborative, 2022, International collaboration is required to combat trafficking in illegal online scam centers: <https://freedomcollaborative.org/newsletter-archive/international-collaboration-is-required-to-combat-trafficking-in-illegal-online-scam-centers>; INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

in an attempt to make the job advertisements look more legitimate, some advertisements have started to fraudulently use the names, logos, and other branding of real companies.⁴² Organized crime groups simply make minor changes to the spelling of the legitimate company name to avoid detection by the company whose branding is being used.

“A lot of large companies aren’t realizing that their name is being used for the scams.”
(International NGO representative).

Organized crime groups continue the recruitment deception by conducting bogus job interviews with applicants in order to convince them that the company, and the role, are real. Some trafficking victims have reportedly undergone up to four seemingly legitimate online interviews to secure the ‘job’.

It should be noted that there are also some general recruitment advertisements on these messaging apps and social media placed by the same organized crime groups. People recruited through these advertisements are not forced to commit online scams and fraud but, rather, are trafficked for forced labor (for example, to clean or cook in the scam compounds), or sexual exploitation (raped and subjected to sexual slavery by members of the organized crime groups).

In addition to recruitment on messaging apps and social media, some recruitment is also conducted face-to-face. Interview participants reported that face-to-face recruitment occurs in shops, restaurants, and other locations in countries in Asia where young people are working. The young people are approached by an agent who tells them that they can offer them a better paid professional job in Cambodia, Lao PDR, or Myanmar.⁴³

Recruitment agencies also recruit trafficking victims. Some trafficking victims have used the same recruitment agency for legitimate employment in the past (e.g., agencies based in Dubai, UAE) before being offered a ‘job’ in Cambodia, Myanmar, or other destinations. These agencies are reportedly paid approximately USD2,500 by the organized

crime group to recruit a person for trafficking for forced criminality in a scam compound in Southeast Asia.

“The agent says ‘I’ve got you another job, it’s in Thailand, for example. It’s better, it’s doing customer service like you are here so I’m going to send you over there.’ Many victims had already been working through the agency previously, so they weren’t looking for an agent; they were already being moved from job to job”. (International NGO representative).

Some of these recruitment agencies are complicit in the trafficking of young adults for forced criminality in Southeast Asia. In certain cases, when the victim’s embassy or national law enforcement try to get in touch with the agency, the agency quickly closes down.

“It’s all a front. As soon as it’s done (the victim is transferred to the scam compound), they close down.” (International NGO representative).

A small number of victims are also kidnapped from the street and ‘sold’ to scam operations.⁴⁴ Some victims have reportedly been kidnapped during tourist visits to Cambodia and trafficked for forced criminality in scam compounds in the country.⁴⁵

Organized crime groups also use victims of trafficking for forced criminality to recruit other people they know into situations of forced criminality, including family members and friends.⁴⁶ Some trafficking victims are incentivized by the organized crime group to recruit their friends or acquaintances in their country of origin through a payment of, for example, USD300, for each person recruited.⁴⁷

“They have a quota – you’re supposed to trick people into the scam compound. There is a USD300 payment for each new recruit, so it’s an incentive for recruiting a friend.” (International NGO representative).

42 INTERPOL, 2023, Operational analysis: Online scams and human trafficking in South East Asia – Update 1

43 Interview 9: National NGO.

44 Interview 1: International NGO.

45 Humanity Research Consultancy, 2022, HRC briefing: Cyber slavery in the scamming compounds: https://humanity-consultancy.com/wp-content/uploads/2022/09/HRC-Briefing_Cyber-Slavery-in-the-Scamming-Compounds.pdf

46 Interview 1: International NGO.

47 Interview 1: International NGO.

For other victims, recruiting family members or friends into situations of forced criminality is a way to secure their own release from the scam compound. This is particularly the case for trafficking victims who wish to leave the scam compound but cannot pay the ransom fee demanded to secure their release. Instead, the organized crime group may offer these victims the option of recruiting a certain number of new victims into the scam compound.

Methods of control of victims

With the exception of the few trafficking victims who are kidnapped, victim control tactics, such as isolation and restriction of movement, confiscation of personal documents, and physical abuse, are generally not evidenced in the recruitment and transfer phase. During recruitment and transfer, victims are treated relatively well by the organized crime groups. Control methods only begin to be applied when they arrive at the scam compound:

“The treatment is always very good at the beginning, they’re housed in nice hotels, they’re treated well. Then when they’re in the compounds it changes.” (International NGO representative).

Soon after arrival at the scam compound, trafficking victims may experience various methods of control, which include, but are not limited to, restriction of movement, confiscation of personal identification documents, physical abuse, arbitrary fines and artificial debts, and threats. The application of control methods is one of the key areas of difference between the scam compounds in different countries. It is important to note that severe control methods including physical violence were reported by interviewees in Myanmar, whereas physical violence appears to be a less common control method used in compounds in other countries, especially since mid-2022 when media reports published graphic photos of abused trafficking victims.

Isolation and restriction of movement

A key method of controlling trafficking victims is through isolation and severe restriction of movement. Most victims are confined to the scam compound and have limited freedom of movement even within the compound. They are moved

from the dormitory where they sleep to the office where they are forced to commit online scams and fraud, and then back to their dormitory after their long shift. Bathroom breaks are short, and often monitored.

Trafficking victims usually carry out the online scams and fraud in an office of around ten or more people. They take meal breaks and share a dormitory with the same people. They are rarely permitted to speak to anyone outside of this group. As the quote below illustrates, if a victim attempts to speak to anyone outside of their group, they may be punished by members of the organized crime group.

“You live in one cell block. At your allotted time you’re taken from there and put into the work centre. Your break times are never shared with anyone. You’re not allowed to walk around the compound or leave your room. If you’re caught talking to anyone you are punished.” (International NGO representative).

The scam compounds are secured with metal bars on dormitory and office windows and balconies, high fences, and security staff who are positioned at the building entrance/exit. Thus, it is extremely difficult for trafficking victims to attempt escape. Attempting to escape may result in injury, severe physical violence, or even murder by the organized crime group.⁴⁸

Freedom of movement within the scam compounds has been increasingly restricted over time. Whereas in 2021, victims were allowed some freedom of movement within the compounds, by early 2023 victims were allowed to move only between their dormitory and the office. Compound security measures are also increasing – external compound walls are increasing in height, and the presence of armed guards has also reportedly increased.⁴⁹

Confiscation of personal documents and mobile phone

Trafficking victims are also controlled through the confiscation of their travel and identity documents,

48 Humanity Research Consultancy, 2022, HRC briefing: Cyber slavery in the scamming compounds: https://humanity-consultancy.com/wp-content/uploads/2022/09/HRC-Briefing_Cyber-Slavery-in-the-Scamming-Compounds.pdf

49 Interview 14: International organization.

and their personal mobile phone.⁵⁰ This prevents them from being able to communicate with family and friends, or contact their embassy, NGOs, or law enforcement to request rescue. Because of the nature of the tasks forced upon victims (online scams and fraud), they do have access to mobile phones; however, the use of these work phones is reportedly closely monitored by the organized crime groups, and offenders routinely check the phones, deleting any communications made by the trafficking victim with the outside world. It is also common for victims who are being identified and released to have the content of their phones deleted by the exploiters.

Physical abuse

Trafficking victims may also be controlled through physical violence, and threats of violence. Physical violence involves beatings and/or electrocution. Physical violence is usually used as a means of ensuring that trafficking victims meet their ‘sales quotas’ (the number of people scammed, and the amount of money generated through the online scams and fraud). If the victims do not meet these targets, they may be punished through physical violence. Interviewees highlighted that it is usually trafficking victims from China who experience electrocution, while victims from other countries experience beatings.

Fines and debts

A system of fines and arbitrary debts is also imposed as a means of controlling trafficking victims. On arrival at the scam compound, most victims are told that they owe the organized crime group a debt for their recruitment and transfer, including fees paid to the recruitment agency or agent, flight and ground transport costs, and accommodation costs. Some victims are reportedly told that they owe around USD25,000, and that they must commit online scams and fraud until this fee is repaid. It should be noted that the application of artificial debts is common in trafficking in persons offences, including in cases of trafficking for forced labour, and trafficking for sexual exploitation. The artificial debts act as a means of psychological control of victims, in which victims retain hope that they can repay the debt and eventually be freed.

50 INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

Trafficking victims are also controlled through a system of exorbitant and arbitrary fines imposed by the organized crime groups, which reportedly include fees for ‘air-breathing’, ‘keyboard wear and tear’, ‘floor wear and tear’, ‘leg crossing’, ‘not finishing a meal’, ‘fighting with a co-worker’, ‘getting sick’, and other perceived transgressions. The amounts of the fines vary, with smaller infringements, such as failing to put a chair away, costing a victim the equivalent of USD14, and larger infringements, such as getting sick, costing a victim up to USD1,000. These fines are arbitrarily added up before ‘pay day’ and instead of receiving the wages promised, the victim only receives a small payment. This, in turn, affects the repayment of the victim’s artificially inflated recruitment and transfer debt, thus prolonging the victim’s exploitation.

“They control everyone through fines. If you were to cross your legs while working that’s 1,000 baht [USD30]. If you’re working 16 hours through the night and your back touches the chair it’s 6,000 baht (USD170). If you’re caught with your eyes closed it’s 10,000 baht [USD285]. If you’re caught with your elbow on the table, it’s 6,000 baht [USD170]” (...). That’s the control – they fine everybody.” (International NGO representative).

Threats of being sold on to another scam compound

Victims are also threatened with being sold on to another scam compound if they fail to meet their ‘sales quota’. They may be threatened with being sold to another compound in the same country, or to a compound in a different country. With this ‘sale’ comes an increased debt, as the victim now must repay the fee that the new offenders paid to the victim’s previous traffickers.

Threats of being sold into sexual exploitation

Trafficked women in particular, who fail to reach their ‘sales quotas’, are also threatened with being sold to brothels and other locations for sexual exploitation. Some female victims have reportedly been shown sexually graphic images and videos by organized crime group members and told that “this is what will happen to you if you don’t meet your ‘sales quota’.”⁵¹ Interview participants reported

51 Interview 4: International NGO.

supporting female victims who have been removed from the compound and trafficked for sexual exploitation for failing to meet their sales quota, including girls under the age of 18 years.

Threats of organ removal

Finally, some victims are also reportedly threatened with organ removal if they do not meet their ‘sales quota’ and as a method of control. This threat is applied to both male and female victims. While many victims are threatened with organ removal, the study could only identify anecdotal evidence of human trafficking for organ removal or organ trafficking. More research is required to better understand this phenomenon.

Locations of the scam compounds

The locations that are clearly hubs for online scams and fraud, and trafficking for forced criminality, are mainly in Cambodia, and Myanmar, as well as Lao PDR. Traditionally countries of origin for trafficking in persons in Southeast Asia, these are now also countries of destination for trafficking for forced criminality.

Furthermore, Thailand, which is traditionally a destination country for trafficking in persons, has also become an origin and transit country for trafficking for forced criminality, while the Philippines, another traditional origin country, has also become a destination country. As noted by IOM, the fact that the organized crime groups are organizing the recruitment, transfer, and exploitation of victims from all over the world highlights that this phenomenon of trafficking for forced criminality is distinct from trafficking routes that commonly align with migration pathways, but, rather, represents TOC of a significant size.⁵²

Cambodia

Most of the scam compounds that are operating in Cambodia are located in Sihanoukville or Phnom Penh. One of the most well-known scam compounds in Cambodia is a massive ten-skyscraper complex in Otres. Other scam compounds have been reported in Kandal, Phnom Penh, Koh Kong,⁵³ Poipet, Pursat

and Kampot.⁵⁴ Many victims have also reported being trafficked into scam compounds in areas around the Bassac river, near the border between Cambodia and Viet Nam, e.g. Bavet.⁵⁵

In response to increased media scrutiny, and intense bilateral pressure from other Southeast Asia countries whose citizens were affected by trafficking for forced criminality, Cambodia launched a ‘crackdown’ on the scam operations from September 2022. The stated objective was to effectively close down illegal online scam and fraud operations and secure the release of the trafficking victims (it should be noted that at this time, the Government of Cambodia was not formally recognizing many of the workers in the scam compounds as trafficked persons). Following the crackdown, it was reported that some scam compounds in Sihanoukville closed down, with the victims who had been forced to work there being deported to their countries of origin. There was consensus in the interviews conducted for this Report, however, that the scam compounds in Sihanoukville and other locations of Cambodia did stay not closed for long. Trafficking victims were, in fact, temporarily transferred to hotels or other locations before being moved back to the same or other compounds in Cambodia or Myanmar.⁵⁶ The crackdown seems to have also led to organized crime operations spreading to other parts of Cambodia. Since late 2022, recruitment advertisements began listing new destinations, including Oddar Meanchey, O’Smach, and Pursat province.⁵⁷

In terms of the journeys of trafficking victims to Cambodia’s scam compounds, most travel by air to one of Cambodia’s major airports before being transported by members of the organized crime group to the scam compound. Some victims from Viet Nam crossed by land from Viet Nam into Cambodia. Interviewees highlighted that some

52 IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia.

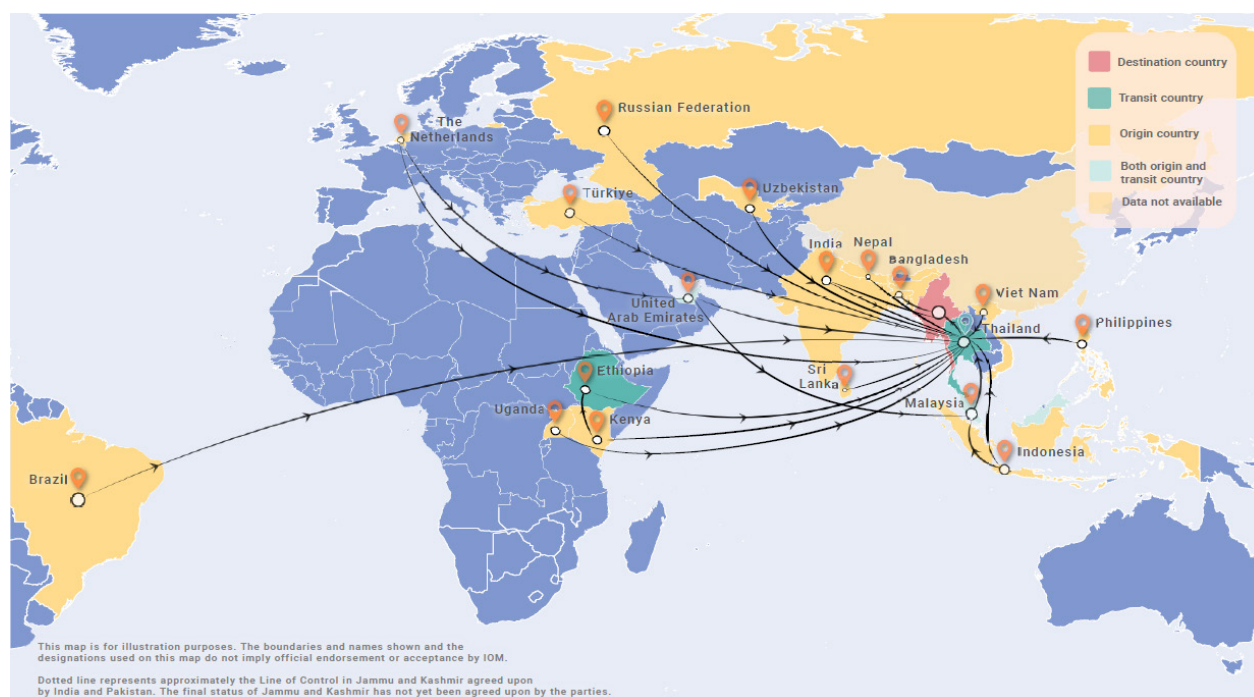
53 IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia.

54 Interview 16: International NGO; Sydney Morning Herald, 2022, The online scammer targeting you could be trapped in a South-East Asia fraud factory: <https://www.smh.com.au/world/asia/the-online-scammer-targeting-you-could-be-trapped-in-a-south-east-asian-fraud-factory-20220818-p5baz3.html>

55 Humanity Research Consultancy, 2022, HRC briefing: Cyber slavery in the scamming compounds: https://humanity-consultancy.com/wp-content/uploads/2022/09/HRC-Briefing_Cyber-Slavery-in-the-Scamming-Compounds.pdf

56 Interview 1: International NGO; interview 15: International NGO.

57 INTERPOL, 2023, Operational analysis: Online scams and human trafficking in South East Asia – Update 1.

Figure 1: Trafficking routes to Cambodia

Source: IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia.

victims whom they had encountered had not been aware that they had crossed into Cambodia. Instead, for example, they were told by the organized crime group that they were travelling to Ho Chi Minh city in Viet Nam.⁵⁸

With regards to the layout of the scam compounds, there are differences between the compounds in Cambodia. Scam offices, and dormitories for sleeping, vary in size, as do the security arrangements. Depending on the size, anywhere between 10 and 30 trafficking victims may be based in one office and forced to carry out scams. Usually there are between two and four offices on each floor, with most buildings having around ten floors of offices. Thus, while the size of the buildings varies, a rough estimate would suggest that one building may hold between 200 and 1,200 trafficking victims.⁵⁹

Myanmar

Most scam compounds in Myanmar are located in Wa State, and Myawaddy,⁶⁰ however, as shown

in Figure 3, other scam compounds have been identified in Laukkaing Township, Kokang Shan State, and other locations in the country.

Victims who have managed to leave the scam compounds in Myanmar have given similar descriptions of the scam compound structures, locations, and surroundings. From such testimony, it is clear that the scam compounds in Myanmar are located in casinos, resorts and hotels, large office buildings, and residential developments.

The compounds in Myanmar are fortified to ensure that victims cannot escape. Such fortification consists of metal bars on windows and balconies of offices and dormitories. Armed guards with pistols, electric whips, and handcuffs are positioned at the compound entrance to prevent the escape of trafficking victims, as well as to prevent the entry of any individuals who are not members of the organized crime group.⁶¹

A key difference between the scam compounds in Myanmar and Cambodia is that in Cambodia organized crime groups have simply modified existing structures such as casinos and hotels to

⁵⁸ Interview 7: National NGO.

⁵⁹ Humanity Research Consultancy, 2022, HRC briefing: Cyber slavery in the scamming compounds: https://humanity-consultancy.com/wp-content/uploads/2022/09/HRC-Briefing_Cyber-Slavery-in-the-Scamming-Compounds.pdf

⁶⁰ Ibid.

⁶¹ Interview 22: International NGO; interview 3: international NGO.

Figure 2: Locations of casinos and scam centres in Cambodia, Lao PDR, and Myanmar

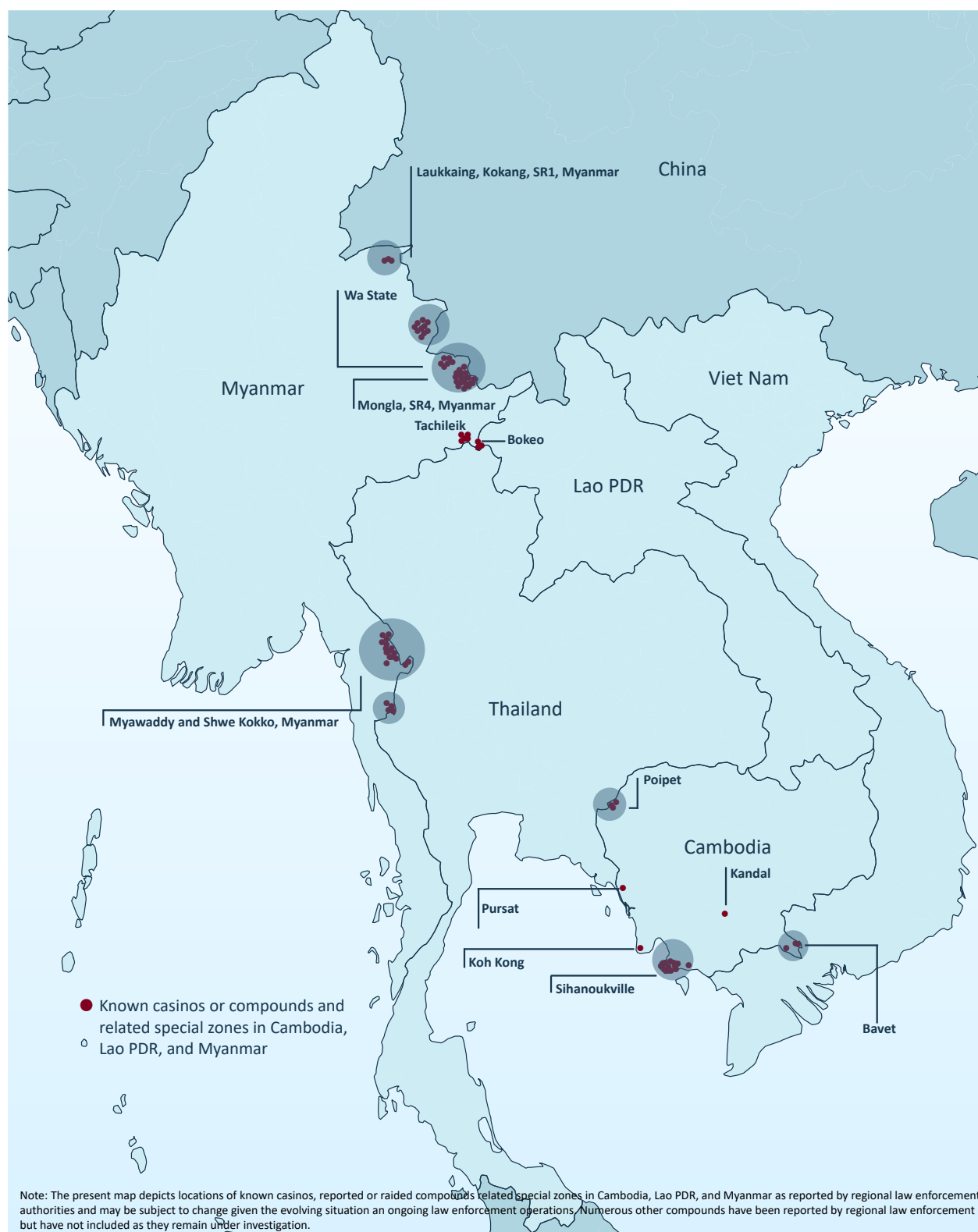
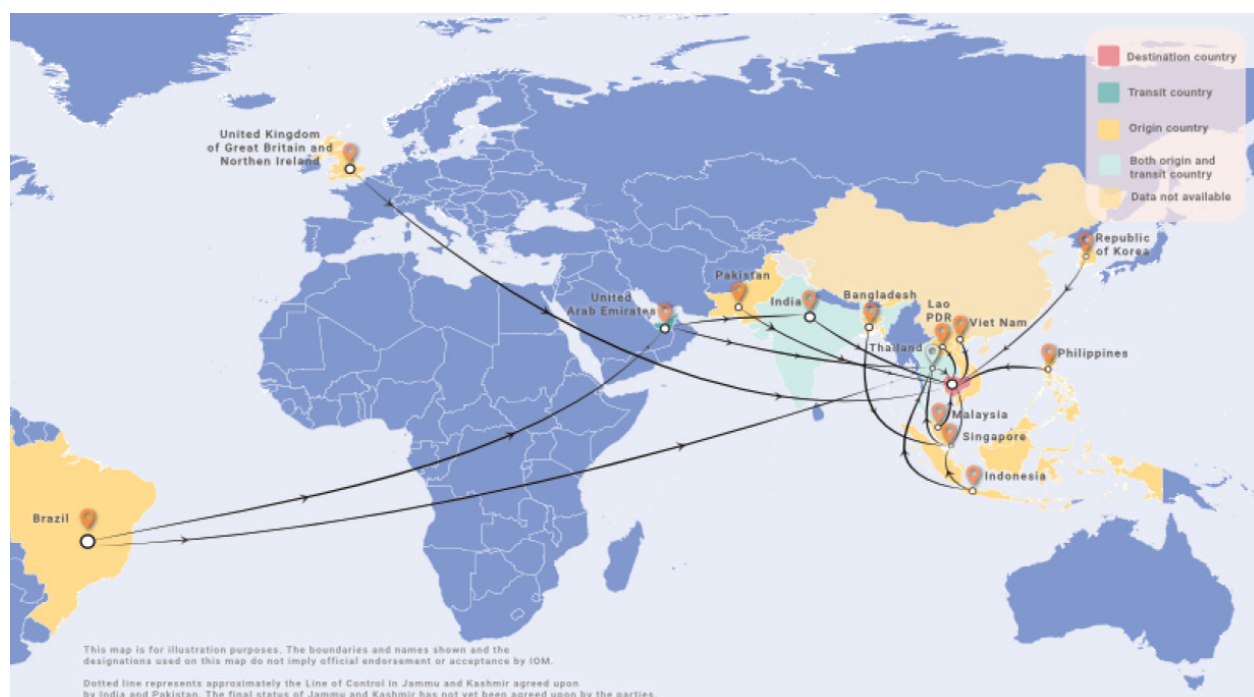


Figure 3: Trafficking routes to Myanmar

Source: IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia.

become scam operation centres. In Myanmar, however, large purpose-built structures are being constructed, with the sole objective of providing the infrastructure for large scale online scam and fraud operations and accommodating thousands of trafficking victims to commit the scams and fraud.⁶²

Organized crime groups are also increasingly turning their attention to remote border areas of Myanmar, especially along the border with China. Interviewees highlighted the significant challenges associated with rescuing victims from these more remote scam compounds in Myanmar. Whereas previously, victims' release could, at least in some cases, be negotiated by embassies and NGOs, in cooperation with the Myanmar military regime, victims trafficked to remote locations of Myanmar have no option other than to escape on their own. There is no government or non-governmental agency that can negotiate the victims' release, and no entity that can force the organized crime groups to release the victim after a ransom has been paid.⁶³

"If they all locate to more remote regions it's going to be even more difficult to help people."
(International NGO representative).

⁶² Interview 12: International NGO.

⁶³ Interview 15: international NGO.

Lao PDR

Scam compounds have been identified in Kings Romans Casino, in Lao PDR's SEZ. Interview participants suspect that in Kings Romans, organized crime groups are conducting not only online scams and fraud, but also other organized crime activities.⁶⁴

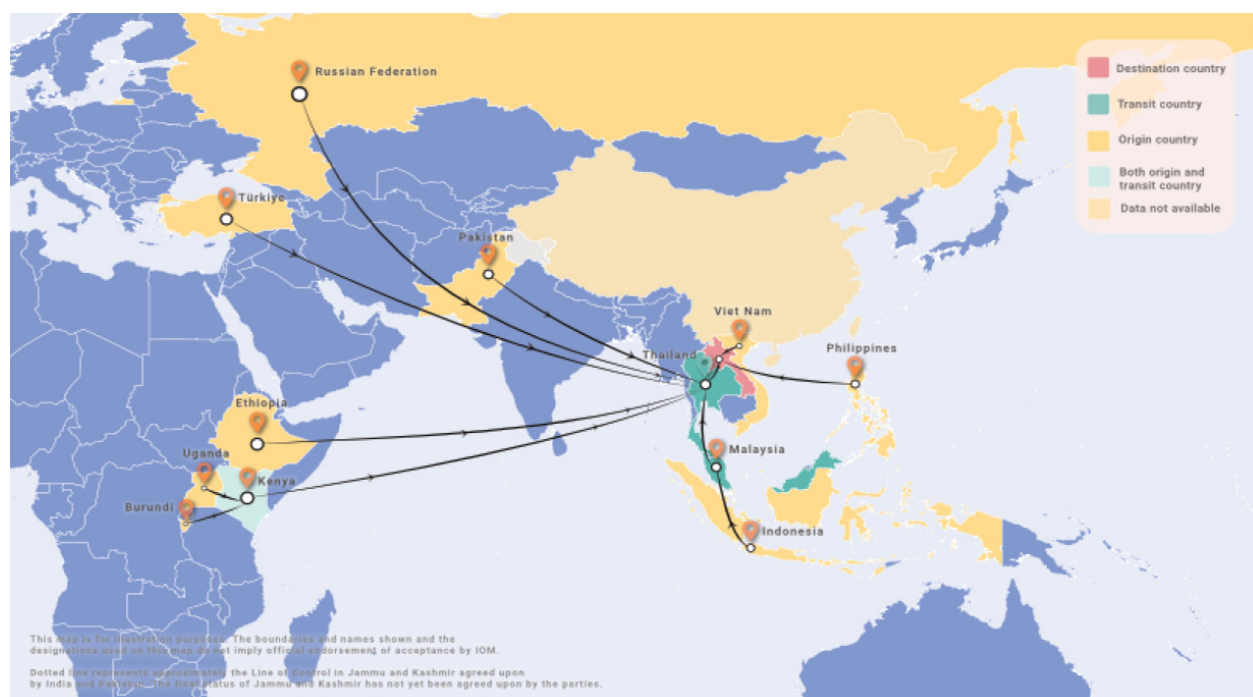
Many trafficking victims fly to Bangkok, Thailand before being transferred by bus or domestic flight to Chiang Rai, Thailand. When they reach the airport or bus station in Chiang Rai, they are collected by a member of the organized crime group and transported near the border between Thailand and Lao PDR. They are accommodated overnight in a guest house in the border area, and then transported, usually in a small group, to Lao PDR by boat, then transported to the scam compound in Lao PDR.⁶⁵

Philippines

Online scams and fraud, and trafficking for forced criminality, have also been identified in Philippine Offshore Gaming Locators (POGOs). POGOs are Philippine-based online offshore gambling

⁶⁴ Interview 15: International organization.

⁶⁵ Interview 4: International NGO.

Figure 4: Trafficking routes to Lao PDR

Source: IOM, 2023, Situation analysis on trafficking in persons for the purpose of forced criminality in Southeast Asia.

companies, which offer services to customers outside of the country. POGOs are registered and licensed by the Philippine Amusement and Gaming Corporation (PAGCOR) to operate legally. POGOs are closely associated with the concept of an SEZ – both are designed to draw in foreign investment. Some POGOs have reportedly expanded their business model to include committing online scams and fraud.⁶⁶ While the prevalence of trafficking for forced criminality in the Philippines is currently unknown, in May 2023, more than 1,000 trafficking victims were identified by the authorities in the Philippines from just one scam compound in the Clark Freeport Zone in Pampanga.⁶⁷ In June, an additional 2,724 people, presumed victims of trafficking, were identified from the Hong Tai compound in Las Pinas city in the metropolitan Manila area. Among those identified were 1,500 Filipino and 1,300 foreign nationals from 17 other countries (including 700 workers from China).⁶⁸

Some compounds are located in areas that are difficult to escape. For example, one POGO situated

south of Manila is surrounded by water, which could act as a natural barrier for victims' escape.⁶⁹

Malaysia

Online scams and fraud, and trafficking for forced criminality, are also occurring in Malaysia. The Malaysia case is somewhat different to Cambodia, Lao PDR, and Myanmar, for example, because there is no specific location of organized crime activities. Organized crime operations are scattered across the country, in Langkawi, Johor, and various other locations. The prevalence of trafficking in persons for forced criminality in Malaysia is estimated to be lower in comparison to the other destination countries. Interviewees stated that the number of victims who have been identified in Langkawi, for example, is around 20-50 people.

Other destinations

Online scams and fraud, and trafficking for forced criminality, have also been identified in other countries in Southeast Asia. For example, the government of Indonesia has recently identified and secured the release of Indonesian nationals

⁶⁶ Interview 17: Government agency.

⁶⁷ Interview 17: Government agency.

⁶⁸ Information provided to UNODC during a high-level dialogue meeting in Bangkok, Thailand, 2023; Senate of the Philippines, Press Release, August 9, 2023.

⁶⁹ Interview 11: International NGO.

from a scam compound in Viet Nam.⁷⁰ Thailand has also been identified as an emerging destination country for such organized crime activities. Dubai (United Arab Emirates) has also been identified as a destination city for trafficking for forced criminality, in addition to being a key transit point.⁷¹

Illicit proceeds and money laundering

As with all forms of trafficking in persons, financial gain is the main objective of offenders.⁷² The organized crime groups involved profit from crime in a number of ways, one of which is online scams, including investment scams, crypto-currency fraud, and illegal gambling.

The scam industry is earning criminal groups the equivalent of billions of US dollars, with profits rivaling the GDP of some countries in the region. In one Southeast Asian country, for example, a conservative estimate of profits from the scams at national level is between USD7.5 and USD12.5 billion, which was almost half this country's GDP in 2021.⁷³ In their daily scamming work, the trafficking victims reportedly generate the equivalent of between several hundred and many thousands of US dollars for the organized crime group. As the quote below illustrates, just one group of trafficking victims can generate more than USD400,000 in a week.

"A group of ten Turkish trafficking victims, they clear more than USD400,000 per week in the scams. Just from scams from that one group."
(International NGO representative).

While the amount lost to online scams and fraud varies from scam victim to scam victim, some victims have lost the equivalent of millions of US dollars. In one case, for example, the scam victim reported losing USD2.5 million in a scam perpetrated by organized crime groups operating in Southeast Asia that commenced as an online romance scam.⁷⁴ Some individual victims have reported losing millions of US dollars to the online scams and fraud.

A second way that organized crime groups profit is through extortion activities. The organized crime groups offer to release a victim if the victim's family pays a ransom for the victim's release. These ransoms reportedly range from USD3,000 to USD30,000.⁷⁵ Ransoms have reportedly increased dramatically in Myanmar since the beginning of 2023. While in 2022 a typical ransom made by the victim's family to the organized crime group was the equivalent of USD5,000, it is now approximately USD30,000.⁷⁶ After payment of the ransom, some victims are released; however, others are not. In the latter case, the organized crime groups simply collect the ransom from the victim's family and continue to exploit the victim in the compound.

The third way that organized crime groups profit from the trafficking victims is through their sale – to other scam compounds, or to other crime groups for sexual exploitation or abuse, or other forms of exploitation:

"They keep being sold from one operation to another so it's a way of recouping the initial expense and making additional profit."
(International organization representative).

Illicit profits earned by criminal groups are used to expand and/or to increase the lucrativeness of their criminal activities and operations, including through investment in AI technology. Illicit proceeds are also used to make payments or offer other benefits to corrupt government officials and private sector actors so that the organized crime groups' operations remain relatively undisrupted and/or legitimized. The remaining illicit profits are laundered typically by means of money transfers (involving foreign banks), legitimate businesses and various investment portfolios (e.g., cryptocurrency, properties and other tangible goods). That in turn further undermines the rule of law, wealth distribution, and financial systems, while strengthening the position of criminal groups as some of the most influential investors in the region.

⁷⁰ Interview 12: International NGO.

⁷¹ Consultation with an international NGO; INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

⁷² INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

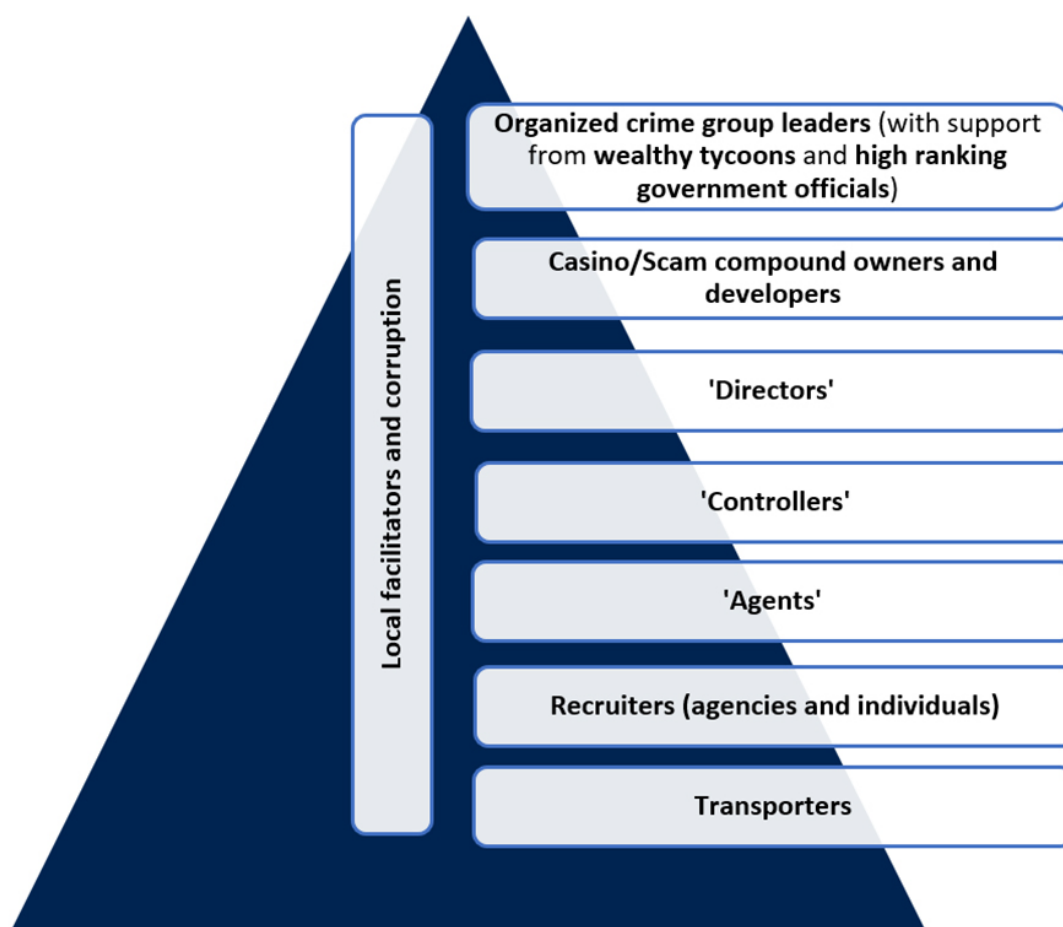
⁷³ UNODC analysis.

⁷⁴ UNODC analysis; INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

⁷⁵ Interview 2: International NGO; VOD, 2022, Scam Trafficking, Rescues on the Rise: Regional Media, 12 July 2022: <https://vodenglish.news/scam-trafficking-rescues-on-the-rise-regional-media/>; INTERPOL, 2022, Operational analysis: Online scams and human trafficking in South East Asia.

⁷⁶ Interview 2: International NGO.

Figure 5: Hierarchy of offenders in trafficking for forced criminality



Profiles of offenders and facilitators

A range of offenders and facilitators interact to allow online scams and fraud, and trafficking for forced criminality, to take place on a large scale in Southeast Asia. At the top of the pyramid are organized crime group bosses, who coordinate operations.⁷⁷ These various leaders are responsible for implementing the overarching plan for organized crime activities, as well as overseeing ongoing alliance building with government officials, and wealthy tycoons.

Wealthy tycoons have been implicated in cases of online scams and fraud, and trafficking for forced criminality in Southeast Asia. For example, a Chinese billionaire, She Zhijiang, was arrested in Thailand in 2022 and accused of running a major online gambling rings across Asia, including Hong Kong, China; Taiwan PoC; China; Malaysia; Viet

Nam; and other countries. These illicit operations allegedly caused many people to fall victim to online fraud, trafficking for forced criminality, violence, and other types of abuse.⁷⁸

Playing an integral role in the operation of the online scams and fraud, and trafficking for forced criminality, are the scam 'directors' who work in the scam compounds on a daily basis and live in close proximity. These individuals are responsible for overseeing the day-to-day running of the scam compounds, and managing the work of the various offenders who work in the compounds.

Directly below the scam 'directors' in the hierarchy are the various 'controllers' in the scam compounds.⁷⁹ The controllers are responsible for

⁷⁷ Interview 1: International NGO; Interview 3: International NGO; Interview 8: Government agency; Interview 14: International organization; Interview 15: Government agency.

⁷⁸ Global Voices, 2022, What is the relation between Cambodia's human trafficking scam and China's Belt and Road Initiative?, 07 September 2022: <https://globalvoices.org/2022/09/07/what-is-the-relation-between-cambodias-human-trafficking-scam-and-chinas-belt-and-road-initiatives/#>

⁷⁹ Interview 1: International NGO.

controlling the group of trafficking victims under their responsibility. They ensure that the victims meet their ‘sales quotas’ through threats and use of physical force. Some of these controllers may have formerly been victims of trafficking for forced criminality and secured their own release by agreeing to take on the role of controller in the scam compound.⁸⁰ These former victims may be prone to violence because they are, themselves, under threat from the organized crime groups to perform well. The organized crime groups may threaten to harm the controllers’ families or to traffic siblings for forced criminality in the scam compounds:⁸¹

“That’s why the rate of violence in the scam compounds is high, because the controllers, their families are being threatened. They too were once trafficked, and they’re forced to be in the compound now. If they don’t get their small group to perform, they’re threatened. So that’s why we’re finding that they’re being so violent and controlling towards the trafficking victims.” (International NGO representative).

A large number of ‘agents’ play important roles in the criminal operations. Agents, who are reportedly often nationals of the countries in which the scam compounds operate, are responsible for, among other things, organizing trafficking victims’ transport to and between the scam compounds, and ensuring the release and revictimization of trafficking victims who have escaped and are being held by Immigration authorities in detention facilities. The agents report directly to the ‘directors’.⁸²

Also integral to the criminal operations are the various actors responsible for recruiting trafficking victims to commit the online scams and fraud. Recruiters are usually nationals of the trafficking victim’s country of origin. For example, a July 2022 Business and Human Rights Resource Centre report notes that 53 Indonesians who were trafficked for criminality in Cambodia were recruited by Indonesian nationals.⁸³ When the potential victim

expresses interest in the ‘work’, the recruiter liaises with the organized crime group to arrange for sham interviews to be organized and conducted, as well as the organization of the victim’s transport to the destination country.

Recruitment agencies in the victim’s country of origin or transit are also involved. Some recruitment agencies reportedly know that the job advertisements are fraudulent, and are simply being paid to provide a ‘front’ to recruit victims into forced criminality in Southeast Asia. Dubai (UAE) has been identified as an important transit point for the recruitment and transfer of trafficking victims. Victims are recruited and then flown to Dubai where they do IT training for a short period of time before being sent to Myanmar, while some are trafficked for forced criminality in scam compounds in Dubai.⁸⁴

Interviewees who analyzed the job advertisements posted by these recruitment agencies highlighted that the job advertisements recruited young, educated people from Southeast Asia to work in countries in Southeast Asia, as well as in West Africa. Thus, a red flag for potential victims and law enforcement agencies is that young professionals are told that they will be travelling to Dubai for ‘training’ before being sent to the destination country.

“Victims are being funneled to Dubai first then being divided up and sent to other parts of the world.” (International NGO representative).

A range of transporters and logistics providers also lend support to the organized crime operations. For example, smugglers are enlisted to guide trafficking victims who have arrived in Thailand by air to the border with Myanmar, then across the river into Myanmar, and to the scam compound.

Another group of actors is the ‘models’. ‘Models’ may work willingly for the organized crime groups; however, some cases of exploitation and abuse of these women, including rape and other forms of sexual violence, have been identified. The models are young women from Southeast Asia, Eastern Europe and other regions who are perceived as attractive and who have been recruited to provide a human face for the phone calls to scam victims

80 Interview 1: International NGO; interview 2: International NGO.

81 Interview 2: International NGO.

82 Interview 3: International NGO.

83 Business and Human Rights Resource Centre, 2022, Cambodia: Indonesian Govt claim that 53 Indonesian victims of online scams being held in Sihanoukville’s casino: <https://www.business-humanrights.org/en/latest-news/cambodia-indonesian-govt-claim-that-53-indonesian-victims-of-online-scams-being-held-in-sihanoukville-casino/>

84 Consultation with an international NGO.

After a period of time spent befriending potential scam victims in order to dupe them into investing in fake cryptocurrency or other online scams or fraud, the scam victim may request a video call with their ‘friend’ (the trafficking victim). When this request is made, the ‘model’ conducts a brief phone call with the scam victim in order to reassure them that she, and the ‘investment’, are real. The models are thereby facilitating the scam operations. They are usually treated differently to the trafficking victims who are committing the scams – rather than being confined to the scam compound, the models are accommodated in residences in proximity to the scam compounds. They have freedom of movement and are transported at least once to shop at expensive stores, where numerous photos are taken of them shopping – these images are then used to send to the various scam victims.

Corruption also plays an important role in facilitating the trafficking process. Officials of national immigration and police agencies have been identified as facilitating the irregular entry of trafficking victims into the destination country; facilitating fraudulent visa stamps in victims’ passports; ensuring the effective operation of the scam compound activities; and securing the victims’ release from immigration detention and returning them to the organized crime groups for revictimization.

“There’s a high level of State complicity in this.”
(International NGO representative).

Complicit officials facilitate trafficking victims’ entry into the transit or destination country leading to large groups of trafficking victims having been permitted entry into countries in Southeast Asia with little scrutiny of their unusual reasons for travel and employment in the region. Interviewees highlighted, for example, cases of dozens of Kenyan nationals arriving at international airports in Southeast Asia who are escorted to a certain immigration officer who stamps their passports and allows them entry into the country.

The organized crime operations perpetrated by these various actors are extremely well organized. The organized crime group operations can best be described as a hierarchical web. There are leaders of the organized crime groups who work closely with scam compound directors and others

in the destination countries to coordinate the online scams and fraud, and trafficking for forced criminality. They are fluid but well-connected networks of offenders and facilitators.

“What is clear is that the organized crime activities are very coordinated. Very well coordinated.” (International NGO representative).

The success of the criminal operations is manifested by the rapid expansion of scam compounds in countries in Southeast Asia, as well as the fact that ‘copy-cat’ organized crime is starting to flourish in the region. For example, organized crime groups from other countries in East Asia have attempted to set up similar scam and fraud operations in Cambodia and Thailand, and organized crime groups from other countries have started similar operations in Malaysia.

Section 3: States' responses to trafficking for forced criminality in Southeast Asia, and related gaps and challenges

Since 2021, as information about the scale of trafficking for forced criminality in Southeast Asia started to emerge in media reports, States, NGOs, international organizations, and the private sector have attempted to respond to the issue. This section of the report documents these responses, across the areas of: Initial identification and release of potential victims; formal victim identification; victim protection and repatriation; investigation and prosecution of offenders; regional cooperation; and prevention. Importantly, this section also highlights the gaps and challenges associated with the responses.

Initial identification and release of potential victims

A key challenge in the initial identification of potential victims of trafficking for forced criminality is that national law enforcement often believe that they do not have the authority to enter SEZs in order to identify and protect victims. In the context of Lao PDR, for example, national police authorities report that they are unable to gain access to the SEZ casino area, even though it is located within Lao PDR borders. Evidence of this reluctance to enter SEZs emerged in March 2022 when a group of trafficked Thai nationals managed to escape Kings Romans. Lao PDR authorities initially refused to intervene as the crimes had been committed within the SEZ. It was only after increased pressure from the Royal Thai Government that Lao PDR officials contacted the 'managers' of the SEZ asking them to release any Thai nationals held against their will.⁸⁵

Similarly, in Cambodia, the national police have, at times, been reluctant to enter SEZs in order to release alleged victims. Interviewees reported that Cambodian police will often approach the scam compound, hand over a list of people's names to the compound guard (a list of the victims who have contacted their embassy or other entities asking for help in being released), and ask for the release of these specific individuals:

"In Cambodia, the police will go to the compound, ask permission. They feel like they don't have any jurisdiction there. They ask for permission to be there, and give the list of victims' names. The guards will look only for those names. And the police wait outside." (International NGO representative).

Challenges in identifying victims in SEZs stand in stark contrast to the identification of victims who are confined in scam compounds outside SEZs. Initial identification and release of potential victims outside SEZs is significantly more efficient because law enforcement officials are confident that they can enter the compounds:

"We've had a few cases in facilities that are outside SEZs, there we've had more success with local law enforcement being effective in rescuing victims. We had 22 or 23 Bangladeshi men that were in a compound that wasn't in an SEZ. They were freed within 48 hours of making contact with us, by local law enforcement." (International NGO representative).

In Myanmar, there are significant barriers to conducting initial identification and release of potential victims due to the challenging conflict situation and the special regions. Identification of trafficking victims in Myanmar was already difficult in 2021 and 2022. By 2023, identification and release had become extremely challenging, especially for victims confined in areas not under any form of control by the Myanmar government, and even more so for victims held in remote areas of the country.

"People who are asking for help from compounds in the interior of Myanmar, I don't even know what you can do to help get those people out. [Independent] escape is probably the only option for those people. Ransoms aren't even a viable option because there is no reason to return people after getting a ransom. They're [victims] completely untouchable after the political upheaval in Myanmar." (International NGO representative).

Another key challenge for conducting initial victim identification and release is the lack of Standard Operating Procedures (SOPs) to guide the conduct of rescue operations. Prior to the current

⁸⁵ Interview 4: International NGO; Radio Free Asia, 2022, Last of 15 Thais trapped in Laos' Golden Triangle SEZ are rescued, 15 March 2022: <https://www.rfa.org/english/news/laos/thais-03152022200847.html>

phenomenon of trafficking for forced criminality, there were SOPs in place for the identification, release, and repatriation of trafficking victims; however, these SOPs do not cover trafficking in persons from countries previously considered destination countries to countries previously considered origin countries. For example, the SOPs provided guidance for the repatriation of Laotian trafficking victims from Thailand to Lao PDR, but not of Thai nationals trafficked to Lao PDR). Without written standards and guidance for the initial identification of potential victims, relevant State authorities have struggled to respond as government actors and their responsibilities with regard to initial identification and release remained unclear.

Another important challenge is that, when rescue operations do occur, irrespective of the location, national law enforcement usually approach the scam compound with a list of names compiled from various reports from embassies, international organizations, NGO actors, and/or victims' families. The list is rarely comprehensive. Other trafficking victims in the compounds require identification and release, but their names are not on the list. This means that only some trafficking victims are released, while many others remain trapped in the scam compounds:

“Every time someone is rescued, they describe many other victims who are still at the compound. It’s not like the authorities come and close down the facility. There are tailored requests to release only certain individuals.”
(International organization representative).

Finally, it should be noted that group victim rescue operations are complicated because not all people in the scam compounds are trafficking victims. During 2020-2022, nearly all of the people committing the online scams and fraud in the scam compounds were trafficking victims. Most victims identified and released shared similar stories of deceptive recruitment, and exploitation and abuse. However, in 2023, this dynamic appears to have changed, with people becoming more aware of the conditions in the scam compounds, but going there nonetheless because of the attractive salary and potential commissions if they perform well. Many may still become victims of exploitation once the threats materialize and they are not able to leave.

However, this poses enormous challenges for law enforcement. Even in the event that they can conduct group rescue operations, it may be that some people in the compound do not want or need to be rescued.

Formal victim identification

Only some countries are making concerted efforts to screen all people who have been released from scam compounds and determine whether they are victims of trafficking for forced criminality. Victim identification is usually conducted by government representatives who have experience working with victims of trafficking in persons and are skilled in screening individuals for indicators of trafficking. However, there are significant challenges and shortfalls in the screening of potential victims of trafficking for forced criminality.

For example, there is considerable confusion as to what is occurring in the scam compounds and how to categorize those who sought help or tried to escape. Specifically, authorities in a number of countries consider complaints from people trapped in compounds as labour or contract dispute issues. When organized criminal groups running the compounds are able to produce an employment contract between a victim and a company, the matter is often not considered a potential case of trafficking. It is important to note that the contract merely constitutes evidence of criminal groups attempting to legitimize their illegal operations. Traffickers often issue employment contracts to deceive both the victim and authorities.

Furthermore, trafficking victim identification through a formal screening process is frequently not conducted for victims who have escaped or been released from scam compounds. More often, when victims are released, they are promptly deported to their country of origin, often because they lack material evidence of their trafficking experience. This is almost impossible for victims to produce and for law enforcement to substantiate without a thorough investigation of a criminal network.

“There’s no victim identification process, no proper process in any way. The victims are simply sent home very quickly.” (International NGO representative).

The lack of formal victim identification has several negative consequences. First, victims face significant challenges in accessing protection and support services in the destination country prior to deportation. Second, victims have limited or no recourse to justice and compensation in the destination country. Third, victims may be subject to penalties for the illegal activities that they were forced to commit while they were exploited in the destination country. Victims are routinely detained in immigration detention centres, fined for overstaying their visa, and/or prosecuted for committing illegal online activities (online scams and fraud).

“The biggest challenges we’ve seen is victim identification.” (International NGO representative).

Governments may be reluctant to conduct victim identification for a range of reasons. The first is related to a lack of human and financial resources. In Thailand, for example, the country has received thousands of trafficking victims (of various nationalities) who have escaped from Myanmar, in addition to receiving hundreds of its own nationals who have been repatriated from Lao PDR and Cambodia. In Thailand, trafficking victim identification is conducted by multi-disciplinary teams (MDTs), which consist of representatives of several different government agencies. With thousands of potential trafficking victims requiring victim screening, the MDTs, particularly in border areas of the country, were quickly put under immense strain. Therefore, instead of conducting trafficking victim screening through MDTs, the approach has been to transfer people who have escaped the scam compounds to the nearest immigration detention facility where they pay a visa over-stay fine before being permitted to leave detention, travel to the airport, and return to their country of origin.

“We push and advocate for an MDT assessment of the victims so they can do a victim identification. But it seems that the protocol for frontliners in Thailand is to simply bring them to detention centres.” (International NGO representative).

Another challenge in victim identification is that there is a lack of capacity among law enforcement in the region to identify potential victims of

trafficking for forced criminality. In Cambodia, for example, the anti-trafficking police have not been activated to identify victims or lead investigations, and instead this responsibility has been reserved for officers in the Anti-Gambling Taskforce under the Ministry of Interior, who are not familiar with trafficking in persons indicators:

“There is a huge trafficking in persons knowledge and skills gap in the Anti-Gambling Taskforce in Cambodia.” (International NGO representative).

Victim protection and repatriation

Trafficking victims who are formally identified as such through a victim identification process have special rights to protection and support in countries of destination, transit, and origin. This support generally involves shelter, healthcare, psychosocial counselling, legal aid, livelihood skills training, access to justice, and at times, access to compensation. However, there are significant deficiencies in the protection and support that is provided to victims of trafficking for forced criminality in Southeast Asia.

A key barrier to trafficking victims receiving protection and support in the country of destination is that there is a lack of protection infrastructure in countries in Southeast Asia, particularly for men. For example, Thailand’s shelters for trafficking victims quickly became overwhelmed in 2021, with not enough space for Thai victims and foreign victims who had escaped scam compounds in Myanmar, especially adult male victims.

“Once they are deemed victims, they are sent to Bangkok and have access to a lot of services. But even that system in Bangkok and Chiang Mai is overwhelmed. The shelters are full. We don’t have the infrastructure to support the national referral mechanism process.” (International NGO representative).

Furthermore, many victims are treated as irregular migrants who violated immigration regulations, and as potential criminals. Some victims are charged with committing fraud after their escape or rescue. For example, some Thai victims allegedly trafficked for forced criminality in scam compounds in Lao PDR or Cambodia and who subsequently escaped

or were rescued, were reportedly later charged with scamming offences. These victims were offered a deal in which they could plead guilty and receive a reduced prison sentence of three years. The victims were reportedly given only 24 hours to reflect on the offer, and all decided to accept the plea deal, even though the offences that they committed were likely the result of being trafficked for forced criminality.⁸⁶

The punishment of victims of trafficking for forced criminality for the criminal actions that they were made to do while they were trafficked (online scams and fraud) through various punitive measures (immigration fines, immigration detention, criminal charges, and prison sentences) violates the rights of trafficking victims, discourages other victims from seeking assistance, and allows organized crime groups to continue to act with impunity as their legal responsibility has been shifted to victims.⁸⁷

Lack of proper identification of victims of trafficking and failure to provide them with necessary protection and assistance, including from criminalization, violates the key principle of the non-punishment of victims, which should guide State responses to trafficking in persons for forced criminality. This principle states that ‘trafficked persons should not be subject to arrest, charge, detention, prosecution, or be penalized or otherwise punished for illegal conduct that they committed as a direct consequence of being trafficked.’⁸⁸

With regards to gaps and challenges in the repatriation of victims, some trafficking victims spend prolonged periods of time in immigration detention in destination or transit countries because their embassies are unable to provide them with appropriate support and organize their repatriation. Some victims’ country of origin governments, such as Indonesia and the Philippines, have been effective in liaising with victims to organize the payment of immigration fines and repatriation flights. Other country of origin governments, however, have no budget allocated to pay for the trafficking victims’

immigration fines and flight costs, and instruct the victim that they need to pay the costs themselves. This leaves some trafficking victims (those who cannot pay the immigration fines and flight costs) effectively stranded in immigration detention for many months. The fact that prolonged immigration detention has negative effects on the wellbeing of trafficking victims, as well as significant budget implications for the country detaining them, highlights the need for States to explore alternative solutions.

“Some governments don’t have any funding mechanism to help their nationals to return. So, the trafficking victims can be stranded for extended periods, remaining in immigration detention if no one helps.” (International organization representative).

Investigation and prosecution of offenders

There have been some noteworthy efforts since 2022 to investigate and prosecute organized crime group members and facilitators for trafficking in persons for forced criminality offences. In the countries of origin, national authorities have focused their efforts on investigating and prosecuting recruitment agents who recruited trafficking victims into exploitation in scam compounds in Southeast Asia. In 2023, investigations and prosecutions continue. For example, three traffickers were convicted of trafficking in persons for forced criminality by a District Court in Batam, Indonesia.⁸⁹ In April 2023, Taiwan PoC sentenced a group of traffickers who trafficked 88 victims for exploitation in scam compounds in Cambodia.⁹⁰

Other promising practices that should be mentioned include the efforts by governments to investigate and block online gambling sites,⁹¹ and the establishment of law enforcement taskforces that are focusing their efforts on investigating suspected trafficking in persons for forced criminality cases.⁹²

86 Interview 13: International NGO.

87 The Inter-Agency Coordination Group against Trafficking in Persons, n.d, Issue brief: Non-punishment of victims of trafficking: https://www.unodc.org/documents/human-trafficking/ICAT/19-10800_ICAT_Issue_Brief_8_Ebook.pdf

88 The Inter-Agency Coordination Group against Trafficking in Persons, n.d, Issue brief: Non-punishment of victims of trafficking: https://www.unodc.org/documents/human-trafficking/ICAT/19-10800_ICAT_Issue_Brief_8_Ebook.pdf

89 IJM, 2023, Three perpetrators guilty of human trafficking in cyberscam slavery case: <https://www.ijm.org/news/three-perpetrators-guilty-human-trafficking-cyber-scam-case>

90 Humanity Research Consultancy, 2023, Guidance on responding to victims in forced scam labour: <https://humanity-consultancy.com/wp-content/uploads/2023/04/HRC-Briefing-Guidance-on-Responding-to-Victims-in-Forced-Scam-Labour.pdf>

91 The Star, 2022, Thailand acts tough as Deputy PM Prawit orders crackdown on online gambling websites: <https://www.thestar.com.my/aseanplus/aseanplus-news/2022/08/01/thailand-acts-tough-as-deputy-pm-prawit-orders-crackdown-on-online-gambling-websites>

92 Interview 8: Government agency.

Barriers to the investigation and prosecution of offenders in the trafficking victims' countries of origin start with the difficulties associated with apprehending the individuals who recruited the victims. Trafficking victims have usually been given a false name by the individual who recruited them. These recruiters use multiple mobile phones and are swift to dispose of them after victims have been transferred to the scam compounds in Southeast Asia. This makes evidence collection extremely challenging for law enforcement regarding the first stage of trafficking.

Obtaining evidence from scam compounds is equally, if not more challenging. Law enforcement efforts in many countries concentrate on initially identifying and securing the release of potential victims, who most of the time do not have tangible evidence to prove their exploitation as their documents are never returned, and their cell phones are wiped clean of any digital evidence. When raids are conducted, scam compounds and equipment inside are not seized or subject to investigation. Few traffickers and other offenders are arrested and questioned.

The lack of investigation and prosecution of the networks, and failure to dismantle the favorable environment, has led to TOC groups expanding their operations in the region. As noted previously, in September 2022, Cambodian law enforcement authorities executed a series of sweeping raids across multiple suspected cybercrime compounds in Sihanoukville and Phnom Penh. While this resulted in a temporary disruption of some operations, many trafficking victims were eventually moved back to the same or other compounds in Cambodia or shifted to others in Myanmar.⁹³ The crackdown also seems to have led to organized crime operations spreading to other parts of Cambodia. In short, attempts to curb TOC, including trafficking for forced criminality, in one country alone and/or when criminals are not held to account, only increases the mobility and reach of crime groups.

At the same time, there are reportedly few joint, multi-agency, or cross-border investigations:

“Usually we have joint operations on trafficking in persons. But on trafficking for forced criminality, we

haven’t had any joint operations yet.” (Government agency representative).

A major challenge in conducting joint investigations is that the origin and destination countries do not see eye to eye on whether the victim is a trafficking victim (the position of the country of origin), or a visa overstayer and criminal (a common position of the destination country).⁹⁴ Without agreement on whether an individual is a victim, there is limited opportunity for conducting joint investigations in suspected trafficking for forced criminality cases. This equally applies to how the crime is classified (i.e., a labour violation as opposed to trafficking in persons for forced criminality) and recognizing that the discussed phenomenon is an organized crime issue involving several various types of criminal conduct (poly-criminality).

Further, on the issue of victim identification, investigators and prosecutors face challenges in distinguishing trafficking victims from perpetrators, while ensuring that the principle of non-punishment of victims is upheld. Investigators might not be familiar with indicators of trafficking for forced criminality and prosecutors may lack evidence to prove that a victim is indeed a victim, and not a criminal posing as a victim in order to evade arrest and punishment for recruiting trafficking victims, committing online scams and fraud, and other illegal activities.

“That’s the big problem for us, criminality versus non-criminalization of victims. What if you just claim you were made to do some other criminal acts. You claim. Are we going to let that person off the hook so easily?” (Government agency representative).

Another challenge in the countries of origin is that few identified victims want to participate in investigations and prosecutions of the person/s who recruited them into the scam compounds in Southeast Asia. Law enforcement interviewees lamented that many victims are extremely reluctant to provide evidence and participate in court cases. Similarly, a barrier to the prosecution of organized crime groups is that victims and witnesses are reluctant to provide testimony in court. Victims and witnesses fear reprisals from the organized crime groups, and are concerned that they will be further harmed, or their families will be harmed, if

⁹³ Interview 1: International NGO; interview 15: International NGO.

⁹⁴ Interview 17: Government agency.

they participate in a judicial process. Victims who are being accommodated in shelters in destination countries are also reluctant to remain there for the duration of the court case, a process that can take years to complete. This points to the importance of strengthening the protections afforded to victims and witnesses in judicial settings, and allowing victims and witnesses to return to their countries of origin and provide testimony via video conferencing facilities.

Finally, barriers to investigation and prosecution in the destination countries largely relate to failures in acknowledging criminality that is occurring in their country and make concerted efforts to apprehend members of organized crime groups. At times, organized crime group members are protected by corrupt high-ranking government officials.

“You can’t touch them in the compound. They are heavily protected in the compound. A lot of the compounds are owned by government representatives or their family members. Or by someone who is prominent. You can’t just arrest the offenders.” (International NGO representative).

NGO and international organization interviewees highlighted the fact that reporting suspected cases of trafficking for forced criminality to law enforcement entities in the destination countries is a long and cumbersome process, with requests for action moving slowly through different levels of government. After waiting for several months for a response, the organization that submitted the report usually receives a response from the national police in the destination country that simply says that the case in question is a simple labour dispute between an employee and employer that does not require further investigation. An additional problem is that trafficking for forced criminality is viewed by destination and transit country governments as a ‘foreigner-on-foreigner’ problem, meaning that the offenders are foreign nationals, as are the victims.

Regional cooperation

There have been some positive efforts among government agencies and civil society in Southeast Asia to share information on trafficking for forced criminality cases, as well as efforts to coordinate victim rescues and repatriations. Coordination is improving through the efforts of governments,

international organizations, and NGOs, which have coordinated international platforms for dialogue and information sharing on trafficking for forced criminality. For example, INTERPOL, the Bali Process, and other organizations have convened workshops and meetings that bring together representatives of government, international organizations, NGOs, and the private sector to share information on trafficking for forced criminality trends and cases, and encourage a more coordinated response to combating trafficking for forced criminality. As a result of these workshops and meetings, relevant stakeholders now have improved knowledge of the phenomenon of trafficking for forced criminality, and are more cognizant of the mechanisms for reporting suspected cases, as well as rescue and repatriation mechanisms.

“For information sharing, at the beginning, when countries shared information requests they would take one or two months or even one year. Through meetings on cooperation, the flows of information are more fluid.” (International organization representative).

Importantly, law enforcement agencies have now identified focal points in law enforcement in other Southeast Asian countries in order to facilitate information requests and information sharing:

“Two years ago, we were in the dark. We didn’t have the correct channels. But we now have engagement with various police forces, and we have mechanisms to rescue victims. Other countries pass information to us to assist our investigations. I think engagement between law enforcement agencies at ASEAN level is now established. But there is room for improvement.” (Government agency representative).

Improvements in regional-level cooperation are further illustrated through the May 2023 Association of Southeast Asian Nations (ASEAN) declaration on combating trafficking in persons caused by the abuse of technology, which reaffirms the principle that potential victims of trafficking should not be detained and criminalized.⁹⁵

⁹⁵ See: ASEAN, 2023, ASEAN leaders’ declaration on combating trafficking in persons caused by the abuse of technology: https://asean.org/wp-content/uploads/2023/05/06-ASEAN-Leaders-Declaration-on-Combating-TIP-Caused-by-the-Abuse-of-Technology_adopted.pdf

At the ASEAN level, in June 2023, the Department of Foreign Affairs of the Republic of the Philippines, as the ASEAN Lead Shepherd on Trafficking in Persons, and the United Nations Office on Drugs and Crime (UNODC) Regional Office for Southeast Asia and the Pacific, co-hosted in Bangkok a High-Level Dialogue among ASEAN Member States and China to initiate the development of a strategic Roadmap to respond to transnational organized crime and trafficking in persons associated with casinos and scam operations in Southeast Asia. The ASEAN Member States and the People's Republic of China *Regional Cooperation Roadmap to Address Transnational Organized Crime and Trafficking in Persons Associated with Casinos and Scam Operations in Southeast Asia* was finalized in September 2023 and will be presented to SOMTC. The Strategic Roadmap is a comprehensive, detailed plan of action addressing all aspects of poly-criminality associated with trafficking in persons and TOC.

An example of joint and cross regional efforts to address trafficking in persons and TOC associated with scams is the establishment of coordination center in Chiang Mai, Thailand in August 2023 to enable law enforcement from China, Lao PDR, Thailand, and Myanmar to carry out operations and crack down on syndicates.

Provincial level cooperation on responding to trafficking for forced criminality has also improved. In the early days of the phenomenon of trafficking for forced criminality, when there were no SOPs to guide bilateral processes for rescuing and repatriating trafficking victims, provincial level actors drew on personal connections with counterparts in neighboring countries to organize rescues and repatriations of trafficking victims. These connections have reportedly been even further strengthened as a result of provincial level collaboration on victim rescues, and has led to the development of new plans of action for dealing with cases:

"It was decided that provincial level cooperation was the best option out of a lot of bad options to get victims out (of the scam compounds) and home. The fact that they were able to work together, and have these exchanges is good. And it led to the development of new plans of action for dealing with these cases." (International organization representative).

Another promising practice is that some Southeast Asian countries have implemented reciprocal agreements on the non-payment of immigration over-stay fines for suspected trafficking for forced criminality victims:

"Victims are not made to pay over-stay fines, in our country, or the other countries. The principle of international reciprocity, in that instance, has worked." (International NGO representative).

Despite these promising practices, challenges in regional cooperation and coordination remain. Bilateral SOPs for rescue and repatriation remain under development. The lack of SOPs to provide guidance on the conduct of rescues and repatriations limits cross-border cooperation among frontline responders and hinders the effective identification, rescue, and repatriation of victims. Importantly, many SOPs that do exist and those being developed might not have taken into account victims of forced criminality.

Finally, the lack of effort to develop centralized databases to share data and information on trafficking for forced criminality (data on victims, locations of exploitation, suspected offenders etc.) continues to limit the ability of relevant agencies to quickly respond to reported cases of trafficking for forced criminality. This points to the need for an ASEAN-level centralized database to store, at a minimum, aggregate level data on trafficking victims and offenders.

"Countries are sitting on a treasure trove of information in terms of trafficking victims and offenders. If we could just collect and share that, at a very aggregate level, and put out better information products, it would help everyone. And everyone agrees! But it's just not happening." (International organization representative).

Prevention

Trafficking in persons prevention efforts have emanated from the victims' countries of origin, in the form of information materials that warn people about the risks of migrating in this context to Cambodia, Lao PDR, and Myanmar. In Thailand, for example, the Ministry of Foreign Affairs has shared red flags to help people spot fraudulent

job advertisements and social media posts. In the area where migrants cross from Thailand into Lao PDR by ferry, anti-trafficking organizations have reportedly put up posters warning people not to fall for fake job advertisements. The governments of China, Indonesia, Pakistan, and Viet Nam have also issued warnings about high-salary job offers emanating from Cambodia. Some of these warnings are targeted. For example, where NGOs have identified that people of a particular nationality are moving to one of the destination countries and being trafficked for forced criminality, NGOs target people of that specific nationality:

“We’ve tried running a campaign. Indians we knew were flying into Bangkok then staying at a handful of specific hotels and being driven up the border into Myanmar. We ran a series of advertisements targeting Indian people travelling to Thailand, at the airport. A big warning – ‘if you’re travelling here for an IT job, don’t go, return home. The job is fake.’” (International NGO representative).

Countries of origin have also invested more effort in raising awareness about trafficking in persons. This has come in the form of radio talks, and TV interviews by the national police, which warn people about trafficking for forced criminality and urge people to not travel for work to Cambodia, Lao PDR, and Myanmar:

“We have many prevention campaigns. We have our radio and TV – officers to talk about the issue (of trafficking for forced criminality). At ministry level we invited top levels of police to talk about the issue and alert people – the message is ‘please do not go there’. The only thing we can do is to educate them. To let them understand.” (Government agency representative).

Another prevention mechanism employed by immigration officials is to briefly question national citizens who are migrating to Cambodia, Lao PDR, Myanmar and Thailand, and to assess whether the travelers may be at risk of trafficking in persons for forced criminality. In some countries and contexts, people are temporarily stopped from migrating because immigration officials deem them as being at risk for trafficking for forced criminality.

Finally, the private sector has a critical role to play in preventing trafficking for forced criminality. Some social media companies have been active in trying to identify fraudulent job advertisements and posts on their sites, and removing the content, and in some cases, closing the accounts of social media users who violate the platform standards.

Further, some countries, such as Malaysia and the Philippines, have partnered with the private sector to introduce a range of anti-scam campaigns.

While awareness of trafficking for forced criminality in Southeast Asia is reportedly increasing in the countries of origin, there is still more to be done. People are still migrating to Cambodia, Lao PDR, Myanmar, Thailand, and other countries in the region because of unemployment and desperation to get work:

“It’s challenging post COVID-19 when people are desperate to get work even overseas.” (Government agency representative).

Private sector efforts to prevent trafficking for forced criminality are limited by a lack of information about fraudulent job advertisement and post indicators, and trends in trafficking in persons for forced criminality. Fraudulent job advertisements and posts that aim to lure trafficking victims to Southeast Asia are difficult for social media platforms to identify because, apart from offering high salaries, they are otherwise benign. Blanket removal of all job advertisements and posts for positions in countries of Southeast Asia is not a proportionate response because many of the posts are promoting legitimate employment opportunities. Thus, social media platforms have had to remove posts on request from NGOs one by one, which is a time-consuming task.

“The job advertisements look very benign, they still do.” (Private sector representative).

Section 4: Conclusion and policy recommendations

The Report has highlighted a number of important key findings. The first important point is that **online scams and fraud, and trafficking in persons for forced criminality, in Southeast Asia are committed by organized crime**. Organized crime groups have established extensive criminal operations in Cambodia, Lao PDR, Myanmar, and other countries, such as the Philippines, across the region and around the globe. They have taken advantage of the existing casino infrastructure in the countries and the unemployment exacerbated by the COVID-19 pandemic, to set up well-functioning online scam and fraud operations that use trafficked people to facilitate financial crimes. There is a clear operational plan for recruiting victims, committing scams and fraud, and laundering the proceeds of crime. That the organized crime group activities are successful is manifested in the fact that new scam compounds are being built in Southeast Asia, with new compounds being identified in the Philippines, Malaysia, Viet Nam, and other countries, and existing compounds in Myanmar rapidly expanding in size. This points to the urgent need for improved information sharing on organized crime activities in Southeast Asia and improved responses to organized crime.

Second, **organized crime is flourishing relatively unchallenged**. Organized crime groups are taking advantage of enabling environments, including the situation in Myanmar, to set up new, and expand existing, scam and fraud operations. This points to the need to address poly-criminality and corruption, and apply pressure on States to enhance efforts to scrutinize and address high-risk businesses that facilitate online scams and associated money laundering.

Third, despite some States' refusal to acknowledge this reality, many of the **people who are forced to commit online scams and fraud are victims of trafficking in persons**. Many victims who have escaped or been rescued from the scam compounds have been deceptively recruited, confined to the scam compound, physically abused, threatened, and forced to commit online scams and fraud. While States continue to conduct victim screening, there is still a lack of understanding of the extent of trafficking for forced criminality in this region.

Fourth, **the response to trafficking in persons for forced criminality in Southeast Asia needs to be strengthened**. Identification, protection, and repatriations have been largely ad hoc and uncoordinated. Law enforcement officers have been reluctant to enter SEZs in order to identify victims. There have been few efforts to investigate traffickers and other offenders and bring them to justice. Victims have not received protection, support, and access to justice but, rather, have been treated as criminals, and fined and deported. Regional coordination has been extremely challenging. This points to the need for more efforts at regional level to share information on trafficking for forced criminality cases, and improved bilateral and regional response mechanisms.

Importantly, **responses to the problem of trafficking in persons for forced criminality in Southeast Asia have, to date, been ad hoc and failed to dismantle the TOC groups**. Attempts to combat this form of trafficking more comprehensively and strategically, that is by addressing all forms of transnational poly-criminality, have been limited in scope, mainly focused on domestic operations to identify and dismantle networks running specific compounds, and only in a few countries across the region. This allows networks to quickly regroup and/or shift operations elsewhere.

The ad-hoc measures taken to address trafficking for forced criminality and scam operations in Cambodia and the Philippines, as well as countries including Malaysia, Thailand, and Viet Nam, have caused a partial **displacement of TOC groups, which shifted their criminal infrastructure and operations** into countries including Myanmar and Lao PDR. This has been particularly observable in Karen state and north and south Shan state, especially in the Special Regions of Myanmar.

Similarly, efforts to **investigate and prosecute organized crime group members have also been inadequate**. There are few joint investigations between countries of origin and destination. Raid operations conducted to identify and secure the release of thousands of potential victims have shown limited impact on the operations of the TOC groups that continue to tap into a supply of new victims while benefiting from protection provided to their criminal enterprise by domestic legislations or law enforcement.

Last, the problem of **trafficking in persons for forced criminality is not abating**. Despite the efforts of government agencies (especially in victims' countries of origin), diplomatic missions, NGOs, international organizations, and private sector organizations to coordinate responses, improve information sharing, and/or implement prevention activities, the scam compounds continue to expand. Bigger compounds are being built in new locations, people around the world continue to be scammed, and the number of trafficking victims is not decreasing. There is an urgent need for State and non-State entities to share information and develop coordinated responses to trafficking in persons for forced criminality, and organized crime more broadly, in Southeast Asia.

Recommendations for policy response

The Report concludes that States in Southeast Asia, with support from international organizations, NGOs, and the private sector, should implement, as soon as possible, the following policy recommendations:

Legal and policy frameworks:

- Create new or update existing bilateral Memoranda of Understanding (MOUs) to take into account the current phenomenon of trafficking in persons for forced criminality and the different trafficking routes (traditional countries of origin becoming countries of destination and *vice versa*).
- Create local level (provincial and district) MOUs and SOPs and draft guidelines to enable swift cross-border victim identification, release, protection and access to justice.

Initial identification and release of presumed victims:

- Collaborate to strengthen the current victim rescue mechanisms. Ad hoc rescue processes should be replaced by standardized MOUs and other agreements for conducting initial identification and release of potential victims.
- Ensure victim identification and release operations are proactive rather than reactive. Law enforcement should not wait to compile a list of rescue requests from victims, their families, and embassies but should, rather,

identify scam compounds that are suspected of confining trafficking victims, and organize the raid of the compound and secure the release of victim, not just the people listed.

- Ensure embassies play a coordinated, proactive role in victim identification and protection. Victims who are supported through proactive embassies are more likely to be quickly identified, released, and offered assistance and protection than victims who are not supported by their embassy.
- Ensure that information on initial identification and release of potential victims is quickly and routinely shared with the victims' country of origin government through embassies or directly with Ministries of Foreign Affairs.

Formal victim identification:

- Ensure that all people who escape or are released from the scam compounds undergo a proper victim screening process by a relevant State agency (e.g. the anti-trafficking police units) and are swiftly referred to victim support mechanisms.
- Adapt existing victim identification tools to take into account the UNODC indicators of trafficking in persons for forced criminality (see Annex).
- Standardize victim identification criteria tools across the Southeast Asia region.

Victim protection and repatriation:

- Ensure presumed victims of trafficking for forced criminality receive immediate protection and support following their escape or release from the scam compound, including shelter, healthcare, psychosocial counselling, legal aid, access to justice and compensation, and consular support.
- Continue to strengthen protection and assistance infrastructure, such as shelters (especially for male victims), and reintegration service provision (health, psychosocial counselling, legal aid, employment training etc.).
- Finalize national referral mechanisms (NRMs) where they are not already complete.
- Draft NRM guidelines and provide training to all relevant State and non-State personnel in the country to enhance their understanding

regarding the NRM.

- Monitor NRMs to ensure they are functioning effectively and efficiently.
- Continue to develop a transnational referral mechanism (TRM) for the region, which builds on existing NRMs and enhances bilateral and regional mechanisms for victim referral and protection.
- Uphold the non-punishment principle at all times and ensure that it is well understood by all relevant entities (Police, Immigration, etc.) through regular and ongoing capacity building.
- Ensure suspected trafficking victims are not transferred to immigration detention, made to pay visa over-stay fines, or prosecuted for crimes that they committed as a result of being trafficked. Victims who have been added to an immigration blacklist should be removed from this list.

Investigation and prosecution:

- Strengthen law enforcement capacity and efforts to investigate organized crime in Southeast Asia, particularly online scam and fraud operations, trafficking for forced criminality, money laundering and allegations of officials complicit in these operations. Investigations should be proactive, rather than reactive.
- Establish at the national level, if not already in place, specialized units comprising of agencies addressing various forms of criminality (money laundering, counter-trafficking, corruption, cyber-crime) to coordinate domestic response. This model should be elevated to the regional level, where focal points of domestic forces can coordinate information sharing and implement a regional response plan (*see Regional Cooperation section*).
- Conduct investigations and prosecutions of online scams and fraud in collaboration with cyber and technology companies that may complement the capabilities of enforcement agencies.
- Collect and document available information, intelligence, and other available evidence during debriefings with rescued and repatriated victims to ensure that victim testimony is captured and used during investigations and prosecutions, and TOC and trafficking in persons trends can be better understood.

- Increase the monitoring of online scams and fraud by law enforcement, and training of illicit flows to document financial crimes and money laundering activities, with support from financial institutions and technology service providers.
- Train law enforcement (Police, Immigration) and criminal justice practitioners to ensure that they are familiar with indicators of trafficking for forced criminality.
- Encourage strong anti-money laundering investigations and prosecutions to effectively implement the FATF recommendations, including the use of non-conviction-based forfeiture.

Prevention

- Develop public awareness campaigns to educate individuals about the risks and tactics used by criminal groups to prevent them from being victims of scams or victims of trafficking to commit scam and fraud.
- Leverage the power of peer influence by engaging children and young adults in the planning and development process of a public awareness campaign, including through collaboration with schools, universities, and youth organizations where appropriate.
- Review the content of public awareness campaigns on organized crime and trafficking in persons associated with casinos and scam operations periodically to ensure that information disseminated remains relevant to the target audience.
- Invest in improving financial and technological literacy, particularly among communities that are most likely to be targeted by criminal groups associated with casinos and scam operations.
- Utilize social media platforms and engage with technology companies to develop and implement prevention campaigns.
- Encourage the private sector to withdraw their services from the scam compounds (e.g., internet service providers could revoke the supply of internet services to scam compounds).

Regional cooperation:

- Implement the *ASEAN Member States and the People's Republic of China Regional Cooperation Roadmap to Address Transnational Organized*

Crime and Trafficking in Persons with Casinos and Scam Operations in Southeast Asia.

- Continue organizing high-Level strategic dialogues among ASEAN and other affected States to ensure political leadership and commitment to addressing TOC as a significant and growing problem in the region.
- Develop a centralized database by Southeast Asia States that provides a mechanism for storing and sharing important information on trafficking for forced criminality data (number of victims, nationalities; details of suspected offenders; number and progress of investigations; number and progress of prosecutions; and court case reports).
- Develop comprehensive, coordinated, and regional responses to address all forms of polycriminality that feed into the TOC threat. This begins with a high-level political commitment manifested through development of a clear framework or roadmap to address organized crime, which can be operationalized at national and international levels.
- Enhance international cooperation in criminal matters to address operations of transnational organized criminal groups facilitating trafficking in persons for through utilization of the existing multilateral mechanisms, including the United Nations Convention Against Transnational Organized Crime, ASEAN Treaty on Mutual Legal Assistance in Criminal Matters and existing bilateral agreements among Southeast Asia States.
- Develop SOPs to utilize existing cross-border cooperation mechanisms in order to ensure efficient and consistent responses from relevant State entities at the domestic and regional level.
- Establish robust public-private partnerships. For example, law enforcement would greatly benefit from developing stronger relationships with the private sector (cyber and tech companies) for the purpose of investigating illicit financial flows.
- Strengthen regional cooperation by organizing regular policy dialogues that bring together States, NGOs, and international organizations to share information on trafficking for forced criminality trends to inform existing strategic and formulation of evidence base policies.

Annex: UNODC key indicators of trafficking in persons for forced criminality


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Key Indicators of Trafficking in Persons for Forced Criminality to Commit Cyber Enabled Crimes

Trafficking in persons (TIP) for the purpose of forced criminal activities sees criminal syndicates collecting profits at low risk by forcing victims to carry out a range of illegal activities generating income. In the context of TIP online scam centers in Southeast Asia region victims might be trafficked domestically, from other countries across the region and beyond. Victims are mainly lured by job advertisements or through acquaintances to work in professional roles (e.g., IT, HR) in casinos, hotels or more broadly in the gambling sector. On-site, victims realize they were deceived as to the true nature of the job, which demands they take part in scamming activities. Victims are subject to 'sales' quotas and face severe punishments if they do not meet them. Victims of this form of trafficking are diverse; they are men, women and even people under the age of eighteen. Many are educated and technologically skilled.

These indicators can be used for screening of presumed victims of trafficking, prompting a more fulsome victim identification process. If presumed victims are identified, they should be offered support and protection and should not be punished for crimes they were compelled to commit as a result of being trafficked.

The indicators listed below are classified according to the three core elements of TIP as defined in the Trafficking in Persons Protocol: the Act, the Means, and the Purpose. The identification of a single indicator may be insufficient to establish that TIP has occurred. However, when multiple indicators are identified, they constitute a basis for urgent further inquiry.

Note that even if a person has not been a victim of trafficking in persons, the indicators may show that they are victims of other crimes including serious ones, e.g., physical abuse, kidnapping, extortion and should be investigated accordingly.

1. ACT

Recruitment Stage:

- The recruited person is recruited by an acquaintance, friends, family members, local agent, or recruitment unit or agency (based in a scamming compound, country, region or other regions (e.g., Dubai in the Middle East), through a promise of legitimate employment abroad.
- The job offer is found, or communicated through, social medial platforms: Meta (Facebook), TikTok, WeChat, WhatsApp, Telegram, Instagram, LinkedIn Line, Messenger, and other instant messaging platforms.
- The recruited person may have a high level of education (e.g., university degree), professional skills (e.g., HR, IT, teacher, engineer, graphic design), and speak more than one language (e.g., Cantonese, English, Malay, etc.)
- The job offer may require higher education and experience including in marketing, human resources (HR), IT, programming, customer service. Some offers only require knowledge of social media and ability to operate computer.
- The job offers good or even high salary rates and other benefits (e.g., free international travel, food and accommodation) in relation to the country where the job is located (e.g., Cambodia, Myanmar, Lao, possibly Thailand, Malaysia, the Philippines etc.).
- The job offer may be for employment in a special economic zone (SEZ) in the entertainment sector (e.g., casinos)
- The profile and location of a company may look legitimate by the existence of a website or some other online profile. Legitimate company logos might be used.
- The recruitment process may have involved a number of stages (interviews) to appear legitimate, including in


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person or online meetings.

- The recruited person is in contact with an acquaintance, local agent, or recruitment agency for arranging the journey abroad, such as visa, flight and accommodation.
- The recruited person has their passport (if required), accommodation and transport fees to the city/country of destination paid for by the local agent or recruitment agency.

Transportation Stage:

- The person travels/ed alone, but remains in constant contact with a person, or a group of unknown individuals (recruiters, transporters).
- The person travelled in a group of others he or she does not previously know and/or with a local recruiter or foreign agent.
- The person is constantly looking to another person for what to say or do.
- The person enters one country on a legitimate visa (e.g., enter Thailand on a tourist visa) and then is guided to cross irregularly into another country (e.g., from Thailand to Myanmar).
- The person might find him/herself in an unknown location; unaware of having cross borders illegally (i.e., may not realize that they have crossed from Myanmar into Thailand).
- The person may demonstrate a lack of knowledge of how they found themselves in a location (e.g. city, country or a company) that did not correspond with the job offer.
- The person possesses a new ID document or has received their travel or identify documents from a third party (possibly forged).
- The person might be promised a work visa issued upon arrival at the destination.
- The person might purchase a ticket to a transit country (for example, Philippines to Singapore). Once at the transit destination, a ticket to the final destination is paid for and sent to him/her.

Harbor and Receipt:

- The person is met by an unknown individual upon arrival (e.g. airports, border crossings) and taken to an unknown location, directly to the company, or to accommodation provided by the recruiters and/or company.
- The person is picked up and transferred to another location/country with help from persons unknown to him/her.
- The person is taken to and/or kept at a location (hotels or casinos) where other victims have been rescued.
- The person is met by a person/company representative/agent holding their name card and who takes their passports for processing with immigration.

2. MEANS

Any of the means set out in the TIP Protocol (and ASEAN Convention) definition, in case of adults, can be used individually or in combination, to traffic a person into forced criminality. The most common types encountered so far are deception, fraud (including regarding work or required services, living conditions), coercion, physical and psychological abuse, use of force, threat, blackmail, and abuse of a position of vulnerability. Means may be used at all stages of the trafficking process from recruiting, transporting, transferring, harbouring or receiving a person, through to deceiving or controlling him or her in the exploitation phase.


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EXAMPLES:

- The person is deceived about the location, nature, associated risks and legality of the work they are forced to carry out.
- The person is deceived about the working conditions of the work they are placed in, and a valid work permit (visa) required for them to work in a foreign country.
- The person is offered some payment or benefits in exchange for committing online scams.
- The person is forced to engage in online scams and fraud for an excessive number of hours (10 to 16 hours) and days (one day off or none).
- The person receives little or no pay compared to what was promised, no overtime pay or excessive deductions are made. The person might be forced or coerced to sign invalid labour contracts (or record videos) with terms they do not agree to (especially type of task and duties).
- The person may sign a contract in their language prior to departure and required to sign another contract on arrival in other language which differs from the original.

NOTE:

All contracts must abide by substantive law, public order/policy, or good morals. Employment contracts that serve as the basis to force a person to commit criminal acts under domestic laws (e.g., online scam, financial fraud) are null and void. Thus, any such labour contract should not be considered as a basis for a legitimate labour dispute.

***Why?** In many cases, it is a crime to attempt to persuade someone else to commit a crime, and particularly to pay (or offer to pay) a person to commit a crime.*

***How to understand it?** The contract constitutes evidence of criminal groups attempting to legitimize their illegal operations. Thus, traffickers often issue employment contracts to deceive both the victim, and authorities. Presence of a contract does not mean that a person has not been trafficked. On the contrary, examination of the contract could aid establishing the use of 'means' set out in domestic counter trafficking definitions. In essence the contract is a physical manifestation of various means used to traffic a person for the purpose of exploitation.*

- The person is deceived about their living conditions (i.e., forced to live in unsanitary living conditions), kept in cramped rooms, or unable to move freely and leave the compound.
- The person is given inadequate food and water (some victims had to drink water from the bathroom or toilet).
- The person has little or no access to medical services.
- The person is kidnapped, abducted, and taken to the scamming facility (compound, entertainment venue, and others)
- The person's travel documents, personal mobile devices, and/or other personal items are confiscated.
- The person has access to a mobile phone provided by the criminal group, but use is tightly monitored and controlled.
- The person is isolated, confined, put under constant surveillance, and unable to leave (e.g. compound surrounded by fences, barbed wires, high walls and/or guarded by armed security).
- The person has controlled or structured breaks so that they very rarely interact with others in the same building.
- The person is threatened with physical violence (e.g., threats of beatings, taser, threats of organ removal).
- The person is subjected to physical violence (beatings, sexual assault, grueling physical activities, such as squats, burpees, running up and down flights of stairs, taser) or psychological violence (e.g., 'money-grabbing' dance, jumping like a frog, forcing to watch others being physically abused).
- The person is punished with physical or psychological violence if they fail to reach the quotas or perform adequately (e.g., beatings, electric shocks, cigarette burns, locked in dark rooms with no food or water, other forms of torture).
- The person has visible body injuries (e.g., bruises, scars, cuts, broken limbs, etc.).
- The person shows signs of serious emotional and psychological distress and trauma, including depression, anxiety,


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fear, shame, regret, and suicidal tendencies.

- The person is threatened to not report or disclose what has happened, either by direct threats to their safety or the safety of their family members, threats of being sold to another criminal group, or threats that authorities will deport or prosecute them for irregular migration, or for participating in cyber enabled crimes, including scamming.
- The person is trapped in debt bondage created by criminals (e.g., money deducted from their salary, or required as payback for the fees spent on their transportation, accommodation)¹ or subjected to arbitrary fines (e.g., not sitting up straight, failure to meet targets for recruitment of potential victims, looking away from the computer screen, lateness to work, being sick etc.).
- The person is requested to pay a large sum of money for their freedom.
- The person is bought/sold to between scamming compound/other criminal networks.

NOTE:

Selling or offering someone to others in exchange for monetary or other benefits to commit criminal acts may also be an indication of trafficking for the purpose of servitude, or practices similar to slavery.

- The person is required to recruit others to secure their own freedom and/or he or she cannot pay the ransom.
- The person is told to distrust or fear authorities (e.g., due to entering the country irregularly, committing cyber-enabled crimes, etc.)
- The person is instructed by someone to give scripted answers.
- The person is given drugs or other substances to cope with trauma.

3. EXPLOITATION

NOTE:

The end purpose of the trafficking process, and the intent of the traffickers, is to exploit persons for the purpose of committing criminal offences, through the use of illegitimate means such as issuing labour contracts that are fraudulent and deceptive. For this reason, and depending on domestic legislation, services or work that require performing tasks that are criminal in nature, might be more properly considered as trafficking for the commission of criminal offences. If such a form of exploitation does not feature in domestic legislation, and depending on totality of evidence and victim's experiences, forced labour or services, servitude, or slavery might be applicable. Alternatively, in absence of this form of exploitation in domestic law, recourse could be made to defenses as per general principles of criminal law (duress, necessity etc.)

Committing crimes of online fraud/financial crimes:

- The person is coached/instructed by staff in the compounds to perform online / phone / computer-based activities that ultimately amount to fraud and scamming.
- The person participates in the scam-related activities, which may include:
 - *Illegal gambling, gaming and lottery schemes*: tasked to chat online with people and encourage them to deposit money into their gaming accounts to play illegal online games or perform manipulation into gambling results.
 - *Pig-butcher (investment) schemes*: tasked to set up and use fake profiles on networking platforms to develop

¹ Means the status or condition arising from a pledge by a debtor of his or her personal services or those of a person under his or her control as security for a debt, including fictional/illegitimate debt.


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relationships and gain trust of people, through romance and/or friendship, and entice them into investing in fraudulent schemes (often through cryptocurrency investments).

- *Pyramid schemes*: tasked to find people who are able to recruit 'new investors' for 'get rich quick' schemes.
- *E-commerce schemes*: tasked to call people and pretend that their parcel from DHL or FedEx was seized by customs because it contained illegal goods.
- *Impersonation schemes*: tasked to call people and pretend to be police, custom officers, or potential investors looking to secure a bank transfer
- *Fake loan schemes*: tasked to advise customers at casinos on borrowing money via computer apps.
- *Unsolicited phone calls practice*: tasked to make unsolicited phone calls.
- *Dating or companionship offer*: tasked to impersonate man/woman looking for companionship and asked for cash transfer to support various request.

Exploited in other ways, including sexual exploitation, organ removal, slavery, practices similar to slavery, or servitude.

DEFINITIONS:

"Servitude" shall mean the obligation to render services from which the person in question cannot escape and which he or she cannot change.

"Slavery" shall mean the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised.

"Practices similar to slavery" shall include debt bondage, or servitude.

Sample case study

John lost a job at a customer service helpline during covid. He decided to use his computer science skills and look for work online, outside of his country. He finds an ad for computer scientist at a company in country X, that requires him to use both English and Malay. He sends in an application and is accepted for an interview.

Indicators:

- *Traffickers have recruited (ACT) John through advertisements placed on social media, that deceive (MEANS) John, as to their legitimacy.*

After going through several rounds of interviews and negotiation on his conditions by an agent/company based abroad, John accepts the job offer by way of signing and returning a detailed contract.

Indicators:

- *Traffickers deceive (MEANS) John as to the type and conditions of work*

Travel details and passport were arranged on behalf of John, who traveled to a city where work awaits. He is surprised to meet many other people from his country and across the region who are travelling there for similar work. When he arrives at his place of work and residence, his passport and phone are taken off him. He is informed that travel costs will be added to a debt that needs to be paid off. He is not allowed to leave the compound. He is instructed to make a fake online profile, using a photo of a handsome man, and to connect with women from his own country, who speak his language, and build relationships with them online. If he is successful, he will earn large sums of money and other rewards, but if he does not, he will be beaten and tasered.


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Indicators:

- *Traffickers arrange travel (ACT) for John which costs were added to his debt that he was not aware of or agreed to (MEANS)*
- *Traffickers harbour (ACT) John in the compound, using threats of violence (MEANS) and by abusing his vulnerable position as a foreigner who is irregularly in the country who does not speak the local language (MEANS)*
- *Traffickers provide two alternatives to John – physical violence or reward for performing scams. None is acceptable but John is forced to choose one that is not going to cause him severe bodily injury or severe harm (MEANS)*
- *Passport and phone confiscated as a way of limiting and controlling John movement and contact with the outside world (MEANS)*

He is told that the authorities will not help because they are in on the operation and paid off by his bosses. They also tell him that he is illegally in the country and will be arrested as an illegal migrant if he leaves the compound. Colleagues who share his dorm room tell him that people who try to escape have been beaten and sold to other compounds where conditions are more dire.

Indicators:

- *Traffickers threaten him that he will be arrested due to the lack of a proper visa to stay/work in the country.*
- *Traffickers threaten to sell him to another compound as other victim (MEANS). Selling someone for addiction benefit between networks is a MEANS of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.*
- *Traffickers do this for the purpose of EXPLOITING John in their cyber-scamming operations.*

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