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ANALYTICAL CENTER  
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ON TRAFFICKING



## Counter-Trafficking in Persons in Asia

Evaluating Current  
Interventions and Charting  
an Impactful Way Forward

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Cover Photograph: Burmese Female migrants working in the shoe-wear production line are vulnerable to labor exploitation. Photo: Shutterstock

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## LIST OF ABBREVIATIONS USED IN THIS REPORT

ASEAN	Association of Southeast Asian Nations
BT	British Telecom
CBO	Congressional Budget Office
FATF	Financial Action Task Force
FLR	Front-Line Responders
GSI	Global Slavery Index
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
ILO	International Labor Organization
IT	Information Technology
KYC	Know Your Customer
MGM	MGM China Holdings Limited
MTV EXIT	MTV End Exploitation and Trafficking
NGO	Non-Governmental Organization
NO.	Number
OHCHR	Office of the High Commission on Human Rights
SAR	Suspicious Activity Report
STR	Suspicious Transaction Report
TIP	Trafficking in Persons
UK	United Kingdom
UN	United Nations
UNIAP	United Nations Inter-Agency Project on Human Trafficking
UNODC	United Nations Office on Drugs and Crime
UNU	United Nations University

# Introduction

## Introduction and Layout of Report

The fight against human trafficking is being lost. According to data from the Mekong Club, less than 0.2 percent of victims are being helped. This report aims to broadly review and evaluate the counter-trafficking programs and responses currently in place in the Asian and Pacific region, and to chart a way forward based on lessons learned. It also hopes to refine the current perceptions on trafficking in persons and the planning of interventions, as well as to highlight the need for greater involvement of the private sector stakeholders.

While the skills to address a portion of the issue are possessed by NGOs, their use is limited by a lack of understanding of forced labor. Even if funding for traditional human trafficking programs is significantly increased, no tangible impact will be made until understanding/conceptual clarity (through research and evaluations) is increased, relationships with the private sector are refined, and overall collaboration is developed. The world is at a very critical juncture. Donors are losing interest in human trafficking protection programs because there has been no significant decrease in the number of human trafficking victims. For support to continue, any project being put in place must be able to show that it will reduce human trafficking.

This report will first look at a snapshot of the problem and current approaches being taken. It will then broadly evaluate counter-trafficking in persons programs in Asia, noting gaps and highlighting key impediments to improve efforts. This evaluation can be used as a springboard for charting the way forward in the counter-trafficking field and identifying programmatic needs and key stakeholders. It can also be used to predict the expected impacts of proposed policy changes, and necessary improvements to intervention procedures. This report hopes to be a resource for other policymakers and field

professionals to draw from, as well as an impetus for social change.

## Definitions

**Modern Slavery:** “Modern slavery” is not defined in law but is commonly used as an umbrella term covering forced labor, debt bondage, forced marriage, slavery and slavery-like practices, including human trafficking.<sup>1</sup>

**Slavery:** The Slavery Convention, which was first adopted by the League of Nations in 1927, defines slavery as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.”<sup>2</sup>

**Trafficking in Persons:** The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (The Palermo Protocol), defines “trafficking in persons” as the following:

- a) The recruitment, transportation, transfer, harboring 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 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 labor or services, slavery of practices similar to slavery, servitude or the removal of organs
- b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used
- c) The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall be considered “trafficking in person” even if this does not

## MODERN SLAVERY



Figure 1: Modern Slavery as an Umbrella Term (GSI 2018)

involve any of the means set forth in subparagraph (a) of this article

d) “Child” shall mean any person under eighteen years of age<sup>3</sup>

**Sex Trafficking:** “When an adult engages in a commercial sex act, such as prostitution, as the result of force, threats of force, fraud, coercion, or any combination of such means, that person is a victim of trafficking.”<sup>4</sup>

**Child Sex Trafficking:** “When a child (under 18 years of age) is recruited, enticed, harbored, transported, provided, obtained, patronized, solicited, or maintained to perform a commercial sex act, proving force, fraud, or coercion is not necessary for the offense to be prosecuted as human trafficking.”<sup>5</sup>

**Forced Labor:** The International Labor Organization Forced Labor Convention, 1930 (No. 29) defines forced labor as “all work of service which is exacted from a person under the threat of a penalty and for which the person has not offered

himself or herself voluntarily.”<sup>6</sup>

### Key Statistics

- As of 2016, over 40 million people are estimated to have been victims of modern slavery. Over a period of 5 years, 89 million people have lived through some form of modern slavery.<sup>7</sup>
  - Of that total, 24.9 million were subjected to forced labor, with 15.4 million estimated to be in forced marriages.<sup>8</sup>
- The Global Slavery Index estimates that “G20 countries are collectively importing \$354 billion of at-risk products annually.”<sup>9</sup>
- As of 2016, in Asia and the Pacific, an estimated 24.9 million people were living in modern slavery.<sup>10</sup>
- The Asia and Pacific region had the highest number of victims across all forms of modern slavery, accounting for 73 percent of victims of sexual exploitation, 68 percent of those forced to work by state authorities, 64

percent of those in forced labor exploitation, and 42 percent of all those in forced marriages.<sup>11</sup>

## Snapshot of the Problem

### Current Perspectives on the Drivers of Trafficking

The majority of counter-trafficking reports in Asia include the following elements as major drivers of human trafficking:

- **Individual vulnerability** brought on by a person's socio-economic profile,<sup>12</sup> forced displacement due to armed conflict natural disasters,<sup>13</sup> attempts to migrate,<sup>14</sup> a lack of employment opportunities,<sup>15</sup> age,<sup>16</sup> and drug abuse habits.<sup>17</sup>
- **Social exclusion and discrimination** of entire groups of people either in their own country or a foreign country based on gender, race, ethnicity, citizenship, and country of origin;<sup>18</sup> and

**Failure of government policies and rule of law** which do not provide adequate support

to prevent human trafficking, or systems and procedures to address the problem. This problem stems from the lack of priority, interest, corruption or a misunderstanding of the issues.<sup>19</sup>

### Gaps in Perceptions

One example of a gap in current understanding of counter-trafficking programs is accounting for differences in relative wealth with regard to trafficking vulnerability. Research showed that although a percentage of the people who are trafficked live in conditions of extreme poverty, many more actually come from middle-income countries.<sup>20</sup> If these metrics are overlooked, prevention programs can be misguided and applied to populations that are not being trafficked.

There is a need for a broader empirical analysis with regard to understanding vulnerability indicators of trafficking victims, as assumptions are often inaccurate. Collecting, compiling and comparing experiences of human trafficking survivors in a systematic manner is essential. This helps to ensure that the limited resources available to address the problem are targeted to the right communities for the right outcomes.



Anti-Human Trafficking sign posted in Myanmar (Burma). Photo: Shutterstock

Additionally, there seems to be a lack of emphasis within counter-trafficking programs to understand the motivations of traffickers and the factors that allow traffickers to exploit another person. The drivers for traffickers, according to the Mekong Club, are as follows:

- A sense of greed and a desire for quick, tax-exempt profits;
- The existence of corrupt systems and procedures that can protect an exploitative workplace;
- The lack of interest or involvement of government inspectors or law enforcement; and
- An understanding that most people can get away with the crime without any consequences or reprisals.

It is essential to understand the importance of the trafficker in the equation.<sup>21</sup> Based on research performed by the Mekong Club, there amongst communities throughout Asia with the exact same vulnerability patterns, many do not have human trafficking cases. The author found that one of the single most important drivers of human trafficking is the presence of a trafficking network or a trafficker within a community. This fact is further supported by research done by Freeland on the Rohingya people. It was found that among the communities of Rohingyas in western Myanmar, Thailand and Malaysia, the brokers for trafficking were mostly Rohingya people who had previously been trafficked themselves. Documenting and mapping trafficking cases is essential to predict present and future trafficking trends.

In order to effectively counter trafficking in persons, it is also important to understand how the behavior and motivations of traffickers evolve and how their backgrounds may relate to the individuals that are trafficked. The UNODC's data shows that "traffickers and their victims often come from the same place, speak the same language, or have the same ethnic background."<sup>22</sup> Additionally, data shows that it is common for women to be involved in trafficking other women and girls.<sup>23</sup> The similarities between traffickers and their victims can provide the initial source of trust to facilitate the exploitation.<sup>24</sup> Data also suggest that, although traffickers do travel to destination countries to exploit victims, they usually recruit victims in their own country of citizenship.<sup>25</sup> These findings can serve as a baseline for further research into the motivations of traffickers.

It is important to note that acquiring access to

traffickers is not difficult. In countries throughout South and Southeast Asia, traffickers who have left their criminal organizations or who are in prison have been interviewed. Such information can offer a wealth of insights into the problem and how trafficking syndicates operate.

Another gap in perception may include understanding the coping methods of victims involved in sex trafficking situations. It can be noted that the use of drugs (for example Ketamine) may be administered or taken in order for the victim to feel comfortable enough to remain in the situation.<sup>26</sup>

From the points presented above, it is evident that more research needs to be conducted to understand the experiences of victims and traffickers, and how trafficking mechanisms work.

# Evaluating Current Approaches to Counter-Trafficking in Persons Programs: Gaps and Key Nuances

## Summary of Current Approach to Counter-Trafficking in Persons Programs

### The 4 P's

Counter-trafficking in person efforts implemented at local and national levels, as well as on a bilateral basis, can be summarized under the 4 P's:

- a. Policy and Cooperation;
- b. Prevention;
- c. Prosecution; and
- d. Protection, Recovery and Reintegration.

**Policy and Cooperation** includes the development and implementation of national plans and policies, and the development of national mechanisms such as multi-sectoral committees and working groups. These serve to strengthen coordination and cooperation within and across borders, as well as to facilitate research and information collection.

**Prevention** activities have largely been concentrated on the supply side. This approach has focused on addressing the vulnerabilities of target communities through awareness-raising campaigns, vocational training, microcredit, and programs to increase access to education for vulnerable children. These programs are now evolving to acknowledge the reality that people will continue to migrate – often with mutual benefits for the sending and receiving



*Equipping law enforcement with the necessary tools remains an important factor in the fight against human and animal trafficking. Photo: Shutterstock*

## DISTRIBUTING RESOURCES EFFECTIVELY

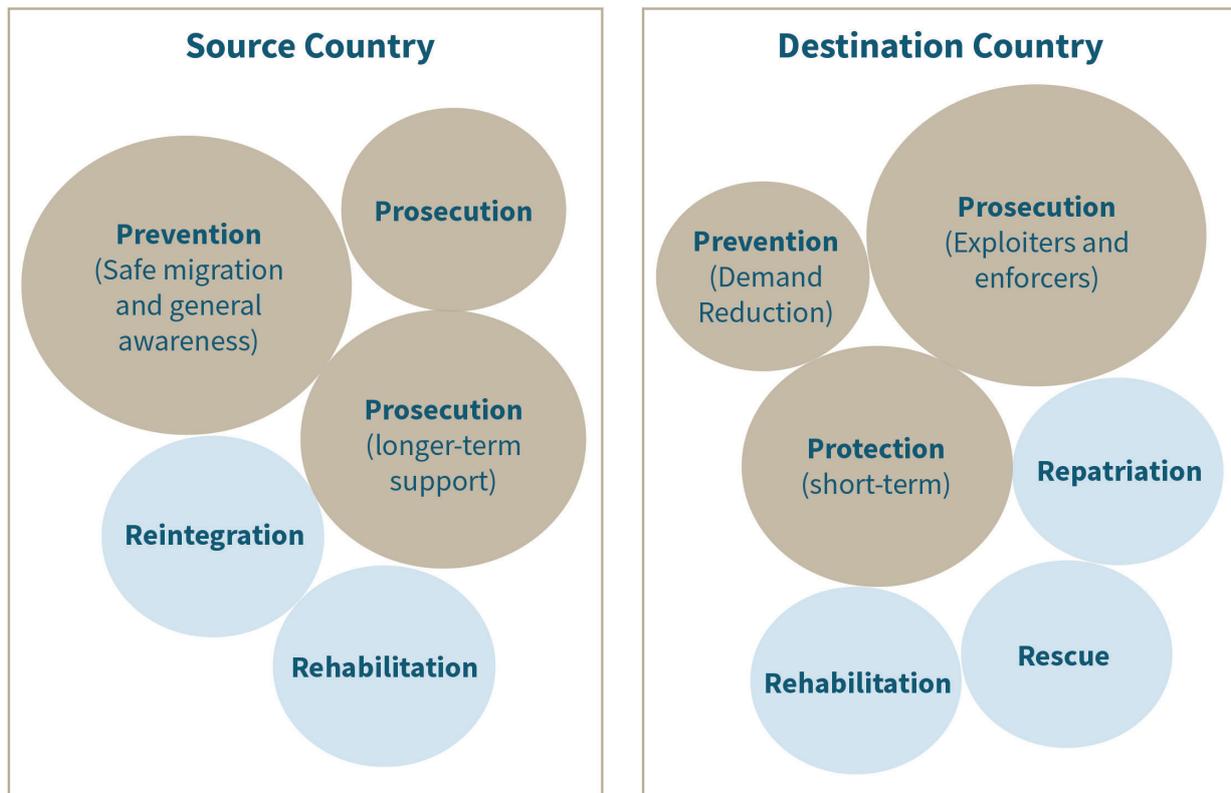


Figure 2: Mekong Club images demonstrating the importance of distributing resources effectively across source and destination countries depending on needs and context

economies, as well as for the person him/herself. Awareness-raising campaigns, for example, are thus shifting from discouraging migration to a focus on reducing risky or ‘blind’ migration and supporting more informed migration.

**Prosecution**-related activities have included the development of specific anti-trafficking laws and training of police officers, prosecutors and judges to effectively respond to human trafficking. Training of commercial aviation companies that provide the main pathway to and from sex trafficking opportunities is also important.<sup>27</sup> The establishment of specialist anti-trafficking units in many Asian countries has been a significant development in this regard. While these units or “task forces” may be multi-agency in structure (with progressive ones including NGOs), most do not yet include, for example, commercial airlines or other airport-based companies. As these units and other measures begin to demonstrate success in the apprehension of trafficking suspects, issues are starting to arise

with regard to judicial processes. Some of these issues include the difficulty of proving trafficking charges, heavy reliance on victim testimony (which is difficult to obtain), and the lack of specialized prosecutors.<sup>28</sup>

**Protection** of trafficking victims has been accomplished through providing a wide range of services including shelter, medical and psychosocial support, legal assistance and support for safe return and reintegration. Bilateral cooperation in the return of victims trafficked across borders has generally been strong and the quality of service continues to improve.

### Interventions in Source versus Destination Country

In an attempt to strive for equality and comprehensiveness, source and destination countries have historically been treated similarly in regard to the design of counter-trafficking interventions. Within interventions, the initiatives were given equal weight, regardless of a country’s

actual needs.

Due to the differences in requirements and situations, however, source and destination countries should not be treated the same way when designing counter-TIP initiatives. Since most of the crimes are committed in the destination country, less emphasis is required on prosecution efforts in the source country. Additionally, resources devoted to counter-trafficking efforts across various countries should be distributed based on the size of the problem in each individual country. The solutions to the issues should be tailored in a similar way.

## Issues that Impact Human Trafficking in Asia

Lack of Community Awareness of Trafficking in Persons: Many people, especially those marginalized in society, end up as victims due to a lack of awareness about the realities of human trafficking. While prevention programs have been around for the past thirty years, many are not effective for the following reasons:

- **Shame:** Migrants who have been trafficked often return to their community and do not disclose their trafficking experiences to avoid shame or “losing face.” Psychological trauma can also make it painful and difficult for trafficking survivors to discuss their experiences. Thus, there is often a lack of awareness among communities concerning the realities of trafficking in persons.
- **Wrong Stereotypes:** Traffickers are often portrayed in an incorrect, stereotypical way – as strangers from another country or as a disreputable male criminal. In many cases traffickers are from within the community or from a victim’s own family.<sup>29</sup> Many traffickers are women.
- **Unclear Passage:** Safe migration messages are not readily available, and in some cases, misinformation is being given;<sup>30</sup> and
- The messages offered are not consistently reinforced to allow them to be sufficiently protective

One way to overcome this set of challenges is to incentivize the prevention community to collaborate more and offer a consolidated, standardized set of messages. When MTV-EXIT <sup>31</sup> (MTV End Exploitation in Trafficking) was in place in Southeast Asia, the prevention community was moving in this direction. MTV-EXIT was a charity

created with the purpose of educating the youth on issues that affected their lives.<sup>21</sup> One of these key issues was human trafficking. Support from a number of donors, including USAID, fueled not only the program, but collaborative meetings and joint efforts as well. The program’s presence on the ground, based in the region, allowed for a more consistent and standardized flow of information to be distributed by various organizations.

### Lack of Effective Collaboration

While some counter-trafficking groups do get together to share ideas and participate in joint activities, there are also many occasions where collaboration is still lacking. This could be a result of simple misunderstandings, polarized political views, and/or a lack of faith in the process of collaboration. Nevertheless, this lack of cooperation often wastes time and takes away from the mandate to help and support those in need. This issue is not unique to the human trafficking sector and can be found in many other development settings.

To create true, sustained collaboration between organizations, a foundation of trust and a united sense of purpose needs to be built. If feelings of accomplishment within a collaborative process can be developed, joint ownership of the problem will often follow. For all of this to happen, organizations need to create an environment that is positive, supportive and encourages innovation from an early stage of the project. The process also needs to take place among all sectors: between governments, UN and bilateral partners, NGOs/CBOs, and the private sector to develop a comprehensive, sustained response that caters to the needs of the entire community. A successful collaboration is strategic, not tokenistic. Civil society organizations, as well as intergovernmental organizations, are by nature very busy and constantly focused on raising funds, so donors should consider ways to incentivize collaboration over competition for limited resources.

With this information in mind, the counter-trafficking community should continue to invest resources and make a concerted effort to create a collaborative environment that encourages cooperation between organizations. An example of this approach is the Freedom Collaborative based in Cambodia, which unites NGOs and other partners with a common website, data sharing mechanism, and ongoing capacity building and training.<sup>33</sup>

## Corruption

Corruption plays a major part in the trafficking problem. In particular, it plays a large role in enabling irregular migration, by facilitating the passage of victims past border control officers.<sup>34</sup> There would be less trafficking if the rule of law were more strictly enforced and more proactive legal systems and procedures were in place.

The author argues that corruption was -- at least historically -- one of the greatest challenges faced when addressing human trafficking in Nepal. A sex trafficking case would be filed at the district level, but within hours, a bribe would be paid, and the criminal would be released. This predictable outcome discouraged victims from presenting their cases. Similar situations are being played out across Southeast Asia.<sup>35</sup>

Since corruption was endemic and ingrained in the Nepali system, it was impossible to fix in the short term. An alternative approach was suggested by a local NGO. Detailed stories about victims who were being sheltered -- and challenges within the legal system -- were shared by the NGO to select police officers, prosecutors and judges who were honest and sympathetic to human trafficking victims. These government officers started to collaborate with the NGO and engaged more officers along the enforcement chain to help.

A network was established that utilized trusted and capable contacts. For example, a case would be reported by the victim and an NGO representative together at the district-level. Subsequently an ally prosecutor would be notified, who proceeded to call the district station to have the case transferred to Kathmandu. This would reduce opportunities for a bribe to be made at the district level. Since the legal system in Kathmandu is more efficient, the cases were given high priority and fast-tracked. Quickly, the number of cases reaching a conviction increased from less than a dozen to several hundred over a one-year period. In Thailand, a similar approach is used by Freeland to charge trafficking cases. Trusted officers are engaged to help verify information provided by victims and then lead the case-building process while protecting the victims from being exposed to their traffickers or re-trafficked. The care involved in this victim-centric, corruption-mitigation approach also means that cases proceed slowly.

Corruption is not something that can be tackled in a short period of time. Solutions need to be found and tailored to fit existing local systems.

Each and every bureaucracy has loopholes that can be used to bypass corrupted sections of the legal system. Finding them can be a challenge, but once identified, they can facilitate the prosecution of perpetrators.

## Key gaps in programmatic and evidence-based knowledge

Across the board, there are a number of programmatic and research gaps related to the human trafficking sector. These include:

### Research and Data Collection

Because of the clandestine nature of human trafficking, in most countries there is little standardized information available on trafficking trends, modes of recruitment, the number of persons trafficked annually, and more. The information that is available is sometimes incomplete, biased or unsubstantiated. This has resulted in counter-trafficking programs being set up without sufficient and accurate understanding of the dynamics and complexity of the problem. Consequently, the intervention might not be effective in the actual situation.

One reason for the scarcity of empirical information on human trafficking is that quantitative research and data collection instruments required to address this criminal activity have yet to be fully developed and tested. For example, research methodologies that could be used to systematically track victim cases and criminal behavior are seldom shared within the counter-trafficking community. The information that is available is often not subjected to analysis, and therefore cannot be used to create potential solutions. The limited data that has been analyzed is often not translated into action, resulting in the loss of the information's potential impact.

To increase the reliability, availability and use of accurate data and analysis, the human trafficking sector needs a stronger empirical base. This will result in:

- better understanding of the constantly evolving trafficking flows and mechanisms
- identification of what works and what doesn't, enabling interventions to be adjusted for maximum responsiveness
- consensus on what needs to be done, how, and by whom

- establishment of up-to-standard and operationalized policies, mechanisms, service delivery, and capacity for responsiveness region-wide.

Examples of existing reports on human trafficking include the Global Slavery Index (GSI) and the US State Department Annual Trafficking in Persons reports. These reports help provide in-depth understanding of human trafficking on a global and regional scale. The information in the reports can be used to create legislation and develop tailored solutions to the problem of human trafficking in each country. These reports have also enabled different types of human trafficking to be recognized and addressed based on frequency and severity of cases. Although the reports have many detailed data points, however, they are also subject to limitations. Therefore, more organizations should start to place importance on data collection in order to increase the information available for use in the fight against human trafficking.

The counter-trafficking sector must find a way to collect, analyze and understand the problem. One idea that has been discussed, but has not yet been put into action, is the development of

a field-based program to train researchers and data collectors in new and innovative approaches to identify trafficking. Such a program could be attached to a university to allow teachers and students to work together in a field setting.

### **A Comprehensive Plan**

Unlike other development sectors (HIV/AIDS, child survival, sustainable development etc.), a comprehensive framework or plan of action, from the highest level to the community level, is lacking in the counter-trafficking sector. This kind of plan is needed to help identify goals, objectives and activities for each of the stakeholder and responder groups. Such a comprehensive plan would allow groups and organizations to have a better understanding of their role in the overall solution. The 4P framework (prevention, prosecution, protection and partnership) that has been used by the counter-trafficking community for over twenty years is a starting point, but updates are needed to reflect lessons learned and emerging best practices. For example, there needs to be more emphasis on the role of the private sector and the importance of data collection and use.



*Thai female students are frequently successful targets for human traffickers. Photo:Shutterstock*

When forced labor is included in the counter-trafficking approach, other factors need to be inserted into the paradigm. The counter-trafficking sector needs to make finer distinctions between trafficking outcomes. For example, addressing forced prostitution requires a completely different set of skills, processes, and procedures than forced labor inside a sweatshop or on fishing boats. National laws also necessitate nuanced approaches. For example, in some places like Hong Kong, prostitution is not illegal, but soliciting is, so trafficking data may be affected by the way it is categorized by the law enforcement officers when a crime is reported.<sup>36</sup> Making distinctions between each of these scenarios is necessary to identify viable interventions. There is no one cookie-cutter response to the issue, as it is too diverse and complex.

One of the best examples of a viable framework can be found within the HIV/AIDS sector. Realizing the importance of a blueprint for the future, the global AIDS response community developed a plan that highlighted the need for leadership and teamwork at all levels. The **Global Strategy Framework on HIV/AIDS** drew upon lessons from the past to map out a path for the future. Above all, it called on all sectors of society to show leadership in galvanizing the response to HIV/AIDS – among towns and villages, young and middle-aged people, companies and community organizations, countries and continents. Only when all these forces joined in a common effort was the world able to expand the fight against the epidemic to decrease risk and identify vulnerability, thus creating real impact. At this time, the same process needs to be implemented within the human trafficking sector.

An example of this kind of strategy was launched in March 2020. The white paper entitled “A United and Strategic Response to Modern Slavery in Global Supply Chains: Eliminating Labour Rights Violations While Maintaining Profitability,” contains a ten-year blueprint for how the private sector could address modern slavery within the manufacturing sector. To address modern slavery in all sectors, similar strategic plans need to be developed.

## Evaluation

Beyond data collection, there needs to be more emphasis on comprehensive, evidence-based evaluations to track progress and determine the success of programs. While the human trafficking sector has been around for over 30

years, information is still lacking on the most cost-effective, impactful interventions available to address or reduce the problem. Few comprehensive evaluations have been completed. The potential danger of failing to evaluate the work is that activities could be having no impact or actually be increasing the risk of human trafficking.

For example, in Thailand, one form of intervention that has been used for years to reduce human trafficking is to keep girls in high school for an additional two years.<sup>37</sup> In the past, many girls would drop out of school after the tenth grade, and a percentage of these girls would become trafficking victims. To prevent this, incentive programs were put in place to help keep these girls in school until the 12th grade, based on the assumption that remaining in school would decrease their chances of becoming a victim of trafficking. When this program was later evaluated, however, there was a notable increase in trafficking; after the girls graduated, their families felt that they were educated enough to get jobs in the capital. However, due to the highly competitive job market in the city, most were unable to secure jobs. Too embarrassed to go back home, some of these girls became victims of trafficking. While education is an important tool for development, if education programs do not have a comprehensive plan or include education about trafficking, they could result in an increase in trafficking victims.

Likewise, some low-interest loan programs have been set up to offer poor families an opportunity to set up businesses locally; these were marketed as “counter-trafficking programs.” While these programs have succeeded in allowing small businesses to grow and thrive, when evaluated, the ILO found in 2007 that a percentage of the profits generated were invested in migration opportunities that resulted in trafficking. In this case, communities with no history of migration now had the resources to engage in it, increasing the number of human trafficking cases.

It is essential to better evaluate existing programs to determine what is effective and worth replication -- and what needs to be replaced with new programs.

# Charting an Impactful Way Forward

## Programmatic Needs that Should be Considered

Programmatic needs that should be considered when carrying out national and regional counter-trafficking efforts include:

### Packaging of Interventions

Many counter-human trafficking interventions are conducted in isolation. Each organization develops a unique approach based on their mission, capabilities and own networks, instead of collaborating to create a comprehensive network and intervention plan. This lack of collaboration often stems from (a) fear that collaboration will help other organizations get a funding advantage; (b) interagency and inter-organizational differences in perspectives/approaches; and (c) a general lack of understanding of the importance and benefits of building a more comprehensive, networked approach. One of the best ways to increase the efficiency and effectiveness of a counter-trafficking effort is to link the efforts of different organizations together through umbrella grants that ensure collaboration is built into the basic design.

For example, to get the most out of a **protection response**, it is essential that the program addresses the needs of a person from the point at which they escape the exploitation to the time when they are settled in a stable living situation. In Cambodia, several United Nations offices worked together between 2008 and 2011 to set up a network to address the needs of trafficking victims. One NGO was able to offer shelter to help victims receive healthcare, counseling, food, shelter and an opportunity to decompress. Another NGO offered travel support back to their home community. This helped victims transition back into their normal lives. Another NGO provided regular follow-up care to identify the trafficked person's long-term needs, offering victims a stable support system. Another NGO provided job training and job placement. Through this united approach, victims were able

to navigate their lives after being trafficked. Had these services not been linked, many victims would have been vulnerable to being re-trafficked.

The same situation should be considered for organizations that offer a legal response (**prosecution**). Instead of working independently, a consortium of organizations can work together under a single umbrella, creating a more impactful outcome. For example, the following skill sets could be brought together in prosecution cases: proactive investigation, legal training, legal follow-up, victim protection and legal reform. Many trafficking cases fall apart because the raid and rescue were not tied to a longer-term prosecution strategy or the victim protection needs were not planned before the intervention. Freeland's joint work in Thailand with the UNIAP offers a good example of how all of these pieces are brought together to create sustainable responses.

Finally, the same can be said for preventive activities. If the prevention community was brought together to identify common, standardized messages that were reinforced in many different ways, a better outcome could be reached.

By packing together individual initiatives, a more efficient and effective outcome can be achieved.

### Victim Identification is Essential

Globally, it is estimated that there are over 40 million men, women and children who are subjected to modern slavery.<sup>38</sup> About 62 percent of these people reside in Asia.<sup>39</sup> These victims, who can be found in factories, construction sites, fisheries and sex venues, are forced to work for little or no pay, deprived of their freedom, and often subjected to unimaginable suffering. Over more than a decade, the international counter-trafficking community has not come close to meeting its full potential. While individual, small-scale success stories can be found, many victims are never identified. For example, the 2020 Trafficking in Persons Report



*According to the 2020 Trafficking in Persons Report, less than 0.2 percent of victims are being identified and assisted each year. Photo: Shutterstock*

(TIP Report) was only able to account for 108,000 victims receiving assistance globally. During the same time period, there were less than 9,000 convictions. This means that less than 0.2 percent of victims are being identified and assisted each year.<sup>40</sup>

Emphasis needs to be placed on finding new creative ways to identify victims. The Mekong Club and United Nations University (UNU) are using digital technology to enhance front-line responders' (FLRs) screening of potential trafficking victims. An app named Apprise aims to increase frequency, inclusivity, confidentiality and consistency of screening with the objective of increasing the number of human trafficking victims identified. Research conducted by UNU and the Mekong Club have uncovered a number of obstacles to victim identification that Apprise could help overcome, such as language barriers, lack of trust, interviewees' fear of reprisals, and a lack of consistency in collecting and analyzing data collected during interviews. The app allows for victim screening in multiple languages, bridging the communication gaps.

The questions are audio-recorded to overcome problems such as illiteracy and confidentiality. Responses are provided by tapping the "Yes", "No", or "I do not know" options on the phone's screen – eliminating the fear of being overheard. The app captures and analyzes the responses provided in order to produce a vulnerability score that the FLR can use to determine whether a more in-depth investigation or other follow-up is needed. To date, several questionnaires have been developed and translated into a total of 13 languages, including dialects.

The app is currently being used by groups working in a variety of trafficking scenarios: sex trafficking (8 organizations); the fishing and seafood processing sector (5 organizations); apparel and consumers' good manufacturing (4 private companies) and forced begging (1 organization). It has been tested in Thailand, Philippines, Vietnam and other Asian countries.

### **Investing in the Private Sector**

While most people think that human trafficking primarily involves women and girls being forced into the sex industry, this only represents about 19 percent of total cases, according to 2017 estimates. The remaining 81 percent fall under "forced labor", with about 47 percent of that number associated with manufacturing supply chains, construction, hospitality and mining.<sup>41</sup>

Consideration should be given to encouraging the private sector to become active in the fight against human trafficking. In the past, there was little incentive for private companies to engage with this issue, as it was considered too sensitive and counterintuitive to the private sector model. In addition, many companies were afraid that any association with the issue could open the door to "naming and shaming" in the media. Over time, however, new emerging factors have begun to prompt the private sector to get involved.

One of the main factors is the new legislation being enacted in North America and Europe, such as the 2012 California Transparency in Supply Chains Act and the UK Modern Slavery Act. These laws are forcing major companies to address the topic of human trafficking on their websites.<sup>42</sup> Companies using trafficked labor derive an unfair advantage from being able to undercut the prices offered by legitimate businesses. Another factor is "guilt by association"; once a business sector is found using forced labor (participating in human trafficking), the entire industry can get a bad reputation. This has become a huge problem in the electronics,

garment, chocolate and seafood industries. Another factor is that like the environment, human trafficking is entering mainstream public consciousness, with more and more consumers asking questions about whether the products they buy are “slave-free.” Most importantly, though, slave-like conditions have been and will always be incompatible with good businesses and good business practice.

Retail and manufacturing companies can start to look closely at their businesses to determine if there are any risk factors. Based on this analysis, they can take specific measures to maintain a slave-free supply chain by conducting investigative audits that illuminate the real conditions faced by workers. They can also offer training to staff and suppliers, as well as implement systems and procedures that reduce the chances of collaboration with companies that partake in modern slavery. To create a united front on the issue, companies can facilitate multi-stakeholder initiatives that join private sector businesses, workers, civil societies and governments. It is possible for the private sector to identify and root out bad businesses when the right resources are allocated. The necessary skills and capabilities to tackle the problem – be they be legal, compliance, accounting, communications, or financial expertise – exist within the sector. It is important that the private sector be brought into the discussion in a respectful way that considers them part of the solution, not the problem. Doing this will significantly help reduce

the number of human trafficking victims.

The Mekong Club’s experience working with the private sector has demonstrated that with only a small investment, victims of forced labor can be identified and helped without having to rely on NGO/UN/government resources. In fact, the return on investment can be more than five to one (compared to traditional interventions).

## Key private sector stakeholders

**Manufacturers:** With targeted training and technical assistance, manufacturers can better assess their supply chains, and identify – and then address – instances of forced labor. We are seeing the outcome of this process all across Asia.

**Banks:** The profits generated from human trafficking are estimated to reach \$150 billion. Since this money is generated by illegal activities, if any of it goes into a commercial account, the bank can be fined for money laundering. Some examples of existing policies and guidelines that have been put into place include ‘Know Your Customer’, STR and SAR. ‘Know your customer’ is a policy that requires companies to verify everyone they do business with.<sup>43</sup> STR, suspicious transaction reporting,<sup>44</sup> and SAR, suspicious action reporting, are tools that allow the financial industry to report potential money laundering or illegal transactions.<sup>45</sup> In addition



*The airline industry is currently a massive pathway for trafficking, so equipping airline staff with the necessary tools to detect suspicious activities is highly important. Photo: Shutterstock*

to that, the FATF, or the financial action task force, exists to help create and regulate international financial policies.<sup>46</sup> Many banks are also starting to develop “big data filters” to “red-flag” suspicious transactions. A red-flag notice could include an alert about suspicious transactions across countries. This is important, because the goal of this notification is to stop the trafficking process earlier, targeting it at its roots.<sup>47</sup> This use of forensic accounting will allow more traffickers to be identified and arrested. This process has already begun across Asia. Since the main motivation among traffickers is money, “chasing the money” could have a huge impact.

**Hospitality Industry:** Hotels and restaurants are places where trafficking is common. This includes forced prostitution, forced labor in supply chains, and forced labor in the service industry. Investing in this sector can have immediate returns, and the hotel industry in Macau serves as an example. MGM China, a hotel company, has joined forces with the government and the NGO community to increase awareness within the hotel industry as well as establish anti-slavery conduct and protocols.<sup>48</sup>

**Retailers:** With targeted training and technical assistance, major retailers can motivate their vendors and suppliers to assess their supply chains and address forced labor. The Mekong Club is seeing the outcome of this process in its work in Hong Kong.

**Airline Industry:** The aviation industry is highly active in the fight against wildlife trafficking. Various airline companies, including Cathay Pacific and Etihad Airways, are creating training programs and holding conventions in hopes of educating airline staff about suspicious cargo, passengers, and baggage. In 2015, Kenya Airways partnered with Freeland Foundation to provide training to 202 participants, showcasing the skills and knowledge required to identify and report suspicious wildlife transportation.<sup>49</sup> Raising awareness and sharing information about illegal wildlife trading is an effective way to catch these airborne traffickers.

## Key Stakeholders Required in Asia

**Researchers and Evaluators:** As noted above, data collection and analysis have been areas of weakness in the counter-trafficking response. For this to change to happen, we need to engage researchers and evaluators. In 2009, a major conference took place bringing together the

top 30 researchers and evaluators in the field of human trafficking. Of this group, only two had extensive experience collecting quantitative data, as most research conducted in the field is qualitative. For information requirements to be met, investments must be made within the research community. With more information, programs will have a stronger empirical foundation, reducing the number of mistakes being made. Once again, the work conducted by the Slavery Index represents an encouraging step in the right direction in addressing this gap.

**Technology Expertise:** Technology organizations are interested in assisting, often without requiring compensation. For example, in Hong Kong, after learning about the human trafficking problem, British Telecom (BT) created a contest for their staff to see who could come up with the best IT solutions to address the human trafficking problem.<sup>50</sup> The staff were given eleven issue statements to work from and two months to formulate their ideas. Once this process was completed, it was agreed that BT would endorse the winning concept, which focused on using “cloud technology” to enable NGOs to better exchange information and improve their coordination. This important effort demonstrates that the private sector is willing to use their own resources to get involved in the anti-slavery sector.

Another example of a Hong Kong-based technology company taking the initiative is the Mekong Club’s ‘eMin’ project, a collaborative effort with blockchain solutions provider Diginex. This project looks to apply the principles of blockchain technology to the labor supply chain, leveraging the heightened trust, transparency, and security that the technology provides to tackle problems with migrant worker recruitment. The “eMin” platform allows for legitimate migrant worker information and documentation to be recorded and securely shared with all involved parties (recruiters, workers, suppliers, managers, auditors etc.) in the recruitment process. The technical build requirements for this project were beyond the capabilities of the Mekong Club, but partnering with Diginex, a company with more technical and corporate expertise, allowed the project to be successfully executed.<sup>51</sup>

One of the lessons learned in Hong Kong is that technology companies will step up and offer support if a structured program is in place. Contests, “one-off” technical builds and application of technical tools are well within the range of possibilities. Leveraging this pro-bono support should be considered as it offers an

opportunity for taxpayer funding to achieve much more.

**Market Research, Communications and Advertising Expertise:** According to the Mekong Club, many awareness-raising projects have not been based on solid data and were isolated events outside of a comprehensive anti-slavery plan. In some projects, materials do not clearly identify specific and realistic actions that a person can take to avoid or escape the risk of being trafficked or enslaved. Even where protective action is identified and relevant information is effectively communicated, many awareness-raising projects do not incorporate the basic principles of behavior communication, failing to address factors that facilitate or impede the translation of this information into action. As a result, there are few documented examples of awareness-raising activities that have had a significant impact on slavery reduction.

For example, a comprehensive safe migration curriculum, as described by Matt Friedman, was developed by a partner agency in Bangladesh as a way to help educate communities on the dangers of human trafficking. It represented a full day of material focusing on everything the UN offers related to safe traveling practices for migrants. Before taking the training, a pre-test was offered to selected participants. Surprisingly, the scores collected from the post-test after the program stayed the same or decreased. The training provided so much information that it overwhelmed and confused the participants. The excessive details caused participants to lose perspective and a sense of priority. Afterwards, an assessment of what could be done to reverse this outcome was conducted by a team of market researchers and communication experts. Over a two-week period, focus groups and small group discussions were used to identify the simplest ways to prevent human trafficking.

Instead of participating in a long, drawn-out training, villagers were taught one thing: “If a person wants to take your son or daughter away to India to get a great job, don’t say no, say yes. But also say that a family member will go along to India.” It was then explained that “if the deal is good, the recruiting agent won’t care, and the process will move forward. But if the agent terminates the arrangement, it was probably be a trafficking situation.”

Six months after providing this advice, the team returned to this community. Villagers reported that approximately 60 percent of the times when it was proposed that a family

member accompany the recruiting agent, the deal collapsed. The villagers said they now understood that those deals would have turned out badly. Similar to other cautionary tales, this message will continue to spread throughout the village and be passed on to younger generations. Hopefully, this will mean a continual reduction in the number of trafficking cases within the region.

Two important lessons can be observed. First, there is no substitute for using the services of marketing research and communication experts. Investing in this expertise allows for better messaging and reduced trafficking. With so many people needing to be reached, there must be a standardized and straightforward approach. Second, we must understand that often, less is more. A simple message directly related to a problem can offer protection that is clear, understandable, and effective.

## **Approaches and Interventions to be Improved Across Asia**

Below is a summary of the important points listed above. A comprehensive Asian program should include the following components:

**Data Collection and Analysis:** A comprehensive research and data collection program that invests in both research methodologies and researchers is required.

**Monitoring and Evaluation:** A comprehensive monitoring and evaluation program should focus on the project itself and should also evaluate and track the progress of other organizations. Understanding what works and what doesn’t will help increase overall impact and cost-effectiveness within the counter-trafficking community.

**Engage new Sectors/Stakeholders:** Cooperating with the private sector will yield the required skills and experience – not always available in the NGO sector -- to solve problems related to human trafficking. This includes working with private companies to help them examine their own supply chains to identify and address forced labor cases; working with banks to help them put in place accounting systems and procedures to identify trafficking and shut it down; and using the skills found within the fields of technology and communications to come up with new and innovative solutions.

**Packaging of Interventions:** As noted above, many efforts to counter human trafficking are

made in isolation. Programs are being developed independently based on each organization's priorities. Differences in approach, values, and competition for funding are some of the reasons a lack of collaboration exists. One viable solution to this problem is to create an umbrella grant that would compel organizations to work together. This will increase the effectiveness of the efforts to fight against human trafficking as intervention components are combined together.

**Embrace Technology:** Support will often be offered by technology companies, if a structured program is in place. Contests, "one-off" technical builds, and application of technical tools are well within the range of possibilities. Emphasis should be placed on encouraging this support system as it offers another avenue for solutions to be developed.

## The Expected Impact from Implementing These Changes

The expected impact of these approaches includes the following:

**Improved Conceptual Clarity:** Many counter-trafficking programs work without full knowledge of the issue they are trying to address. Data on this issue needs to be collected using rigorous, scientific methodologies, and evaluated to determine what is working – and what isn't. This will help interventions be more targeted, efficient and cost-effective.

**Improved Collaboration:** Reduced redundancy and improved efficiency will result from these collaborations. With less than two percent of victims receiving assistance, new ways of linking collective efforts need to be found. This will ensure additional resources are being deployed to reduce trafficking, put criminals in jail, and help those who have been exploited. To make sure this process is adhered to, creative "grant packaging" contracting mechanisms can be used.

**Increased Coverage:** The private sector can play a big part in reducing forced labor. Companies have the resources, understanding of business, and tools to make a difference. For this to occur, however, they need to be treated as trusted partners, not as perpetrators. Huge returns could result from embracing the manufacturing, finance, and hospitality sectors. Like the support provided by MTV Exit in the past, the return on investment can be as much as five to one.

**Enhanced Tools to Tackle Trafficking:** Breakthroughs in prevention, prosecution, and protection of victims of trafficking can originate from the use of technology and the expertise available in the field of communication. The private sector is willing and able to help. There has often been a "firewall" between the public and private sector when it comes to these opportunities. Efficiency and impact can be multiplied by exploring a collaborative spirit between these two diverse groups.

# Addressing Modern Slavery: Worker Vulnerability During COVID-19

## Introduction

The COVID-19 outbreak has affected Asia since January 2020. It is now a global pandemic, with over 24 million cases detected in 168 countries and over 834,000 deaths globally as of August 28, 2020. Much of the world has implemented severe quarantine measures in an effort to contain the spread of the virus, and these measures have significantly affected many businesses. Most footwear and apparel manufacturers have seen major disruption in many parts of their supply chains and business operations. For example, in Bangladesh, 72% of apparel buyers have not paid for materials already purchased by the supplier. This has resulted in over US\$2.5 billion worth of

order cancellations in garment manufacturing and the loss of over one million garment worker jobs. Similar trends are being seen globally. This continuing crisis has led to numerous repercussions, some limited to moving activities online, but others much more serious and related to the sustainability and profitability of business in the short, medium and long terms. While corporate professionals go through a major experiment in teleworking, supply chain workers directly employed by companies or by suppliers and sub-suppliers are facing much bigger challenges. There is no doubt that the COVID-19 crisis poses a much greater threat to this group's wellbeing, job security, and basic rights.<sup>52</sup>



*The COVID-19 pandemic has affected many workers all over the world and is forcing businesses to adapt to a “new normal” in the workplace. Photograph: Shutterstock*

## Worker Vulnerability

Identification of trafficking victims is complex, even under normal circumstances, primarily because of the way trafficking victims are often exploited in illegal and unregulated sectors such as the sex industry and residential settings.<sup>53</sup> The evolution of COVID-19 has made victims even more vulnerable, with misinformation provided by the traffickers to take advantage of their desperate need for financial assistance as the costs of completing a journey rise due to travel restrictions. They are also at higher risk of contracting the virus, less able to protect themselves, and have less access to healthcare to ensure their recovery.<sup>54</sup> Practical steps taken to support the victims have largely failed due to countries' frequently adjusting their policies during this pandemic. Considerable increases in unemployment and reductions in income, in particular for low-wage earners, suggest that those who were already financially vulnerable now find themselves in even more precarious conditions.

Furthermore, as workers are told to stay home, losing their own only source of income, traffickers recommend using loan sharks who promise low-interest loans to these vulnerable people, increasing debt bondage.<sup>55</sup> While this might be considered the best option for some, others would be opening themselves to possible exploitation, in particular those who have already incurred debts as part of the recruitment process.

Children are at an elevated danger of exploitation, especially since school closures have blocked many students from access to learning, as well as from their main source of shelter and nourishment.<sup>56</sup> In third world nations, on account of the pandemic, more children are compelled to take to the streets in search of food and some income, increasing their risk of infection and exploitation. In Senegal, the UNODC is working with the government in a large-scale effort to identify children who were studying in religious boarding schools.<sup>57</sup> These children were constantly exploited and are currently at increased risk of infection. The UNODC will support returning these children to their families or placing them in shelters. Another danger is that since schools closed, learning and socializing have moved online, facilitating online sexual abuse by predators.

Around the globe, governments have implemented lockdown measures imploring residents to stay home to protect themselves from the

novel coronavirus. For those confined, COVID-19 measures may make their desperate situation even worse. Domestic violence – overwhelmingly against women, children, and LGBTQ individuals in domestic servitude or sex slavery – has increased significantly.<sup>58</sup> While the government is busy tackling the virus, traffickers can easily hide their operations and act with impunity. Hence lockdown and confinement may reinforce victims' isolation and drastically reduce the chances of them being identified and rescued from such exploitative situations. The closure of NGOs and government offices during the pandemic has added more obstacles to their accessing assistance and support, while the reduction of government services supporting those identified as victims of trafficking has left them more isolated than before.<sup>59</sup>

Finally, COVID-19 measures may disproportionately affect certain categories of people at risk of exploitation. Undocumented migrants and seasonal workers are faced with more precarious working and living conditions, resulting in greater vulnerability to falling prey to criminal networks.<sup>60</sup> Sex and domestic workers are more vulnerable to exploitation as the number of COVID-19 infections and other health hazards increases.

## Workplace Pressure

The pandemic has brought a new kind of workplace pressure, with some workers cajoled into excessive overtime after the months of extended inactivity. Suppliers find it difficult to meet the pent-up demand for products as production costs rise. Employers may be implementing new measures, either to protect workers from the virus or to conform with government restrictions. Workers may also be concerned with their own safety and given an ultimatum -- stay and work, or pay a penalty fee for leaving.

## Health and Safety

Continuing work during the pandemic naturally brings up health and safety issues. People who work close to one another and share equipment may not be able to social-distance, which then increases risk for the extended family members they live with. Some workplaces may lack hygiene products like hand sanitizer and soap, posing a number of health risks to the workers and their families. Workers may also have limited access to information regarding the pandemic

through a paucity of news sources and online tools, as well as language barriers. Lastly, employees may try to hide COVID-19 symptoms for fear of losing their jobs.

## **Proposed Responses to the Epidemic of Modern Slavery**

The Mekong Club is collaborating with companies to ensure workers' rights and safety during this uncertain time. Companies need short-, medium- and long-term plans implementing effective COVID-19 measures in the workplace and ensure that all employees understand the regulations. Workers should also be educated about the risks that come with taking on debt, and which resources and assistance are available during this challenging time. To protect health and wellbeing, illness disclosure policies must also be clarified and workers informed about the procedures when someone feels unwell. If for some reason workers need to take temporary leave, they should be paid until the day of their departure. If the company restricts movement with bans on assembling in large groups or social distancing rules, all employees should be aware of the arrangements. Policies should also be put in place to regulate overtime and address discrimination. Forms of consent to the COVID-19 guidelines could be provided to employees in order to ensure their understanding and agreement. Protecting contract workers with redesigned work procedures and maintaining hygiene standards with soap and running water in the workplace are two recommendations companies can follow to reduce worker vulnerability. Most importantly, employees should be aware of all the new changes being made in the workplace, with training provided to help create a safe and healthy work environment.



# Conclusion

The combination of initiatives outlined in this report offers a vision of how to combat modern slavery in a united and cost-effective way. The proposed updated approach is built on initiatives that are already in place, drawing on what already works -- and replacing ideas that do not work. "Winning" constitutes achieving something that's never happened before: putting a serious dent in human trafficking. If different organizations are able to cooperate in the fight to abolish modern slavery, the lessons learned can also be applied to other facets of organized crime and trafficking. To win, counter-trafficking practitioners will need to focus on the essential elements listed in this report and work under a unified strategic plan.

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## **Analytical Center of Excellence on Trafficking (“ACET”)**

### **Using Data to Combat Trafficking and Power Recovery**

Every corner of our globe serves as a source, transit or destination for transnational criminal networks trafficking in people, wildlife, arms and other illegal “commodities”.

Trafficking impedes development of good governance, good business, and cross border cooperation. Hundreds of billions of dollars are derived each year from trafficking, thus empowering organized crime and corruption, undermining legitimate businesses, and threatening human rights and the environment.

To mitigate trafficking, governments, corporations and civil society require reliable insights to guide effective enforcement, policies, prevention, and recovery strategies.

Powered by IBM and Cellebrite digital intelligence technology, as well as frontline civil society networks, the Analytical Center of Excellence on Trafficking (aka ACET, pronounced “asset”) is an open source data fusion center that helps stakeholders make sound and timely decisions that reduce trafficking, thereby saving time, money and lives.

Using evidence analyzed by artificial intelligence technology and subject matter experts, ACET bridges data holders with lawmaker and enforcers, and spotlights trafficking problems and solutions for:

- Border authorities: to identify real time trends in illicit commodity trafficking;
- Investigators: to track and seize assets derived from trafficking;
- Lawmakers: to strengthen and streamline laws and policies to mitigate trafficking;
- Behavior change specialists: to identify social and economic drivers of trafficking;
- Corporations: to ensure compliance with laws and socially minded business.

ACET is supported by an alliance of civil society and corporate partners, including Freeland, IBM, Cellebrite, and Mekong Club.

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