



# 10 things

you need to know about

## labour trafficking

in the Greater Mekong Sub-region



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Front cover image: Many labourers from Myanmar look to commercial fishing in Thailand as a pathway to improve their lives, but like undocumented and marginalised immigrants everywhere, they are vulnerable to unscrupulous brokers who, for a fee, transfer them to exploitative ship captains. (Photo credit: Kay Chernush, United States Department of State)

Inside cover image: Dara (not his real name) and his brother were trafficked into Bangkok to sell roses to restaurant patrons from 6.00pm until 6.00am every night. Fed one meal of rice a day, the boys were frequently beaten and burnt with cigarettes if they did not sell all their roses. They eventually escaped and hid under a bridge until the Thai police found them. (Photo credit: Khaing Min Htoo/World Vision)

Back cover image: Now, successfully repatriated with their family and community, a trafficked mother and daughter support each other to overcome their memories of exploitation. (Photo credit: Khaing Min Htoo/World Vision)

Printed in Thailand by Thammada Press

Where indicated, names and places have been altered to protect the identities of the victims/survivors of trafficking. Some of the photos are not of victims/survivors themselves, but rather represent their communities.

All dollar amounts are US dollars. Dollar equivalents are approximate, based on the exchange rate at 18 October 2010.

We acknowledge the kind support and advice provided by Dr Anne Gallagher and Mr Philip S Robertson, Jr; by the Communications Team of World Vision East Asia Regional Office; by members of the Regional Advocacy anti-Child Trafficking Project (RACTP); and by the leadership of World Vision Offices of the Greater Mekong Sub-region (GMS), without which this publication could not have been completed.

World Vision is a Christian relief, development and advocacy organisation dedicated to working with children, families and communities to overcome poverty and injustice. Motivated by our Christian faith, World Vision is dedicated to working with the world's most vulnerable people. World Vision serves all people regardless of religion, race, ethnicity or gender.

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# Introduction

This publication features stories from women, men and children who were trafficked for labour exploitation. We hope that it will help improve your understanding of the true nature of human trafficking. Since statistics are scarce, these stories provide insight into methods and forms of trafficking, as well as possible hot-spots in the Greater Mekong Sub-region (GMS) and the changing nature of the crime.

## Tell me something I don't know...

It is increasingly being accepted that forced labour is the most common form of human trafficking. Labour trafficking can take the form of forced labour, bonded labour, debt bondage and sweatshop labour. In the Asia Pacific region there are approximately three trafficked persons per 1,000 inhabitants.<sup>1</sup> It is estimated that for every trafficked person subjected to forced prostitution, nine people are forced to work.<sup>1</sup>

Labour trafficking is made possible by a constant supply of unscrupulous employers willing to exploit workers, often foreign and undocumented migrants. These workers often become vulnerable in their own countries due to lack of employment opportunities, discrimination, corruption, violence, war or political conflict. Instead of being correctly identified and supported, trafficked victims are either summarily deported or detained in jails, shelters and

immigration centres<sup>2</sup> and prosecuted for status offences such as illegal immigration or illegal work.

## Labour trafficking in the Greater Mekong Sub-region (GMS)

Migration has shaped the GMS\* and brings many social and economic benefits, both for the migrants' countries of origin and destination countries. With limited opportunities for safe and legal migration in the GMS, there is widespread irregular migration, creating a fertile breeding ground for the exploitation of workers.

Trafficking has been said to be “the perfect business”.<sup>3</sup> The supply of vulnerable people is constant, there are low risks of punishment or arrest, and there are high, continual profits because a victim can be exploited for years on end.

In the GMS, a great number of trafficked persons end up in involuntary servitude, bonded labour, debt bondage, and/or slave-like conditions in the labour sector. They find themselves in factories and sweatshops, on farms and

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\*The GMS countries comprise Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam.

construction sites, in the fishing industry and in private homes. Victims are often physically and mentally abused, and lack medical treatment, health care and social services. They are forced to work to pay off inflated 'debts', and are generally not allowed to leave their work premises or contact anyone outside the workplace – a situation that is especially dire on fishing boats.

Victims of trafficking often are denied access to information or services that could help them.

Mechanisms to monitor the labour sector are generally not in place, allowing employers to hire local and foreign labour without proper contracts and to confiscate identity papers, while 'recruitment agencies' forge papers to conceal the true ages of children. Foreign workers are especially vulnerable, as governments and citizens tend to disregard their right to protection.<sup>4</sup>

## Lack of action on labour trafficking

Ten years after the adoption of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime*<sup>5</sup> (known as the United Nations (UN) Trafficking in Persons or 'TIP' Protocol), significant national and regional efforts, by governments, international organisations and non-government organisations (NGOs), have been taken to combat trafficking.\* The emphasis,

however, remains primarily on trafficking for sexual exploitation. Trafficking for labour exploitation is generally still not considered as severe a crime as trafficking for sexual exploitation, and there is a high level of impunity for offenders. Victims of labour trafficking are often not identified as such, and instead are detained and deported from the country where the exploitation took place. As a result, the majority of trafficked persons do not have access to assistance or to justice, and the traffickers remain free to exploit others.

Fortunately, increasing attention is now being given to labour exploitation, and victims of labour trafficking are starting to be acknowledged and protected. The recently released U.S. Department of State *Trafficking in Persons Report 2010*<sup>1</sup> reflects a broader trend in acknowledging the significance of the problem of trafficking for labour exploitation, and emphasises the need for action.

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\*For example, the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) to enhance cross-border cooperation to combat human trafficking. In October 2004, the governments of Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam signed the first sub-regional Memorandum of Understanding on human trafficking in Asia and the Pacific; in March 2005 they adopted a comprehensive Sub-regional Plan of Action (SPA); they now meet every year to review national implementation of anti-trafficking initiatives.

## International frameworks and legislation

There is no single, agreed definition of 'labour trafficking'. The term generally describes those forms of *trafficking in persons* for which the *exploitative purpose* relates to a person's *labour*. Frequently it is used to signal that the exploitation takes place *somewhere other than in the commercial sex industry*.<sup>6</sup> The distinction is not, however, always clear-cut: for example, women trafficked into domestic servitude may also be sexually exploited. Definitions of trafficking in persons in domestic legislation vary in GMS countries, and labour trafficking is not specifically defined. The criminal justice response in many countries is focused on recruiters, brokers and transporters as trafficking offenders, rather than end exploiters. This ignores those who carry out and profit greatly from the exploitation of human beings. Trafficking legislation that follows the UN TIP Protocol definition extends to end exploiters.

For the purposes of this publication, we will use the definition in the UN TIP Protocol to define human trafficking. One thing is clear in the Protocol: the core feature of all human trafficking is exploitation.

Article 3 states:

(a) '*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;*

(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, 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) of this article;*

(d) '*Child*' shall mean any person under eighteen years of age (Appendix 2).

The three elements of 'action', 'means' and 'purpose' in paragraph (a) must all be present for a situation to constitute trafficking. The only exception to this is where the victim is a child – in which case only the initial action and the exploitative purpose must be present. It is important to note that the definition does not require 'movement': the first element is satisfied if one of the identified actions, for example



'harbouring' or 'receipt', is present. This has the effect of extending the definition to include (provided other elements are satisfied) the holding of an individual in a situation of exploitation or with an intention to exploit that person.

## Methodology

***10 things you need to know about labour trafficking*** is based on analysis of secondary resources, which includes research reports, project reports, news clippings from UN sources, NGOs, international organisations and the media, and over thirty case stories of survivors of labour trafficking. World Vision staff implementing anti-trafficking projects in GMS countries selected these stories to illustrate specific characteristics within the trafficking continuum.

In this publication, different forms of labour trafficking will be highlighted. We will reflect the slave-like conditions that many trafficked persons have to endure, in order to increase knowledge and to trigger debate and discussion on labour trafficking in GMS countries.

Migration and trafficking are closely linked and the stories told here connect the issues and reveal that most of the people who ended up victims of trafficking started out believing that they were on their way towards a better life; not only for themselves, but also for their families. Survivors of trafficking explain that they were recruited through both informal recruitment processes, as well as exploitative formal recruitment agencies.



Dai Wja (15) from Myanmar was a victim of trafficking. With World Vision's help she is learning hairdressing and is slowly recovering from her traumatic past. "When I get out of the shelter I will not go back to work in food shops or anywhere. I'll become a hairdresser and take care of my family," she says. (Photo credit: Mathira)



# 10 things you need to know about labour trafficking

Many undocumented migrants – women, men and children – from Myanmar enter Thailand in search of work – often lured by traffickers. (Photo credit: Alan Morison/phuketwan)



# Men are trafficked onto fishing boats and held as prisoners

When trafficking first emerged as a global issue in the mid-1990s, the focus was almost exclusively on the cross-border sexual exploitation of women and children with little or no attention to the situation for men. Fortunately, this is changing and males are now being acknowledged and recognised as victims of trafficking in legislation and in national responses.

Men are the vast majority of persons identified as trafficked in the fishing industry, one of the most lucrative export industries in Thailand, estimated at \$4.8 billion in 2005.<sup>7</sup>

Almost all the GMS countries now have trafficking laws or penal code provisions that cover male victims of trafficking.<sup>8</sup> Thailand also has taken specific steps to improve the fishing industry, by setting up a National Sub-Committee on Fishing Labour. However, most countries still lack sufficient legislation to cover all sectors, and laws covering domestic workers and fishermen remain inadequate.<sup>9</sup>

In 1989, Typhoon Gay resulted in more than 200 fishing boats sinking and caused the deaths of nearly 500 Thai fishermen. As a consequence, Thai workers were no longer willing to work

in fishing, and the industry began recruiting foreign workers from neighbouring countries to fill the demand for work.

There continues to be a severe labour shortage in the region's fishing industry because of the hard and dangerous nature of the job. Workers on boats report being deprived of food and sleep<sup>9</sup> and having to use dangerous, heavy equipment. Workers are often forced to be out at sea for months or years at a time. Physical abuse and threats are common and workers who try to resist or who become sick have been killed or thrown overboard to die.

Current information indicates that the vast majority of victims trafficked into the fishing industries of Malaysia and Thailand are adults and older male children from Cambodia, Lao PDR and Myanmar. Increasing numbers of first-hand accounts explain how men are lured by local brokers, who convince them to go to Malaysia or Thailand, usually on the promise of well-paid jobs on plantations, in construction or other sectors. When they reach the destination country they are locked up and eventually sold to fishing boat captains. Some trafficking survivors interviewed in Myanmar reported ending up on fishing boats after being persuaded, or even drugged, by sex workers.

Their stories tell us that they endured months on boats in harsh conditions, isolated from the rest of the world. The only option they had to escape was to jump overboard and be at the mercy of the sea. Tragically, there have been cases of men jumping overboard to swim to land, only to be re-trafficked into more exploitative labour. A few lucky ones are rescued by other boats and coast guards.

In February 2010, five trafficked Cambodian men jumped into the sea to escape a fishing boat after the murder of one of their fellow Cambodian workers on board; they were assisted by the International Organization for Migration (IOM) after reaching East Timor. They had been promised construction jobs in Thailand, but found themselves trapped on board.<sup>10,11</sup> In this case the men were able to escape and find assistance, but countless others suffer unnoticed, with no way out of their dire situations.

Contracts are generally verbal\* and men are rarely paid until the agreement is fulfilled; brokers often claim a portion of the payment.

One of the issues authorities face upon finding a potential victim of labour trafficking is that fishermen are often unwilling to press charges. They go through an often lengthy investigation with little expectation of securing justice or compensation, and so usually just want to return home. Without victim testimony,

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\*A study on trafficking into the Thai fishing industry identified that none of the interviewed fishermen from Cambodia, Myanmar and Thailand had ever had a written contract. See Robertson 2009.

† See [www.licadho-cambodia.org](http://www.licadho-cambodia.org).

authorities are usually unable to prosecute offenders – who may be influential people. As a result, they continue their exploitation with impunity.

Between June 2007 and December 2008, 49 Cambodian trafficked fishermen were interviewed after they had all been trafficked onto Thai fishing vessels and either had been rescued or had escaped. Of the 49 men, 18 per cent had been children when recruited and forced onto the vessels.<sup>12</sup> All of them had experienced debt bondage to Cambodian and Thai brokers.

Local and international organisations are actively working to assist trafficked fishermen and are reporting an increase in the number of cases coming to their attention. For example, Cambodian human rights organisation LICADHO<sup>†</sup> assisted 60 trafficked fishermen in the 18 months up to May 2010, and Thai NGO the Mirror Foundation worked with 138 fishing industry-related cases in 2009, three times higher than the year before.<sup>13</sup>

It is timely to put this issue high on the anti-trafficking agenda – to conduct research and to make sure that efforts are made to assist victims and prevent more men from being trafficked into the fishing industry.

World Vision's work in Thailand includes assistance to men in trafficking situations, and trafficking prevention aimed at men. In Myanmar, World Vision, as part of the inter-agency Human Trafficking Working Group, has initiated advocacy to relevant government officials to improve assistance for male victims using a rights-based approach.

# Sold for \$650

When he left home five years ago at the age of 16, Kyaw Win\* vowed that he would never return – he had his own serious and secret reasons for that decision.

Born in the city of Myeik, a well known fishing port in southern Myanmar, Kyaw and his friends jumped on a local commercial fishing boat as soon as he finished primary school. Pretty quickly he heard he could earn 4500 baht (\$150) a month across the border, in Ranong, Thailand.

“I called my home and learnt that my family had moved to another town.” Kyaw says these were the last words he heard about his family.

After eight months, he was on the move again with hopes of a promised 6500 baht a month salary in Samut Sakhon, a port town in the Gulf of Thailand. But the promised money didn’t materialise; in fact, he was paid no salary.

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\*real name protected

“I realised that I’d been cheated. So I started wandering hopelessly on the city’s streets,” says Kyaw.

As an undocumented migrant worker he was not used to being in the foreign city, but his distress was so deep he didn’t care about the police. He thought it would be better to be arrested than work as an unpaid slave.

## **Vulnerable to traffickers**

Soon arrested by Thai police, Kyaw was handed over to an armed gang of traffickers who operated inside Myanmar at Myawaddy, a bustling border town. Brokers paid the gang an unknown amount of money for Kyaw and a fellow illegal migrant.

Herded into the jungle with ten other migrant workers he walked “with little food or sleep” for nearly ten days to reach a small Thai town, where the same brokers from Myanmar sold him to Thai brokers who then sold him to a fishing boat owner for 20,000 baht (\$670).

The boat, run by Thais, operated illegally in Indonesian territory. Kyaw was pleased to join four other Myanmar workers as a fisherman, but he learned rapidly that the boat was worse than an 18th century slave boat.

“They allowed us to sleep only about one hour per day. There were Thais and Khmer people on the boat but they got better treatment than us [from Myanmar]. Controlled

by a crew with guns, Kyaw says he and fellow slave-migrants from Myanmar were treated “as animals”.

After six months on the Thai fishing boat, Kyaw and five friends jumped into the water, in the middle of the night. The friends, who all had life jackets on, hoped to stay together but waves separated them. Hours later, at daybreak, Kyaw was picked up by an Indonesian fishing boat.

“My tired limbs drove me to float with no direction,” Kyaw recalled. “When they pull me up onto their boat, I couldn’t stand on my feet. I was nearly blacking out.”

Kyaw's friends had also been rescued by other Indonesian boats and together they were sent to the closest port of Bali where they waited in immigration detention for a year.

Though he was treated well, Kyaw had no idea what was going to happen next. His only hope was a telephone number for the Myanmar Immigration Office in Jakarta. Living on a daily allowance of 5000 rupiah (\$0.55), the friends skipped meals to buy phone cards. They called that telephone number numerous times, each desperate to go home.

Finally, a Myanmar official responded and soon after they were taken to the airport – nearly eighteen months after Kyaw and his friends had their watery escape. They were flown to Yangon. Sitting on a bed in a social welfare centre, Kyaw wanted only one thing: to go back home as soon as possible.

One week later, World Vision traced his family in Kawthaung, southern Myanmar, and flew Kyaw home. World Vision also supported his reintegration with his family, giving him a second chance at life.

“I’m really happy to get back to Myanmar. I really thank you all [at World Vision] for helping me,” he said, with a smile. When asked if he would go back to Thailand, he gave no reply.

## ►► Recommendations:

1. Anti-trafficking legislation in GMS countries should be in compliance with international standards, and should include specific protection measures for male victims of trafficking on commercial fishing boats.
2. Authorities must be empowered to pursue prosecution, even when offenders are influential. Victims and witnesses of trafficking and their families should be protected and fully supported.
3. Governments of the destination countries should undertake a comprehensive review and revision of laws regulating the fishing industry, to ensure that workers on commercial fishing boats are provided with proper labour contracts and decent working conditions.
4. States should ensure that labour protection officers are equipped with greater resources to conduct regular inspections of fishing boats before they go fishing and upon their return.
5. Governments, UN and non-government agencies of both origin and destination countries should improve dissemination of proper pre-departure information packages for potential migrants in the GMS, based on the real experiences of victims. Coordination with local anti-trafficking committees and relevant agencies should be strengthened in order to avoid overlap, and gaps in awareness-raising, while still ensuring the effective dissemination of information to prevent further victimisation.



Myanmar migrant workers unload fish at Ranong fishing pier, the only public pier in the province. (Photo credit: Mathira)



## 2 ‘Legal’ recruitment agencies can be complicit in trafficking

It is generally believed that ‘legal’ labour migration is safe and secure, especially when it takes place using formal recruitment agencies, public authorities or licensed employers. But the reality is that some recruitment agencies deceive innocent people through tactics such as advancing exploitative loans, not providing proper contracts to clients and falsifying the age of young people by forging identification papers. These practices put children and adults in unsafe and exploitative situations.

If recruitment agencies are not fully regulated, there are few measures in place to prevent the recruitment of children in countries such as Cambodia. Families and communities often lack clear information on the companies or the risks being taken, and local brokers often collude with local officials and parents to falsify ages. World Vision works with communities to build the resilience of young people and mobilise local leaders to be more proactive in protecting children.

Many Cambodian prospective migrants are promised high salaries and decent employment by recruitment agencies, but end up in exploitative labour situations in domestic work and sweatshops – later returning home without any money. The brokers earn significant sums of money for the workers

they recruit and are therefore eager to tell only the successful stories of migration.<sup>14</sup> The victims or their families are often charged for these costs, paying up to five months’ salary to the recruiting agency after work commences.<sup>14</sup> So even before departure, most of the victims already have accrued a significant debt to be paid to the recruitment agencies.

In 2010, the number of Cambodians leaving for employment abroad increased. During the first quarter of the year, 3,000 Cambodian labour migrants went to Malaysia through legal channels, 2,350 of whom were women. This number was nearly double that for the first quarter of 2009, and the yearly figure tripled from 3,432 in 2008 to 9,682 in 2009.<sup>15</sup>

The reported number of recruitment agencies in Cambodia also doubled from 11 in 2009 to 22 in 2010, including two NGOs that are allowed to recruit workers for Malaysia and Thailand.<sup>15</sup> Many unlicensed recruitment agencies give the licensed ones a bad name. It is more likely that unlicensed recruitment agencies are involved in human trafficking, but some licensed agencies have been involved in the crime. Recruitment agencies are profit-driven and some care more about the money workers can generate than about

their well-being or safety. Workers can be charged fees of up to \$700 for the recruitment services and 'pre-departure training'.<sup>†</sup> These are huge sums of money given that many common jobs in Cambodia pay around \$2 per day.\*

Today, the enforcement of national laws and policies that regulate recruitment agencies are very weak. The hiring of migrant workers should be done through public authorities – government agreements, or authorised private agencies.<sup>16</sup> Unless employers and/or recruitment agencies are licensed

and monitored by the respective government, workers cannot be protected from labour trafficking.

Recruitment agencies in Cambodia have been found to use their own recruitment contracts for domestic workers and some of these do not correspond to national and international labour standards.<sup>17</sup> Some recruitment agencies get workers to sign a contract prior to their pre-departure training which includes clauses such as:

## **FOLLOW EMPLOYER'S INSTRUCTIONS AT ALL TIMES!**

### ***Don'ts in the employer's house***

- Do not use the telephone.
- Do not ask for leave/rest days.
- Do not speak to neighbours.
- Do not ask for change of employer.
- Do not mix with men.
- Do not leave the house without your employer's permission.

Conditions like these are oppressive and unfair. They potentially compromise many of the rights that are recognised by all States and the international community, including the right to freedom of opinion, expression, movement and association; the right to fair and just conditions of work; and the prohibition on forced labour and arbitrary detention.

<sup>†</sup> See the country narrative for Cambodia in U.S. Department of State 2010.

\*The daily wage of construction and wood workers in Cambodia is approximately \$2 and garment workers earn about \$50 per month (See Building and Wood Workers International (BWI) - <http://www.bwint.org>).

## Mother accused of sending minor to work

A mother accused of sending her under-age daughter to a recruitment training centre has been arrested, along with a man accused of brokering a deal for the girl's placement, a police official said yesterday.

Police said 43-year-old mother Ly Yan and 28-year-old broker Kao Setha were arrested on Friday after officials at the recruitment firm VC Manpower filed a complaint accusing them of falsifying documents in order to submit Ly Yan's daughter, 16, to a training programme that would prepare her to work as a domestic aid in Malaysia.

"While the girl was spending her month at the company [for training], the company found out that the girl's real age was 16," said Keo Thea, director of the municipal Bureau of Anti-Human Trafficking and Juvenile Protection. "And it was learned that the suspects lied about the girl's real age and background to make her appear to be legally able to work in Malaysia."

According to a 1994 sub-decree on migrant labour, trainees must be at least 18 years old before being sent to work abroad.

Meas Chanpiseth, deputy prosecutor at the Municipal Court, said yesterday that charges had been laid against both the mother and the broker, but declined to elaborate further.

"We are now working on the case for which we have already laid charges...but we cannot say what the charges are because the case is now being investigated," he said.

On August 16, police officials said that the director of a VC Manpower training centre in Sen Sok district evaded arrest and went into hiding after he was accused of mistreating a trainee under his care. Pol Khemra, deputy director of the Department of Police at the Interior Ministry, said yesterday that police are still on the hunt for the man. VC Manpower also came under scrutiny last month when a woman fled one of its training centres and said she had been held against her will. Days later, authorities announced that they had found 24 under-age girls being trained by the company. The Labour Ministry initially barred the firm from recruiting clients, but absolved it of wrongdoing soon after.

Oum Mean, a secretary of state at the Ministry of Labour, said yesterday that the ministry had held a training session for recruitment companies on Friday. He said more than 30 representatives from the companies attended the seminar, at which they discussed the laws pertaining to migrant labour and were reminded "to obey the ministry's regulations and principles related to trainee ages, requirements for training centres and departures to Malaysia," he said.

Reported by Khuon Leakhena and Chrann Chamroeun. 'Mother accused of sending minor to work', *The Phnom Penh Post*, Cambodia, 24 August 2010.

After **four years**  
of **hard work,**  
she returned home  
with **little**  
for her **labour**

Votey lived with her mother and sister in Prey Veng, Cambodia. She came from a poor family and was forced to drop out of school in her early teens to move to Kompong Cham, Cambodia to be a silk weaver. At home in Prey Veng, a broker working for a recruitment agency promised her mother that employment could be secured for Votey as a domestic worker in Malaysia with a monthly salary equivalent to \$180 plus benefits. Without hesitation, her mother agreed to go with her two daughters.

The company that recruited Votey and her family was responsible for processing the travel documents, and Votey's age was increased from 17 to 27 to fit employment requirements. Her mother's and sister's ages were also falsified to suit the criteria. The three were taken to Phnom Penh to undergo medical exams and when they passed, they signed a

contract and were placed in a training centre. Votey reported that at the training centre she did not get enough to eat, and the food was poor quality, not nutritious and tasteless.

For more than five months, they learned the Malay language and the skills that they would require for the job. Then, one after another, they were sent to different homes in Malaysia. Even though all three family members worked in Malaysia, they were unable to contact each other. Votey changed employers eight times during the first two years and often encountered exploitative and abusive situations during her time in Malaysia. Sometimes she was not given enough to eat by the house owners; there was at least one employer who attempted to sexually assault her. While she did not suffer physical abuses by her bosses, she was beaten by a Cambodian female trainer in Malaysia when she was referred to the centre for a refresher course. She also had long working hours with little time to rest. She was not allowed to leave the house, but was expected to be on stand-by at all times.

Votey reported the following: "There was a house owner who sold drinks at a market. I was required to work from early morning to midnight every day. Apart from household chores, I was also a shop assistant even though my contract stated that I was a housemaid and not a shop assistant. Whenever I took a little rest, I was scolded. Despite all my hard work, I did not get enough to eat."

The company re-calculated her salary at \$130 per month, payable once every two years. Then, after four years, she was told she owed the recruitment agency four months of her salary.

She would have earned approx \$5,720 after this deduction (\$130 x 44 months). But then the company made further deductions and at the end of four years she had been paid only \$1000 – which she used to return home.

## ►► Recommendations:

1. Governments should strengthen licensing and monitoring systems for recruitment and placement services. Individuals and companies breaching labour standards should be subject to sanctions that reflect the seriousness of these offences.
2. GMS governments should introduce codes of conduct for recruitment agencies. Training, awareness-raising and advocacy should follow the introduction of the codes of conduct to ensure better implementation.
3. GMS governments should ensure the provision and monitoring of pre-departure training, information and orientation about relevant laws.



Mai is learning new skills and recovering from her very bad experience of working as a maid for five years in a Bangkok apartment. (Photo credit: Vanhlee Lattana)



# 3 Human trafficking is a clandestine crime and victims can be difficult to identify

Law enforcement agencies are responsible for collecting evidence on an alleged trafficking crime and determining if a person is a victim of trafficking or not. Under the international legal definition, labour exploitation that amounts to forced labour or services, servitude, slavery or practices similar to slavery, is sufficient to satisfy the third 'purpose' element of the offence. Yet victims of labour trafficking are often overlooked, and laws designed to protect them are not enforced. Victims of labour trafficking often do not consider themselves as victims; they are not aware of laws, regulations and mechanisms that can protect them. If they are undocumented migrants, they fear authorities and are reluctant to press charges out of fear of being detained and deported. This makes criminal investigations difficult, since prosecutions often depend on the testimony of trafficked persons.

GMS governments have committed themselves to strengthening legal frameworks, law enforcement, justice systems, and the

capacity of their national law enforcement agencies to enforce trafficking legislation.\* This commitment extends to all forms of trafficking involving men, women and children.

Timely and accurate victim identification is often extremely difficult in situations of labour trafficking. In a factory or on a construction site, there may be no outward signs separating trafficked persons from regular workers. It is essential that frontline officials such as police and labour inspectors are capable of identifying persons who may have been trafficked. This is particularly important in view of the fact that trafficked persons often do not speak the language of the destination country. They cannot easily access help and are vulnerable to being misidentified as illegal migrants and detained or deported.

Law enforcement officials lack tools and information to help them distinguish labour trafficking victims. A special 'checklist' using agreed international standards and a human rights framework could be a useful tool. It can help law enforcement officers identify victims of trafficking in the labour sector. Such a checklist needs to include area-specific information on recent trends in movement and 'hot-spots' for trafficking and labour exploitation. It should include questions to ask or signs to observe in order to help law enforcement agencies to identify victims.

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\*The Coordinated Mekong Ministerial Initiative Against Human Trafficking (COMMIT) Memorandum of Understanding was signed by the GMS governments in 2004. See articles 1, 7, 9, 11, 12 and 13, and Project Proposal Concept 4 of the COMMIT Sub-regional Plan of Action II.

**“Only after  
I got home  
was I recognised  
as having been  
trafficked”**

Ko Htet\*, a 14-year-old boy, and his 20-year-old sister Than Than told their stories at a district-level youth forum in Myanmar. Ko Htet recalled how a broker sold him to work on a fishing boat for a year, off the coast of Thailand, while his elder sister was sold to the boat owner to work in his small shop.

While Than Than was paid a reasonable wage which helped support her family back home, Ko Htet was not so lucky. He did not get paid at all. Being a slightly-built boy, he could not manage the hard heavy work, and had the terrifying experience of seeing his co-workers thrown into the sea when they could no longer work as hard as the boss demanded. He completely lost contact with his sister; even though they both worked for the same man they were unaware of each other’s whereabouts.

Both of them managed to run away from their employer, and met up a few months later. But Than Than’s husband and their cousin were left behind so they have lost contact with them both.

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\*real name protected

They managed to make it back home across the border by paying another broker using Than Than’s hard-earned savings. It was only when they told their stories at the youth forum that they were recognised as having been victims of trafficking. World Vision Myanmar’s anti-trafficking programme conducts training to warn other would-be migrant workers of the potential dangers.

**►► Recommendations:**

1. GMS governments should develop victim identification tools and train officials (frontline and specialist police/immigration/labour inspectors/marine police) to identify victims of trafficking, especially labour trafficking. Such processes should be understood by caregivers, concerned agencies and community-based groups so that they can support the initial screening process. Computer-based and even mobile phone-based technologies could improve the tracking and identification of victims.
2. A child-centred and rights-based approach should be applied in the efforts to identify and handle trafficked persons. For example, trafficking victims should not be detained and deported, and investigations should be made swiftly to ensure the safety and protection of the victims.
3. GMS governments should promote citizen action to report possible cases of trafficking and improve the responsiveness of law enforcement agencies to such reports.

# 4 '3D' jobs fuel demand for trafficked labour in the GMS

Around the globe, '3D jobs' – dirty, dangerous and demeaning – are often filled by migrant workers. In the GMS there are many industries using migrant workers to fill jobs that local citizens are unwilling to take. There are some sectors of employment where the 3D jobs are particularly prevalent in the GMS: fishing, agriculture, manufacturing, construction, and domestic work. Children and young people are often recruited for domestic household work, agricultural work, and for the fishing and shrimp processing industries. Because these jobs are often unregulated, dangerous and undesirable to most people, they become a breeding ground for trafficking.

There are many stories of women, men and children being trafficked in the agricultural sector in Malaysia and Thailand. However, there is a lack of official data on this. Agriculture is one of the most hazardous sectors of employment: out of 335,000 fatal workplace accidents globally each year, nearly half are in the agricultural sector.<sup>18</sup>

On farms and plantations, work is extremely difficult. The workers are exposed to weather extremes, work long hours hauling heavy loads and using dangerous equipment, and they

are also exposed to toxic pesticides. Along with domestic work, work on plantations is the least desirable because of the harsh nature of the work. The differences between documented and undocumented workers are significant. In the agriculture sector, Thai workers and legally registered migrants make 3,000–4,000 baht (\$100–135) per month, while an unregistered migrant has an approximate monthly wage of 1,000–1,500 baht (\$33–50).<sup>19</sup>

The International Labour Organization (ILO) Convention No. 184 on Safety and Health in Agriculture sets the minimum age at 18 for jobs categorised as dangerous, and 16 for other farm jobs. Yet as much as 60 per cent of the total number of child labourers is found in the agriculture sector.<sup>20</sup>

Over the past decade, the manufacturing sector has expanded rapidly in most of the GMS. In many GMS countries, such expansion has been fuelled by relocation of foreign companies seeking to benefit from lower labour costs. There are many stories of both cross-border and internal trafficking to sweatshops. It is common for boys and girls to end up in exploitative labour situations in sweatshops.<sup>21</sup> The salaries in

factories are 5,500 baht (\$180) per month for Thai workers, 3,000 baht (\$100) and above for registered migrants, and 1,000–3,000 baht (\$33–100) for unregistered migrants.<sup>19</sup> This makes it clear that unscrupulous factory owners can make significant amounts of money hiring undocumented workers.

In Vietnam the exploitation of child labourers is common in the garment industry. “That is just a normal thing, other facilities also do [this]...It is because we are doing subcontracting work for low prices,” the wife of a Vietnamese factory owner claims.<sup>22</sup> The use of child labour is common among employers who want to keep the costs low and have more control of their workers. According to a survey conducted in Ho Chi Minh City by the Ministry of Labor, Invalids and Social Affairs, 62 out of the 172 local production facilities were found to use child labourers, with up to 50 per cent of the workers being younger than 15.

The Better Factories Cambodia project was initiated in 2000 by ILO; it has been successful in helping the private sector, especially the garment sector, to improve working conditions in textile and garment factories in Cambodia as well as decreasing the use of child labour. The results are striking and demonstrate the value of cooperation with business to improve working conditions.

“International buyers representing 70 per cent of Cambodian exports in apparel are now actively participating in the project. The government decided that participation in the programme should be a condition for export, and the country has successfully created the ‘Cambodia Brand’, which in turn has boosted competitiveness of the country’s industry. Exports have grown by 10 per cent in volume and 20 per cent in value. Dialogue amongst key stakeholders – government, employers, workers as well as international buyers – has been crucial to its successes, which include the generation of over 30,000 jobs, 43 per cent unionisation, and a decrease in child labour to below 1 per cent”.

– from ‘We’re in business! From Better Factories to Better Work’, reported by the International Labour Organization<sup>23</sup>



Sokkong, 14, is Sokchan's eldest brother. As his family's main source of labour, his job at the brick factory was lifting clay, 10–15kg at a time, far beyond his strength.



# From bricks to books and pens

Sokchan was only six when his parents divorced and his father left home. To support the family he had to become a worker at a brick factory. The work was very hazardous, a '3D' job that included lifting clay, and carting, drying and carrying brick blocks into hot furnaces. Together, the whole family of five worked at the factory but earned less than \$25 per month. This work is considered one of the worst forms of child labour.

"I know it's very hard work for my children, I feel their pain from losing their father at such a young age. Often times, my tears fall when seeing my children starve," says Kim Oun, Sokchan's 46 year-old mother. Sokchan and his oldest brother Sökkong, 14, are the main source of income in the family. While they have very different personalities and looks, they are both underweight and under-developed for children their age.

Sokchan describes the family's daily struggle to secure enough food. "Sometimes my brothers and I have to walk as far as three kilometres away from home to search for fish in canals along the roadway. With some luck we can return home with some fish, while on unlucky days we are forced to eat rice with fish sauce or salt. Only when we get our monthly salaries can we afford to add pork," Sokchan says sadly.

All of the family members are well aware of the potential dangers they face each day at the brick factory. The children are at risk of getting their hands caught in clay cutting machines, or other injuries from carrying excessive weight. Their jobs are anything but desirable but they have little choice. Sokchan's family have now spent over five years working in the local brick factory. None of the children attend school. Sökkong dropped out of school in Year 3, Sokchan in Year 1 and the other two brothers never attended school. "I have been thinking about changing jobs, but I cannot since I have no place to stay and cannot afford rent. This factory gives us room to stay, and although small, it's better than nothing," says the mother.

Sokchan's situation is fairly typical of children trapped in exploitative dangerous labour. Fortunately, thanks to World Vision's Combating the Worst Forms of Child Labour Project, he and his siblings are now attending school and receiving other assistance to grow and ensure better futures.



Sokchan now enjoys his school lessons. (Photo credit: Sopheak Kong/World Vision)

## ►► Recommendations:

1. Governments of GMS countries should ensure that labour inspectors have the knowledge, skills and incentives to effectively monitor high-risk industries and that they are trained to identify and act on possible situations of trafficking in 3D jobs.
2. The government and private sector should work together to regulate and monitor high-risk industries, with industry-specific standards and codes of practice adopted, and heavy penalties imposed on industries that violate the laws and codes of conduct.
3. Governments and NGOs should work to raise employer awareness of labour standards and the legal rights of migrant workers. Campaigns should target employers in the less visible industries such as domestic service.

# 5 Vulnerable domestic workers are exploited in private homes

Labour laws in many countries, especially in GMS countries, still do not fully correspond to the changing labour environment, leaving room for exploiters to take advantage of many vulnerable people. One of the areas where legislation is not keeping up with the reality of life in the GMS is in the domestic work sector.

Millions of women, men and children are treated as slaves in the homes of people across the GMS and the world. Domestic workers constitute between five to nine per cent of total employment in developing countries, and up to 2.5 per cent in industrialised countries.<sup>24</sup> Most domestic servants work without proper contracts, and are not aware of their rights. The U.S. Department of State recently highlighted that migrant domestic workers, who are mainly female, are particularly vulnerable to exploitation.<sup>1</sup>

Low pay, long working hours, no regular holidays, few or no days of rest, confinement, isolation and seizure of documents<sup>25</sup> are just some of the realities domestic workers face in the GMS. Many domestic workers are forced to work for 15 to 20 hours per day, sometimes with no days off or personal leave. Gender-based discrimination, violence and

stereotyping are also issues that domestic workers have to deal with.<sup>14</sup> Authorities are unable to inspect private property as easily as formal workplaces and, as such, domestic workers are particularly vulnerable to exploitation. When allegations of exploitation are made, governments and labour monitoring bodies often appear reluctant or unable to protect workers. Employers are very rarely prosecuted for abuses against their domestic servants.

Many Cambodian women and girls now migrate to Malaysia where there is a high demand for workers. But in the absence of adequate legislation, to protect domestic workers they often end up in highly exploitative labour situations. According to the accounts of many survivors of trafficking recruited by agencies in Cambodia, they were initially motivated by the agencies who falsely promised good salaries for very simple jobs like domestic work, or jobs in factories with attractive salaries and working hours.\*

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\*See Thea's and Votey's stories.

In Thailand in 2009, there were 108,000 domestic workers registered, and 95 per cent of them came from Myanmar.<sup>26</sup> However, the laws are not sufficient to protect them. In Vietnam, on the other hand, the labour code explicitly includes domestic workers.<sup>14</sup>

The growing social cost of domestic work is often overlooked. In many countries, children are domestic workers instead of attending school. Unregulated domestic work also allows abuse to take place behind closed doors. It is commonplace to hear of sexual and physical abuse of domestic workers by their employers. Studies elsewhere in Asia have reported an increased number of domestic workers killed during the last decade, and large numbers of domestic workers returning to their home countries with sexually transmitted diseases, including HIV.<sup>1</sup>



La was trafficked into Thailand from Lao PDR, on the promise of good money. She ended up working as a maid for 16 years of her life, not leaving the house at all. "I have thrown countless letters tied to a rock across the pond at the back of the house where I was employed asking for help," she says. (Photo credit: Vanhlee Lattana)

# Exploitation behind closed doors

Thea is 39 years old and has six children. Before going to work as a domestic worker in Malaysia, she sold vegetables at a small market in Kampong Cham province, Cambodia. She had a very troublesome husband who often harassed and abused her. One day, the local agent of a recruitment agency approached her and offered her an overseas job. Living in severe poverty, and compounded by the unbearable treatment from her husband, she took up the offer and abruptly left home for the company's office in Phnom Penh.

At the company, staff briefly explained the working conditions to her. Some key aspects that she remembers very well are that it was a three-year contract, and she was not allowed to return to Cambodia prior to that. She was to receive a monthly salary equivalent to \$130. Food, accommodation and health care would be provided. The person assured her that the company's representative would visit her in Malaysia

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\*real name protected

once every three months. Pushed by the urgent need to escape home and pulled by the attractive offer, she quickly inked the contract, a copy of which she never received.

Thea was sent to a training centre for eight months. She claims that her unattractive appearance delayed her departure to Malaysia. When she was finally sent to Malaysia she reported being forced to work from 4am to midnight every day. Apart from doing household chores which included washing three cars and taking care of two large dogs, she also worked in a factory owned by her employer. She kept the factory clean, including eight toilets. Monitored by closed circuit television, she was unable to rest. When she wanted to rest, she pretended to go to the toilet so she could rest for a while. Despite all the back-breaking work, she was allegedly given only two ringggit (\$0.65) a day for food.

One day she was forcefully sent back for disciplinary actions to the host agency in Malaysia, which partnered with the recruitment agency in Cambodia. She was punished because she refused to eat rice given by the boss, which she thought had been left in a fridge for a week. The staff accused her of being lazy and beat her badly. She was sent back to work under the same employer.

After about 12 months, her right leg began to swell. Because the contract did not allow her to resign, she pretended to be seriously sick. She was admitted to hospital for treatment of her leg and abdomen pain. Once released from the hospital,

she was repatriated to Cambodia without receiving any payment for her 12 months of service.

Back in Cambodia, she visited the recruitment agency to ask for her salary. The recruitment agency told her that she owed it six months' worth of salary in fees, and that the remaining six months' salary had been used to cover her hospitalisation in Malaysia. Thea said she was about to commit suicide on the spot after hearing this from the recruitment agency staff. After a serious argument, the agency promised to pay her two months' salary but she demanded six months based on the grounds that she was not supposed to pay for health care. Since her training that started in November 2007 until 13 March 2010, she has not yet received payment of any kind.

## ►► Recommendations:

1. GMS governments should ensure that labour laws and regulations extend to the domestic service sector. They should devise effective methods to ensure that workers in private homes are adequately protected and have access to justice.
2. National laws and regulations should require that domestic workers be paid at least the national minimum wage, that they receive rest days, and that their freedom of movement is not curtailed.
3. National laws and regulations should require that domestic workers have access to social security, health care and maternity insurance.
4. In GMS countries, Ministries of Labour should develop mechanisms and networks to ensure the required monitoring and management systems for a protective working environment for domestic workers, both in-country and overseas.
5. Governments of GMS countries, UN agencies and NGOs should raise awareness of basic labour laws and rights among both employers and employees, in communities and the private sector.



## 6 Some factories hold workers against their will with no pay

Law enforcement should be one of the major deterrents to the crime of human trafficking; yet we have a long way to go as a global community in securing an effective criminal justice response to trafficking. Without proper laws and implementation, trafficking cannot be prevented and trafficked persons will not see justice.

While some employers do take care of their workers, many have no respect for workers' well-being or rights. Instead, they confiscate workers' documents and trap them into performing dirty, dangerous and demeaning labour on the promise of payment. After two or three years of gruelling labour, they often give workers a measly payment, from which substantial 'fees' from employers and recruitment agencies have been deducted.

Employers also sometimes alert immigration authorities about unregistered migrant workers or migrants whose visas are about to expire. When the workers leave their workplace, authorities arrest them for illegally staying in the country. In cases like this, migrant workers are immediately detained and deported often without receiving any of their wages. Those migrants who have entered and/or remained

legally in the country of destination are often unable to prove their legal status because their identity documents have been confiscated. They have no way of proving their identity and their 'right' to employment in the country and therefore have no recourse against their employers for compensation.

Recent studies estimate there are between 1.8 and 3 million migrant workers in Thailand, of which the majority are undocumented.<sup>24</sup> The vast majority of foreign workers in Thailand are from Myanmar. Conflict and limited opportunities in Myanmar push people to cross the border with the assistance of local brokers. Many of them end up in seafood processing factories or in the fishing industry. The main destination is Samut Sakhon province, where 40 per cent of all shrimp caught by Thai fishing boats is processed.<sup>28</sup> A labour rights group estimated that 200,000 migrants from Myanmar were working in Samut Sakhon in 2007, with only 70,000 registered as legal workers.<sup>29</sup>

In September 2006 an extreme case of exploitation against workers from Myanmar at a seafood factory in Samut Sakhon in Thailand was reported. It became a prominent trafficking case that demonstrates the vulnerability of migrant factory

workers to severe exploitation, and the critical importance of law enforcement. Fortunately, this was one of the cases where the Thai government's multi-disciplinary operational response team worked together and took action to provide support to victims.

With the strong support of Thai provincial authorities and NGOs, in September 2006, the Thai police raided the factory where the exploited workers were located. Men, women and children from Myanmar were literally imprisoned in this factory with five-metre-high walls topped with razor wire and patrolled by armed guards. After a thorough search for workers hidden under the locked underground compartment, in the ceiling, between the walls, and in the water tanks, police were able to rescue around 800 people out of which 66 were immediately identified as trafficking victims and brought to government-run shelters on the same day.

Rescued workers shared stories of an ordeal that demonstrates extreme violation of human rights and Thai labour laws. The men, women and children were forced to work for 18 hours or more every day and were paid as little as 400 baht per month (\$13), out of which they had to buy food from the factory's owner. If workers rebelled against their situation, they were often publicly humiliated or tortured and sometimes even raped.



Fishery is one of the main industries in Ranong. The demand for cheap labour draws ten of thousands of Myanmar, migrant workers to look for work at fishing piers in Ranong province. (Photo credit: Mathira)



Men and older boys, especially from Cambodia, Lao PDR and Myanmar have been identified as the victims of trafficking in the fishing industry in Thailand (Photo credit: Amio Ascension)

In April the same year, another seafood factory was raided in Samut Sakhon. Shots were fired as police and immigration officials approached the factory, and more than 100 migrants from Myanmar tried to escape through a canal. Six workers who could not swim are believed to have drowned; another 90 were deported back for working as undocumented migrants, despite the fact that they were likely to have been trafficking victims.<sup>30</sup>

These stories show the need for better monitoring of the shrimp processing sector by labour inspectors and increased workplace protection. They also show that exploited migrants do not feel that criminal justice agencies can protect them. Investigations are necessary to determine if irregular workers are victims of trafficking in order to determine if they should be protected by the trafficking laws instead of being deported.

## ►► Recommendations:

1. GMS governments should strengthen and enforce workplace safety and protection through further education of labour inspectors on the 'new trends' in trafficking, in regards to sectors of employment and geographical hot-spots.
2. GMS governments should develop a handbook for labour inspectors to identify suspected industries and collect evidence of violations, and provide them with related training and support for taking action.
3. GMS governments should ensure that factory owners and managers who breach labour laws are subject to sanctions that reflect the seriousness of the offence.

# 7 Some victims of labour trafficking are exploited *not* in foreign countries, but on their home soil

Many still believe that in order for a crime to be defined as trafficking it has to involve movement across a border. This is not true. Internal trafficking is found in almost all countries in the GMS. Unfortunately, to date, most legislative and policy responses, and civil society activity, have been overwhelmingly focused on cross-border trafficking. Less attention has been paid to internal trafficking.

Children who are internally trafficked are often pushed or lured from their communities or villages in rural areas to migrate to work in urban centres. Insufficient household income, poverty, income disparities and other push factors sometimes force children from their families and into exploitative forms of child labour.

The rapid economic development in Vietnam has led to increased internal migration, mainly from impoverished rural areas to urban centres with more employment opportunities. According to some government officials, an estimated 25–30 per cent of the populations of the largest cities in Vietnam consist of migrants, who face difficulties

in terms of decent accommodation and access to education and health care.\* Vietnamese children from the rural parts of the country fall victim to commercial sexual exploitation in the cities. They are also reported to be exploited working as beggars, shop assistants and street vendors in urban areas. Cases of forced and bonded labour in family-run house factories have also been reported.<sup>1</sup>

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\*See the IOM Vietnam website: <http://www.iom.int.vn>



# Finding after freedom exploitation

When he should have been in school, Khin\* was working in a private garment shop in Ho Chi Minh City, Vietnam, for 14 months. He worked 14 hours per day, with only one day off every two weeks and a salary of around \$14 per month before he was rescued in December 2008.

World Vision Vietnam, through a local NGO, the Blue Dragon Children's Foundation, supports Khin and other children who were rescued by the foundation. They receive extra tutoring to help them catch up with school and to start living a normal life with other children as soon as possible.

Khin tells us a story that is similar to that of many children who are deceived and forced into exploitative labour in garment factories, as beggars, at plantations or in other sectors where workers are forced to work long hours in '3D' jobs.

“When I was working, it was like being in prison. I was not allowed to go out or to keep any money for myself. The employers forced me to work very hard, almost 14 hours per day. When I got tired and made mistakes, my boss scolded me terribly. I was in tears when Van [Blue Dragon Children's

Foundation staff member] came to rescue me and helped me to return home. It was a great joy that I could see my parents, sisters and brothers, and friends again,” recounts Khin.

Since Khin returned back home he started attending school again and received extra tutoring. “The tutoring helps me catch up with other children at school so they do not mock me.” He also received the opportunity to learn drama. He enjoys his time with his friends instead of working hard in the garment factory.

“The most significant change in my life, however, is that I have come to value the freedom that I am having right now. Now I have time to play and have fun with my friends after school, even if sometimes my parents complain that I am playing too much. However, I was rated 'very good' at school last year so I think it is okay to spend time with friends. Studying is a good thing too, because it is preparing me for my future and it is better than working like a slave.”

## ►► Recommendations:

1. GMS governments should collect and analyse data to properly assess the size and scope of internal trafficking.
2. GMS governments should include internal trafficking in their anti-trafficking national plans of action, policy response and trafficking legislation.
3. NGOs and international organisations and UN agencies should advocate for increased attention to internal trafficking.

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\*real name protected



# 8 Trafficking is a dynamic crime; brokers are flexible and inventive

A broker is a third-party middle man or woman who is paid to connect people and parties. In GMS countries, brokers take on different roles depending on the country and the form of exploitation. Brokers often connect migrants with future employers, either through licensed recruitment agencies, illegal agencies or via other brokers working in other towns, across borders, or in other areas. In addition to this, brokers are also those who assist workers to send remittances<sup>19</sup> through irregular channels. The workers are therefore dependent on brokers providing different services based on current demands.

Brokers are important players in labour migration throughout the GMS and not all brokers are criminals. However, some unscrupulous brokers look for and prey upon people's vulnerabilities, including low education levels, impoverished rural families, families experiencing domestic violence, and dysfunctional or 'broken' families, where one or both parents are dead, missing or suffering from severe illness. A broker can be anybody – a friend, family member, community member, stranger, a man, a woman. They can be old, young, a local or from abroad.

A study of recruitment practices in Cambodia, Lao PDR and Thailand identified three types of informal brokers:<sup>31</sup>

- Individual brokers who work on their own to recruit people. These brokers have good connections in the destination country as well as the country of origin. They charge for their services through the employers and are not likely to retain relations with workers after recruitment has been completed.
- Individual brokers who work for employers. They often have good connections with recruitment agencies. They are found working in specific geographical areas and therefore only have access to a limited amount of migrants in that area.
- Finally, individual brokers who represent recruitment agencies in sending countries. These are the brokers that have the most well-established connections with the workers.

Other brokers include overseas money transfer brokers for remittances, job placement brokers, brokers that secure work permits, brokers that mediate with the police, brokers that subcontract workers for employers, brokers

that supply fishing boats with workers, loan brokers and brokers that help migrants with hospital referral.<sup>32</sup> This wide range of examples clearly shows the variation of brokers and how some do help migrants, while others prey on their vulnerabilities.

A UNIAP review of brokers and agents in Samut Sakhon in 2007<sup>33</sup> found that brokers were from Myanmar and Thailand, and they work closely with employers and even some law enforcement officials. When brokers collude with the very officials who are supposed to be protecting the workers, the workers lose not only confidence in the authorities, but also the belief that there are people who are willing to protect their rights.

Usually, brokers in Myanmar will transport the workers across the border into Thailand and then the Thai brokers take over on the Thai side of the border. The broker then ‘delivers’ the workers directly to the employer or takes them to the area (in this case Samut Sakhon), before finding a local job placement broker at the planned destination.

Some workers pay each broker directly, while others must start paying off brokers’ fees and transportation costs after they begin employment. These ‘fees’ can be increased at the brokers’ discretion. The worker might be told that transportation costs will amount to 9,000–19,000 baht (\$300–640), but this sum might be increased, or even doubled, as the migrant workers reach their destination. Many workers begin employment in substantial debt to their brokers.

## What deceptive brokers promised and did not deliver<sup>33</sup>

Monthly earnings in Thailand promised by brokers to victims	3,000–7,000 baht (\$86–\$200)
Amount actually earned	None or small percentage of promised amount
Amount earned by brokers from selling victims to boat owners or captains	10,000–15,000 baht (\$287–\$431)
Amount earned by intermediary brokers and transporters	1,500–2,500 baht (\$43–\$72)
Job promised by broker to victim	Usually no specific job is promised. Sometimes factory or construction jobs are promised.

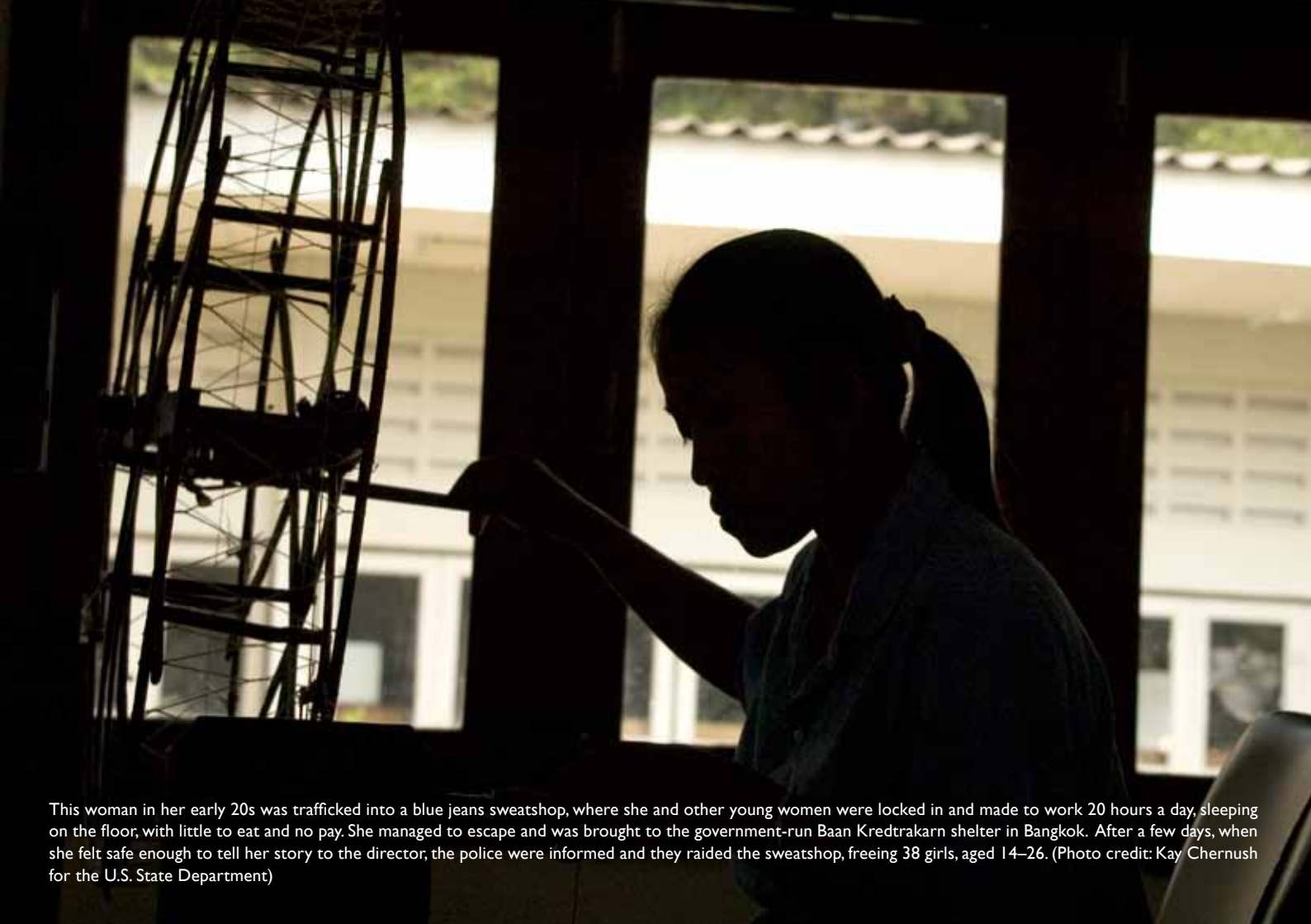
Forms of debt bondage are often used to exploit workers, whereby payment is withheld to prevent the workers from leaving the workplace. This practice is commonly used in the fishing industry in Thailand.<sup>12</sup>

One of the victims (a 21-year-old man from Cambodia) shares his story. “I could get 6,000 baht (\$200) per month, but I had never received my salary. My boss did not give me my salary and he asked me to wait for next month, again and again. When I had worked for one year I tried to ask him for my salary. He gave me 20,000 baht (\$670) for the whole year that I worked for him. I tried to send all of my money to my mother in Cambodia through [the broker]. But [the broker] did not send my money to my mother, he kept it for himself.”

The trend to subcontract employment services to brokers has increased the vulnerability of workers. Brokers are usually responsible for registering workers with the government and arranging health insurance and work permits, but many do not keep their promises. Reports have shown that migrants have even been forced to pay the fees themselves – if they have been registered at all.

Generally, foreign workers are required to carry their documents when moving around, and their movement is limited when original work permit documents are confiscated by brokers. Intimidation is a common practice; brokers often threaten that they will report workers to the authorities if they seek other employment

A case in early 2006 highlights this common scenario, where twenty workers from one factory asked to leave and the broker contacted the police to have them deported.<sup>33</sup> In other documented cases, where workers wanted to change employers, they were not given the documents to change legally and either remained in their harmful work situations or became illegal workers.<sup>33</sup>



This woman in her early 20s was trafficked into a blue jeans sweatshop, where she and other young women were locked in and made to work 20 hours a day, sleeping on the floor, with little to eat and no pay. She managed to escape and was brought to the government-run Baan Kredtrakarn shelter in Bangkok. After a few days, when she felt safe enough to tell her story to the director, the police were informed and they raided the sweatshop, freeing 38 girls, aged 14–26. (Photo credit: Kay Chernush for the U.S. State Department)

# “I will never follow anybody across the border again”

Tricked by false promises, 13-year-old Noy crossed the border to help her family earn a better living. Now safely home again, she teaches her friends about the lies and dangers of labour trafficking.

The hope of earning 3,000 baht (almost \$100) per month was only a dream for a young Lao girl and her parents. For 13-year-old Noy, the other side of the Mekong River seemed like a land of opportunity.

Born into a poor farming family, Noy and her six siblings lived in a village deep in the forest of southern Lao PDR. With no local school to attend and no option to attend school elsewhere due to the difficulties of travelling, Noy had no education and no idea of what life outside her village was like.

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\*real name protected

The remote village rarely received any visits from outsiders, but last February a stranger arrived and announced that there were easy and well-paid jobs in Thailand, just across the Mekong River. Noy had known many girls and boys who went to work across the border, so she and her father believed the man's lies. “I wanted to help my family and earn some money so that we could have a better life,” said Noy.

Noy's father was the head of their village of 13 families, and had no idea that the man was an unscrupulous broker. “I knew that my daughter would cross the border to work illegally, but the man persuaded me and told me that everything would be fine. He said that many people from other villages had done the same.”

Noy recalled the difficult journey as she travelled out of the village for the first time. “He sent three people, including me,” said Noy. “I was scared and I didn't know what to do, where was I heading, or what I would I face.”

After crossing the river by night, Noy and the others were locked in a house and eventually transported to Bangkok where she was delivered to her new employer. Noy's 'job' was to do housework for a family for three years to repay the debt paid to the broker. Treated terribly by the owner and kept locked up in the house, Noy quickly realised she needed to escape. “I slept on the hard floor and was given little food to survive,” she explained.

After just seven days of working, Noy fled. With the equivalent of two dollars in her pocket Noy ended up in a restaurant where she found a meal, a new job, and eventually help from the police. Assisted by government officials and World Vision, Noy was able to return to her family in Lao PDR.

“I wanted to work to help my family with financial support, but I will never follow anybody across the border to work on the other side of the river again,” said Noy.

Noy’s father still wants her to have a job so she can earn money, but now he will be more careful about strangers who approach them, as they may be traffickers. “I don’t want my daughter to cross the border to work illegally in Thailand, but if there is a job that she could do in a nearby town, I will check the place out and ensure that it is safe before my daughter goes to work there,” he said.

For others, the dream of finding work outside of isolated villages will continue to lure them into labour trafficking as the opportunities for work and education at home are so few. To break the cycle of trafficking, it is important that the people of the village understand how to identify and avoid deceptive recruiters.

Through its Mekong Delta Regional Trafficking Strategy programme, World Vision is working to stop trafficking and

to help trafficking survivors by providing support and skills training to individuals like Noy.

While her surroundings and opportunities have not changed, Noy’s experiences have given her a new perspective on life. She now hopes to use her trafficking experience to warn others in her village about the dangers involved. She sees herself as an anti-trafficking advocate and is doing all that she can to ensure that others will not fall into the same trap that she did.

“It is the best thing I could do for my community,” said Noy. “I know other young girls would believe the recruiters but I don’t want this to happen again in my community.”

## ►► Recommendations:

1. Governments of the GMS and NGOs should conduct information and advocacy campaigns to increase vulnerable people’s awareness of brokers, how they operate, and the potential risks.
2. National development plans should focus on areas where high levels of migration have been recorded, to provide vocational training, income generation opportunities, skills training and safe migration information.
3. Governments and NGOs should undertake research into trafficking practices in order to ensure quicker and more accurate identification of exploitative brokers.



# 9 Trafficked men are less likely to receive assistance and care

To date, women and children have been the primary focus in the response to human trafficking. The prevailing stereotype which associates men with strength and power means that most societies are less likely to consider men as victims, even when they have been severely exploited.

Men who have fallen prey to traffickers sometimes resist the label of 'victim', too, since "[being] labelled a 'victim' may have an impact on how men see themselves, as the term stands in contrast to social norms of men as caretakers of their families."<sup>34</sup>

An additional problem with regard to masculinity and human trafficking is that trafficking is often seen as ill-fortune rather than as a violation of the human rights of individuals. Indeed, many migrants in GMS countries prefer not to use the distinctions of 'legal', 'illegal', 'exploited', or 'trafficked': they refer only to 'lucky' and 'unlucky' migrants. Since many choose to migrate, they are viewed as agents making an active choice and if they are then trafficked, it might be seen as ill-fortune instead of exploitation. Of course, trafficking is a human rights violation regardless of how the victims get into their exploitative situation.

Shelters and support centres for survivors of trafficking need to be safe havens where victims can recover and eventually integrate back into society. One of the problems in GMS countries is that there are few shelters and safe houses for trafficked men where they can access legal support and be offered mental and physical rehabilitation after their ordeals. Like female victims, trafficked men also need community-based reintegration, skills development and individual consultations based on the needs of each individual.

There is a lack of effective systems to provide support to fishermen who have escaped or been saved from trafficking. Since most escaping fishermen lack documentation about their identity and employment, they are generally viewed as illegal migrants and are rarely identified as trafficking victims. If Thai fishermen make their way back to Thailand, they can find support in one of the shelters for men. For fishermen from Cambodia and Myanmar, few services are available.

In Thailand, the Ministry of Social Development and Human Security opened shelters for men in Chiang Rai, Pathum Thani, Ranong and Songkhla, provinces where the victims can receive support in all forms, from meals and medical care to

counselling for themselves and their families.<sup>9</sup> Reports from people who manage the shelters indicate that fishermen do not feel comfortable in the shelter environment, and they tend to leave immediately after recovering physically.

As the following story explains, a fisherman from Myanmar was drugged and ended up being trafficked on a fishing boat. After he escaped, he did not know where to turn, and was treated as an illegal worker who had to suffer until he eventually made his way home.

Aung Htoo's\* flight from exploitation resulted in his brother being taken hostage by the trafficking gang and his mother taking out loans to pay the ransom and rescue her youngest son.

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\*real name protected



Aung Htoo\* learned first-hand how easy it was to become a victim of trafficking. (Photo credit: World Vision Myanmar)

# Ransomed

## by his broker

Aung Htoo\* was 24 years old when he was trafficked into the fishing industry.

As a teenager, he lived with his father and two younger siblings in a coastal town in southern Myanmar. In Year 7 he dropped out of school to help his father work at the same rubber plantation as his father. But he became increasingly interested in going to Thailand to work with his mother.

In 2008, aged 23, Aung and his friends went to Kawthaung, a town on the Thai-Myanmar border, where they worked as labourers at the fish market. Aung also worked as a porter so he could save money for his travel to Thailand. After a year he saved 6,500 baht (\$210), and he and a friend met with a broker who promised to send them to Thailand. They handed over their savings for transportation and agent fees before travelling to Thailand through the jungle and across the river.

On the way to their final destination, Aung and his friend were handed from one broker to the other. One broker

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\*real name protected

urged them to drink a bottle of strange liquid after which they became drowsy and eventually unconscious.

When they woke up they realised that they were not in Thailand as they had been promised. Instead, they had been drugged and brought onto a fishing boat. On this boat, workers from Myanmar were ill-treated and abused. Unable to tolerate the abuse and beating, Aung and his friend escaped when the boat docked in a port.

The broker who had trafficked them onto the fishing boat contacted Aung's younger brother and called him to Samut Sakhon. When his younger brother arrived, the broker captured him and kept him hostage. Aung was told his younger brother would be kept hostage until a ransom was paid. If he did not arrive with the money, his brother would be sold to an Indonesian fishing boat at a price of 35,000 baht (\$1,100). Aung's mother heard this and took out a loan to rescue her younger son.

Meanwhile, Aung worked odd jobs in Thailand and saved money for his journey home. Unfortunately, as an illegal worker, he was frequently captured by corrupt officials who would take his money so he could not save the fare he needed. Several months later he finally saved enough to go home.

Two months later, he contacted World Vision and began sharing his experiences as part of an awareness-raising programme. He received livelihood support and now works

in livestock breeding. He has also become a member of the youth group in his village and actively participates in anti-trafficking activities.

Today, Aung is one of Myanmar's expert anti-trafficking advocates. His wisdom was painfully learnt when he dared to escape from a violent, abusive, and exploitative fishing boat.

Aung learned just how easy it is to become a victim of trafficking and knows it happens to boys, men, girls and women. He wants people to plan their migration: to learn basic language skills they can use in their destination country and to have some employable skills.

## ►► Recommendations:

1. The GMS countries should establish support centres and services recognising the specific vulnerabilities and needs of boys and men. They should be safe, have access to legal support and reintegration support. Victims, both male and female, should be able to meet with family and friends who can be active agents in their recovery. They should be able to work while awaiting repatriation, and be able to leave if they choose to do so.
2. Governments of GMS countries and NGOs should increase investment in skills development for returnees, and increase micro-finance opportunities and services at their doorsteps. Communities and the private sector also should be mobilised to accept and support sustainable reintegration.
3. Governments of GMS countries and NGOs should provide communities with information about alternative livelihoods and legal migration opportunities to ensure that they are far less vulnerable to trafficking.



Young girls recovering from the trauma of being trafficked and sold into commercial sexual exploitation, write down their sorrow and nightmares of the past on a balloon and let it fly, a symbol of letting go of the past. (Photo credit: Sopheak Kong/ World Vision)

# 10 Everyone can help to combat labour trafficking!

If one looks at human trafficking from an economic perspective, it is all about supply and demand. Human trafficking is a lucrative business. With low costs (since humans can be sold over and over again, unlike commodities) and high profits, trafficking can undercut the prices of law-abiding companies that choose to pay decent wages for labour. Companies can contribute to exploitation without necessarily being aware of it, because of the use of subcontractors and recruitment agencies down their supply chain which are hard to monitor: this is a challenge for the accountability of companies.

International law requires States to ensure that both companies and individuals can be held liable for trafficking-related offences. Companies can potentially be subject to civil and criminal action for their involvement in trafficking. Company officials may also be held individually liable under both criminal and civil law.

The business community is an important player in the fight against human trafficking. Businesses are under increasing pressure to adhere to basic standards of corporate accountability and corporate social responsibility (CSR). The business community is encouraged to join NGOs,

governments, civil society and others in the fight against human trafficking.\* Preventive measures for the elimination of trafficking throughout a company's entire supply chain are crucial. Companies must have corporate policies prohibiting the use of forced labour throughout their supply chains.

## What businesses can do

Businesses joining the fight against trafficking can play many important roles. Here are five good practices for businesses identified by the End Human Trafficking Now! Campaign.

### Setting standards:

Businesses can ensure that their activities do not directly or indirectly contribute to trafficking by developing and implementing codes of ethics or conduct across their entire supply chains. It is essential that compliance with such codes is regularly monitored and action promptly taken when problems are identified.

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\*See End Human Trafficking Now! Campaign: [http://www.endhumantraffickingnow.com/Businesses\\_against\\_human\\_trafficking/Pages/Businessesagainsthumantrafficking.aspx](http://www.endhumantraffickingnow.com/Businesses_against_human_trafficking/Pages/Businessesagainsthumantrafficking.aspx)



### **Ethical trading initiatives:**

Through the formation of alliances involving companies, NGOs and trade unions, efforts can be undertaken to ensure that codes of labour practice are implemented across the supply chain, and good practices are identified and promoted globally.

### **Raising awareness:**

The tourism sector, for example, can inform policy-makers and the public about trafficking through public service announcements, in-flight videos, etc. They can inform victims of trafficking of their human rights, support services and access to justice.

### **Technical assistance:**

By donating software or providing technical support the telecommunications sector can assist law enforcement in identifying victims and traffickers.

### **Social reintegration:**

The private sector can train or employ former victims of trafficking and provide skills training, mentoring, and internship programmes.

It is important to note that it is not only about the actions that have to be taken, but also about the gains for companies that join the fight against trafficking. One of the positive

outcomes is that the commitment to CSR and ethical business can ensure safe operations of the company, decent work for staff, better relationships with local communities and a better corporate image that earns trust and better working relations. It also protects the brand; by being ethically sound, companies ensure that their image and reputation is protected.

It is also important to remember that trafficking in persons is a crime – and corporate change alone cannot replace a government's responsibility to protect and secure justice for victims and end impunity for offenders.

The World Vision Australia 'Don't Trade Lives' campaign is an advocacy campaign to unite Australians against human trafficking and slavery. Don't Trade Lives examines the issue of labour exploitation, and looks at how consumer purchasing behaviour relates to the issue. Don't Trade Lives seeks to reduce trafficking and slavery by reducing the market within Australia for products produced through exploited labour. The activities include:

- Encouraging Australians to take action to combat human trafficking and slavery
- Advocating for the Australian Government to ensure an integrated anti-trafficking policy environment in the Asia Pacific region
- Advocating for the global chocolate industry to eliminate exploited labour from cocoa production by 2018.

## ►► Recommendations:

1. The private sector, government and NGOs should work together more closely to increase corporate accountability.
2. The private sector should adopt fair trade business practices by adopting policies that commit to:
  - eliminating all forms of forced and compulsory labour, and child labour;
  - taking responsibility for all the labour in their supply chain, and pledging to monitor compliance, remediate non-compliance, and verify those actions by an independent third party;
  - honouring the roles of workers and their voices as the best check on abuse;
  - establishing and confirming the existence of mechanisms for providing independent, unannounced and thorough labour audits;
  - providing safe and effective 'whistleblower' and complaint procedures;
  - providing clear guidelines for security procedures throughout supply chains to ensure that security forces are not used to intimidate, detain or abuse workers;
3. Companies active in sectors and regions where there is a risk of trafficking and exploitation should undertake careful risk assessments and consider training staff to improve knowledge about the problem and about procedures for identification and response.
  - regularly updating shareholders and stakeholders on the creation, maintenance and implementation of related policies;
  - guaranteeing all workers freedom of movement by not allowing the confiscation of a worker's official documents;
  - committing to provide restitution for victims and other forms of remediation;
  - complying with trafficking-related local laws and international standards for confronting human trafficking and protecting victims;
  - holding employees (managers, directors, etc.) accountable for any violation or exploitative conduct contributing to trafficking in persons.

## How can I contribute as an individual?

- Be a socially responsible consumer. Consumers are responsible for informing themselves about the brands and items that are found on the market. It can be hard to know where your food and clothes really come from and what processes have been involved in the making of the items you buy. The shrimp you have for dinner might have been peeled by an exploited child; the t-shirt you wear might contain colouring substances that are poisonous for workers; and the trousers you wear might have been sewn by a child toiling away in a sweatshop somewhere in the GMS. Make sure that there is a Fairtrade mark on packaging of the fish/seafood products you purchase: this will tell you that the products are compliant with international standards for ethical consumerism.
- Be vigilant in your workplace and your community. Your carefulness could save someone from harmful exploitation.
- Share the information contained in this booklet with someone you know who might be vulnerable to labour trafficking.
- Learn more about human labour trafficking, CSR and ethical consumerism. The following websites provide information on initiatives that work against trafficking and for a decent and safe business environment:
  - World Vision East Asia Regional Office:  
<http://www.wvasiapacific.org/tag/Human-trafficking.html>
  - World Vision Australia, Don't Trade Lives Campaign:  
<http://www.worldvision.com.au/OurWork/Solutions/DontTradeLives.aspx>
  - Better Factories Cambodia <http://www.betterfactories.org>
  - CSR Asia: <http://www.csr-asia.com>
  - CSR360 Global Partner Network: <http://csr360gpn.org>
  - End Human Trafficking Now! Campaign:  
<http://www.endhumantraffickingnow.com/Pages/ArticlesList.aspx>
  - Ethical Consumer (online magazine):  
<http://www.ethicalconsumer.org/PrintMagazine.aspx>
  - Fair Trade Association of Australia & New Zealand  
<http://www.fairtrade.com.au>
  - United Nations Global Compact:  
<http://www.unglobalcompact.org>
  - US Department of Labor's list of goods produced by child labour or forced labour (2009)  
<http://www.dol.gov/ilab/programs/ocft/pdf/2009tvpra.pdf>
  - Register on the CSR360 partner forum  
<http://csr360gpn.org/forum/> and exchange ideas, ask questions and discuss how you can improve your life to make ethically sound choices.
  - Join the World Vision Australia Don't Trade Lives campaign: <http://www.worldvision.com.au/OurWork/Solutions/DontTradeLives.aspx>

**By taking small steps, everyone can make a difference!**



Sokchan's mother working in the brick factory.  
(Photo credit: Sopheak Kong/World Vision)

# What is World Vision doing to combat labour trafficking in the GMS?

World Vision in the East Asia Region has been working to combat trafficking in persons since the latter part of 1990s. Currently, World Vision is implementing 13 national and two regional projects in the six GMS countries: Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam. The projects mainly focus on prevention, risk or vulnerability reduction, protection and policy advocacy.

In 2007 after a rigorous assessment and consultative process, World Vision initiated its second regional project entitled 'Regional Advocacy anti-Child Trafficking Programme (RACTP)' in GMS countries. Currently, RACTP is being implemented in all of the countries in the GMS. World Vision's main goal is to assist in the establishment of a positive and enabling policy environment to effectively combat trafficking in persons, especially children, to reduce and ultimately eliminate the problem in the GMS. The main strategy involves developing regional infrastructures and mechanisms for sharing information and learning, and developing appropriate strategies for advocacy to influence the GMS governments.



In Myanmar, the Anti-Trafficking Taskforce and World Vision collaborated in distributing information on safer migration.  
(Photo credit: World Vision Myanmar)



# Glossary of legal terms

## Human trafficking

Article 3 of the UN TIP Protocol<sup>5</sup> defines trafficking in persons as follows:

- (a) '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;
- (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, 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) of this article;

- (d) 'Child' shall mean any person under eighteen years of age (Appendix 2).

## Exploitation

Under the UN TIP Protocol, exploitation is defined to include several overlapping but potentially different kinds of conduct, including *forced labour or services*, *slavery or practices similar to slavery*, and *servitude*. These terms are particularly relevant to our understanding of 'labour trafficking'. The Protocol does not provide definitions of these terms, so it is necessary to look to other international legal instruments to ascertain their precise meaning.\*

**Forced labour or services** are defined as conditions in which the work or service is exacted under menace of penalty

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\*The following has been directly cited from the Australian Institute of Criminology 2009.



and it is undertaken involuntarily (*Convention Concerning Forced or Compulsory Labour* [ILO no. 29]: see also *European Convention on Human Rights*, Article 4). According to the ILO, ‘forced labour or services’ is not the same as situations merely involving low wages or poor working conditions or lack of choice due to economic necessity. It represents a severe violation of human rights, and restriction of freedom (Report of the Director General 2005: 5).

## Slavery

The term **slavery** has a long legal history. The central feature of the international legal definition of slavery is the exercise of any or all of the powers attaching to the right of ownership of a person (1929 Slavery Convention, Article 3; *Rome Statute of the International Criminal Court*, Article 7(2)(c)). There are recent indications within international law and practice that “the powers attaching to the right of ownership” can include many of the practices associated with trafficking – such as control of someone’s movement, control of physical environment, psychological control, measures taken to prevent or deter escape, force, threat of force or coercion, duration, assertion of exclusivity, subjection to cruel treatment and abuse, control of sexuality, and forced labour.<sup>35</sup>

**Practices similar to slavery** include *debt bondage* and *serfdom*, concepts that may be relevant to labour trafficking (*Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery 1956*, Article 1). In the 1956 Convention, these terms are defined as follows:

- **Debt bondage** is a condition that arises when a person pledges his or her personal services (or the services of a person under his control) as security for a debt, in circumstances in which either the value of those services as reasonably assessed is not applied to reducing that debt, or the length and nature of those services are not respectively limited and defined.
- **Serfdom** is the condition of a tenant who is, by law, custom, or other agreement, bound to live and labour on land belonging to another person and to render services to that person, whether for reward or not, in circumstances in which the tenant is not free to change his or her status.

*Practices similar to slavery* include “the sale of children for exploitation”. This is defined in the 1956 Convention as: “any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation.” (*Supplementary Slavery Convention*, Article 1(d))



နီးစပ်... အထူးအ...

World Vision

ပွားပြား... (Person) ဆိုသည်မှာ...  
...ဆောင်းခြင်း၊ ပို့ဆောင်ခြင်း...  
...ထံ။ ဖော်ပြပါ... နည်းများမှာ...  
...တခြားသော အဖွဲ့ပြုခြင်း၊  
...လှည့်ဖြားခြင်း၊ အာဏာကို...  
...သော အခြေ အနေပေါ်တွင်...  
...ဘက်ပေါ်... ချုပ်ကိုင်မှု...  
...အရပ်... ကိုင်ဆောင်သူ...  
...လုံးကို... ဆိုလိုပါသည်။

အသုံးပြု...  
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Migration

In their local community centre, families in Myanmar view awareness materials on how to prevent themselves and others from becoming victims of trafficking. (Photo credit: Khaing Khaing Nyein/World Vision)

# Useful websites

## **World Vision East Asia Regional Office**

<http://www.wvasiapacific.org/tag/Human-trafficking.html>

## **World Vision Australia, Ethical Consumerism**

[http://www.worldvision.com.au/Issues/Human\\_Trafficking\\_\\_\\_Slavery/WhatsOurResponse/Ethical\\_consumerism\\_\\_Whats\\_behind\\_the\\_label\\_.aspx](http://www.worldvision.com.au/Issues/Human_Trafficking___Slavery/WhatsOurResponse/Ethical_consumerism__Whats_behind_the_label_.aspx)

## **World Vision Australia, Shop Ethically**

<http://www.worldvision.com.au/Act/ShopEthically.aspx?cmsid=b3989d8b-c4f3-4c73-b60f-cb9f7ca43b91>

## **World Vision Australia, Don't Trade Lives Campaign**

<http://www.worldvision.com.au/OurWork/Solutions/DontTradeLives.aspx>

## **Better Factories Cambodia**

<http://www.betterfactories.org>

## **End Human Trafficking Now!**

<http://www.endhumantraffickingnow.com>

## **Global Initiative to Fight Human Trafficking**

<http://www.ungift.org>

## **Labour Protection Network**

<http://www.lpnrights.org>

## **Taskforce on ASEAN Migrant Workers: Migrant Workers Connection**

<http://www.workersconnection.org>

## **ILO Multilateral Framework on Labour Migration**

(This is a global framework of non-binding principles, guidelines and good practices on labour migration)

[http://www.ilo.org/public/english/protection/migrant/download/multilat\\_fwk\\_en.pdf](http://www.ilo.org/public/english/protection/migrant/download/multilat_fwk_en.pdf)

## **United Nations Office on Drugs and Crime – Human Trafficking**

<http://www.unodc.org/unodc/en/human-trafficking/index.html?ref=menuaside>



Children in northern Thailand play at a day school where U.S. Government funding helps protect girls at risk of being trafficked. (Photo credit: Kay Chernush for the U.S. Department of State)



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