

Slavery and Human Trafficking in the 21st Century

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An estimated 30 million people are subject to modern-day slavery, including forced labor and sexual exploitation. Moreover, the trafficking of human beings is one of the fastest growing transnational criminal activities. Not only is it an abuse of the human rights of the victims involved, but it also incurs social, political, and economic costs for the countries it most impacts. Providing first an overview of the global phenomenon of modern-day slavery, this paper proceeds to study the Greater Mekong Subregion for whose states human trafficking represents a serious challenge—one which requires a well-coordinated response to, among other measures, scrutinize labor contracts in risk economic sectors, enhance interstate cooperation, and more effectively identify and prosecute human traffickers.

More than 60 years ago the General Assembly of the United Nations adopted the Universal Declaration of Human Rights, establishing that all “all humans are born free ... that no one should be held in slavery or servitude and that slavery and the slave trade shall be prohibited in all their forms.”¹ International treaties have subsequently laid the basis for efforts to suppress all practices related to slavery. In spite of this, it is estimated that nearly 30 million people are today victims of “modern-day slavery” under practices such as forced prostitution, forced labor, forced marriage, debt bondage, and child exploitation.

This figure is likely to be higher still, as the true number of victims of slavery and human trafficking remains unknown due to the illegal nature of the practice, the lack of reliable data, and the reluctance of governments to accept the magnitude of the problem in their own countries. In the globalized economy, fur-

thermore, slavery-like practices linked to human trafficking are on the rise. In parts of East Asia in particular, an increasing number of people are being trafficked by organized crime groups across states within the region and beyond for purposes of labor and sexual exploitation. At the same time as being a flagrant abuse of the human rights of the victims involved, modern-day slavery and associated human trafficking is also fast becoming a national and global security threat in need of policy attention.

This paper is accordingly divided into two main parts. It first provides a general overview of the phenomenon of modern-day slavery, examining its extent, characteristics, and implications. In the second part, it takes the case-study of the Greater Mekong Subregion

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(GMS)—a region with one of the highest incidences of slavery and human trafficking—to provide a more in-depth analysis of the dynamics at play. It concludes with identifying some key challenges and responses to counter the spread of modern-day slavery with a particular emphasis on East Asia and the GMS.

Modern-day Slavery: A Primer

Slavery was first internationally defined in the Slavery Convention of 1926 as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.”² In 1930, furthermore, the International Labor Organization (ILO) Convention (No. 29) concerning Forced or Compulsory Labor defined forced labor as “all work or service, which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”³ A quarter of a century later, the Supplementary Slavery Convention in 1956 further detailed slavery-like practices such as debt bondage, forced or servile marriage, sale or exploitation of children (including in armed conflict), and descent-based slavery (people born into slavery).⁴

Another concept to be clarified is that of trafficking in human beings, which refers to individuals traded and transported to other (or even within) countries into conditions of slavery.⁵ These conditions can be understood as control exercised over a person based on the potential or actual use of violence; the lack of any remuneration beyond subsistence; and the appropriation of the labor or other qualities of the slave for economic gain.⁶ While human trafficking is distinct from smuggling, the two may overlap in that migrants who have paid money to be smuggled across borders are vulnerable to being exploited in the destination country. In sum, modern-day slavery is to be understood whereby slavery, slavery-like practices, human trafficking, and forced labor are perpetrated by criminals who profit from the exploitation of their victims.

A Global Phenomenon

It is estimated that 162 countries are affected by modern-day slavery. According to the most recent *Global Slavery Index*, it is calculated that some 29.8 million people worldwide are living in conditions of slavery with India and China having the highest absolute

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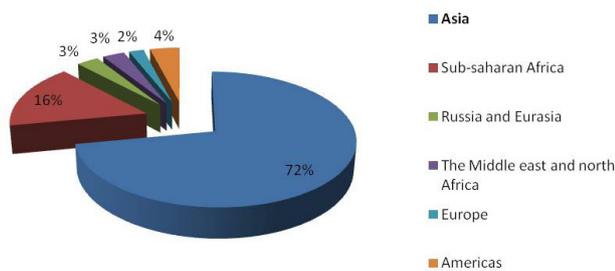
numbers. In terms of regional distribution (see Figure 1), Asia contains the highest proportion of people (72 percent) living under conditions of slavery; Sub-Saharan Africa is home to the second-largest number of slave victims with 16 percent of the total.⁷ While the figures also reflect the unequal distribution of the world’s population, the phenomenon is nonetheless present in all regions of the world.

Trafficking of human beings, furthermore, is becoming one of the fastest growing transnational criminal activities, after drugs and the arms trade.⁸ The flows of human trafficking are domestic, regional, and transcontinental. The International Organization for Migration estimates that up to 800,000 people may be trafficked across international borders annually;⁹ this figure does not include those trafficked within countries. There is a lack of precise statistics, however, and the figure could conceivably be much higher. Even the European Commission, when measuring the number of people being trafficked to or within just the EU, cites a figure of several hundred thousand each year.¹⁰

According to The United Nations Office on Drugs and Crime (UNODC) *Global Report on Trafficking in Persons* (2012), 45 percent of victims are trafficked within the same sub-region followed by 27 percent trafficked within the same country and 24 per-

cent across different regions. The predominant pattern involves the trafficking of victims from less developed countries to more developed ones, the most common route being by land, but also by sea and air. Moreover, East Asian victims are detected in relatively large numbers in many countries across the world, making the flow from East Asia the most prominent transnational trafficking flow worldwide.¹¹

Figure 1. Modern-day slavery by region¹²



The fact that human trafficking is taking on increasingly transboundary dimensions can be attributed to various factors. These include an improvement and increase in transportation and communication networks facilitating movements of peoples; population pressures; poverty and a lack of job opportunities also lead to increased vulnerability of being “recruited” into modern slavery. Furthermore, supply and demand from diverse economic sectors creates the need for cheap human labor, with the result that slave-like conditions and practices are to be found in an increasing number of economic activities. The high profits generated for organized criminal groups and the lack of clear regulations and political willingness to deal with the problem increases the challenge in preventing its occurrence.

Victims and Sectors

The ILO estimates that 20.9 million people globally are victims of *forced labor*, including forced sexual exploitation and forced labor exploitation in economic activities such as agriculture, construction, manufacturing, and domestic work.¹³ The UNDOC estimates that women constitute 59 percent of victims of human trafficking, while adult male victims are estimated at 14 percent. Trafficking of children seems to be increasing: girls represent 17 percent of victims while boys account for 10 percent.¹⁴ It is thus clear that women and

girls are the most vulnerable group for trafficking purposes. Other strata of society vulnerable to trafficking in human beings include minority groups (see GMS case-study), illegal migrants, people affected by natural disasters, or those living in conflict areas or war zones; poverty and a lack of education may also constitute general risk factors.

The ILO estimates that the total illegal profits obtained from the use of forced labor (comprising forced sexual exploitation, domestic work, and non-domestic labor) worldwide amount to US\$150.2 billion annually—of which the revenues generated from forced sexual exploitation are estimated at US\$99 billion per year.¹⁵ The latter is considered the most common activity for trafficking in human beings whereby women and children are the main targets and mostly exploited in the private economy; that is, by individuals or enterprises such as brothels, massage parlors, brides, and so on.

Forced labor victims other than sexual exploitation are meanwhile found primarily in agriculture, forestry, fisheries, and domestic work. This is the second most reported form of exploitation generating US\$51 billion per year.¹⁶ The Forced Labor Commodity Atlas detects 19 economic sectors around the world where practices of modern slavery are found. In Asia there are 12 specific areas at risk in which workers are trapped in exploitative and coercive working conditions. These include brick production, palm oil, cotton, sugar cane, the fish/shrimp industry, gold, production of castor beans, rubber, rice, and tobacco.¹⁷

Multidimensional Threat

Modern-day slavery and trafficking in human beings is viewed increasingly as a global non-traditional security threat on a number of levels. It should be noted, furthermore, that in many aspects the impact of slavery and human trafficking cannot be separated from the wider phenomenon and implications of international organized crime.

Modern slavery firstly represents an extreme violation of the human rights of victims. Those exploiting slaves use diverse means of coercion (retention of identity documents, threats of violence, harassment, deprivation of food, worsened working conditions, and the sale into the ownership of others, etc.)¹⁸ to keep victims suppressed. Involving continual acts of

physical and psychological violence, victims end up stigmatized and marginalized from society with a lack of access to public health, and may even suffer loss of life. As many victims come from vulnerable strata of society and/or are illegal migrants with few (if any) rights, there is very little legal recourse for such victims. This further weakens their position and ability to break out of modern slavery.

Environmental degradation is also increasingly an issue as modern-day slave victims are frequently employed in industries such as illegal mining, logging, and fisheries, using unregulated practices which harm both eco-systems and the health and safety of those involved.¹⁹

The economic gains around human trafficking amount to billions of dollars. This is a substantial economic segment where organized crime groups, traffickers, private individuals, as well as legal and illegal businesses reap profits. This has a negative impact on the economy as it creates unfair competition, takes a potential workforce out of local areas creating a deficit of human capital, undermines wages and social protection, plus represents a loss of tax revenue for governments.²⁰ This is especially problematic as organized crime and the criminal economy can serve to weaken the licit economy, which may offer little in the way of viable, long-term employment for individual citizens in the worst-affected states.

Corruption is endemic to human trafficking with border guards, custom officials, consular offices, travel agencies, recruitment agencies, and even politicians all involved in the process. A web of associations and collaborations is thus created between organized crime networks, private enterprises, and state officials in origin, transit, and destination countries. This network can expand activities into money laundering, bribery, and fraud. This undermines state capacity and democratic accountability and creates alternative structures to provide for human security and sub-national stability;²¹ criminal groups have in some cases taken over government functions in regions or even states in health, security, or education. Thus organized crime—of which human trafficking constitutes one element—has been proven to destabilize political systems by undermining state institutions. The foothold that organized crime creates in one state can spread over borders and “infect,” and may increasingly coopt, neighboring states.

Organized crime groups are often also engaged in the trafficking of drugs and weapons in addition to human beings.²² As such networks expand in criminal activities and gain territory, it creates a more vulnerable context for weak states to control or prevent acts of terrorism and other forms of violence. Criminal networks may have both political and sometimes quasi-religious agendas and the profits from human trafficking are used to procure arms or influence their political goals. Especially vulnerable are conflict and post-conflict societies, something that has been visible in Myanmar, Nepal, as well as Greater Central Asia.²³

The Greater Mekong Subregion: A Case-Study

The Greater Mekong Subregion (GMS) refers to those countries bound together by the Mekong River. Covering an area of 2.6 million square kilometers, the subregion encompasses Cambodia, China (Yunnan Province and Guangxi Zhuang Autonomous Region), Lao People’s Democratic Republic, Myanmar, Thailand, and Viet Nam. With a combined population of around 326 million the area is also rich in natural resources such as forests, fish, petroleum, timber, coal, gold, copper, zinc, among others, which support various economic activities in sectors such as agriculture, mining, and fisheries.²⁴

Modern-day slavery is widespread in the GMS. According to the *Global Slavery Index*, Myanmar and Thailand are among the top ten countries in the world in terms of the number of enslaved people.²⁵ Furthermore, the GMS is susceptible to human trafficking due to the porosity of immigration control points, the ease with which organized crime networks can operate in the region, and as a source of trafficking to international markets, for example European countries, North America, and South Asia. There is also a large degree of economic disparity between neighboring countries in the GMS prompting large-scale intra-regional migration: booming economic industries in some countries have taken advantage of cheap (including forced) labor from other, usually poorer, countries or regions within countries.

It is difficult to know the precise number of real victims of human trafficking in the GMS. One estimate cited by World Vision International is that there may be a quarter of a million victims trafficked in the

subregion each year.²⁶ Addressing trafficking in human beings and other forms of transnational organized crime touches on sensitive questions regarding national jurisdiction, information sharing, extradition laws, and corruption problems.²⁷ The challenges faced in combating human trafficking will be further examined towards the end of this section.

Flows and Sectors

The United Nations Inter-Agency Project on Human Trafficking (UNIAP) asserts that “The Mekong region compared to many other parts of the world contains very diverse patterns of human trafficking ... with various victim profiles and criminal profiles.”²⁸ Notwithstanding, two broad categories of victims and human trafficking flows can be identified in the GMS. The first is comprised of women and children who are trafficked and end up working in commercial sexual exploitation and domestic servitude. The second is comprised of men and boys forced to work in factories, on plantations, or on fishing boats, among other sectors. Risk factors for individuals becoming targets of human trafficking may vary. Poverty, lack of education, and poor awareness of human trafficking are widely cited as general factors that exacerbate an individual’s vulnerability. Furthermore, migrants receive poor protection and thus may be easily deceived by low or unpaid jobs and thus become victims of bonded labor in order to “repay” the expenses incurred in their recruitment.

Victims of forced prostitution are trafficked to urban areas in Thailand from neighboring countries like Cambodia, Lao PDR, and Myanmar (see Figure 2 below). And while the Thai market is the most well-known, the UNODC has highlighted that markets in other countries such as Cambodia are quickly expanding. UNICEF cites a figure from surveys that approximately 30-35 percent of sex workers in the GMS are between 12 and 17 years old.²⁹ It is estimated by the UNODC that the annual market value generated by sex trafficking within the subregion amounts to US\$181 million.³⁰ Furthermore, there is a growing market demand for child prostitution, pornography, as well as sale of brides. For instance, women and girls from Myanmar and Vietnam are being sold into forced marriages in China with prices ranging from US\$5,700-11,800.³¹ There is also a phenomenon of

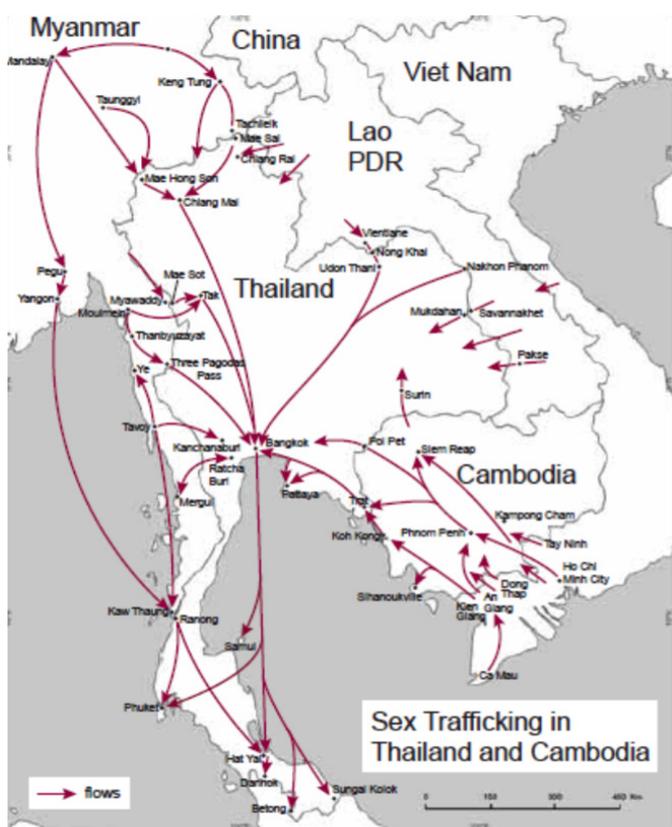
child begging with boys and girls from Cambodia and Myanmar forced to beg in urban centers in Thailand with the typical rent price for a child beggar being US\$25.³²

Human trafficking for purposes of forced labor exploitation encompasses a number of sectors.³³ Men and boys from Cambodia, Laos, and Myanmar work, for example, on fishing boats in Thai, Malaysian, and Indonesian waters. Indeed, the GMS fishing sector has been cited by the ILO as being particularly vulnerable to forced labor and human trafficking.³⁴ Thailand’s seafood industry in particular has been exposed as a hub for “human trafficking and exploitation, presided over by ship captains, local businesses and corrupt officials.”³⁵ According to one report, the price of a human being from Myanmar to work in Thailand’s fishing industry is about US\$616.³⁶ In Bangladesh and Cambodia textiles is a main industry in which forced labor has been identified as a large problem;³⁷ while the energy sector features prominently in Myanmar and Laos. Physical infrastructure in these countries is very limited, yet it is considered to be a fast growing economic corridor due to location, resources, and low labor costs. The U.S Department of Labor has further identified that bricks are among the manufactured goods most commonly produced with forced or child labor in China, Myanmar, and Nepal;³⁸ the harvesting of cotton and manufacturing of garments under forced labor conditions is present in China, Malaysia, and Thailand, and the production of granite, timber, and sugar in the region is also linked to the use of forced labor.

Criminal Networks: Trafficking Dynamics

According to the UNODC, every trafficking group has its own modus operandi for the recruitment, transportation, and exploitation of victims; yet the most common method consists of the promise of legitimate employment, with the majority of persons recruited through acquaintances, friends, family members, as well as strangers.³⁹ Moreover, according to Laipson and Pandya, “smaller groups and individuals often cooperate with each other or larger criminal organizations to form networks; these networks, especially in the Great Mekong Sub region, tend to be sophisticated in their methods since the majority of their work is across borders.”⁴⁰

Figure 2. Sex Trafficking Flows in the GMS (excluding China)



Source: UNODC, *Transnational Organized Crime in the East Asia and the Pacific: A Threat Assessment*

These networks may range from brothel owners and company directors to corrupt border officials and police officers; indeed, key government institutions and/or individuals may even be coopted. Thus, a worrisome link is that between such networks and the authorities of the countries in the region. For example, a Reuters investigation in 2013 revealed that Thai immigration officials were complicit in selling Rohingya Muslims—a religious minority group in Myanmar—to human trafficking networks operating across the Thailand-Myanmar border. It was reported that some were sold to shipping companies and farms to work as manual laborers with the price ranging from US\$155-1550.⁴¹

Those engaged in “employing” slave labor are also able to act as legal entities or subcontractors and change activities to avoid detection. Private companies established in the region do not pay close attention to labor conditions and most likely mafias are linked to commercial businesses. There is an interconnection between unethical private recruitment agencies and employers. These middlemen (recruiters) work

under legal terms, usually dealing with all the logistics around the trade (arranging visas, making travel arrangements, negotiation of contracts, etc.), thus becoming an indispensable link for organized crime networks and the act of human trafficking.⁴²

Moreover, large-scale organized criminal networks are known to operate in the GMS. There has been a notable increase of human trafficking in both directions between Asia and Africa indicating that criminal groups with trans-regional connections are increasingly in operation. For example, there is evidence that West African networks, including Nigerian criminal groups, have recently increased their illicit activities in the GMS. Chinese drug syndicates, furthermore, control most of the heroin and amphetamine trafficking in the region and beyond.⁴³ While it is uncertain to what extent these networks operate human trafficking rings, yet this is probable given that globally human beings are the third most trafficked “items” after drugs and arms. In addition, victims may also be used as “ant smugglers”—for example, in the production and smuggling of heroin—under slave-like conditions.

In fact, while the above analysis refers to the GMS, it should also be borne in mind that the scale is international and that similar dynamics are present in other regions of the world. The structures of these networks are very often complex, trans-regional, and decentralized, which makes it difficult to effectively combat them. Lower segments of the networks are, if need be, expendable and could be replaced if local or national police attempt to counter the trade.

Challenges and Responses

Common understanding of the necessity to join forces to battle human trafficking in the GMS produced in 2004 a Memorandum of Understanding which established the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT).⁴⁴ In this Memorandum, the six governments of Cambodia, China, Lao PDR, Myanmar, Thailand, and Viet Nam officially recognized the links between trafficking and the demand for exploitative labor and sexual services, the involvement of both community members and organized criminal groups in trafficking in persons, as well as the need for a strengthened criminal justice response and the importance of the role played by victim support agencies in the prevention, protection, and prose-

-cution of traffickers.

In 2013 COMMIT gathered to make a review of the lessons learned and the challenges ahead for the eradication of human trafficking, major points touched upon were related to improving and consolidating a multi-dimensional approach so as to engage more anti-trafficking stakeholders in the process like the private sector and other regional non-COMMIT countries. In spite of recognition of the problem and some practical initiatives, the fact remains that a lack of national and regional coordination continues to hamper efforts to tackle the issue. The main challenges and necessary counter-strategies are outlined below:

- Risk factors for human trafficking include gender inequality, poverty, illiteracy, low levels of education, and unprotected migration, among other factors. These are all vulnerabilities that organized crime networks can exploit. Therefore, it is necessary for states in the region to identify and respond to such. This would necessitate strategies of raising awareness, promoting education, poverty alleviation, as well as social justice, issues that are not prioritized in all states and regions today.
- While GMS intra-regional migration can be seen as a natural and complex process, it is also exploited by human trafficking. As the criminal activity is cross-border it is difficult to counter due to the lack of legal and enforcement of cooperation between the states in the region. It is therefore important to enhance interstate cooperation in maintaining a secure border control and ensure that officials are better trained to identify possible victims of trafficking. This would involve some surrender of national sovereignty to regional bodies to combat these threats.
- Both local and multinational companies—especially in agricultural and extractive commodities—should increase their cooperation with the judicial system, labor unions, and private recruitment agencies to better control recruitment of workers. Furthermore, investigations by NGOs, media, and other stakeholders can lead to more aggressive scrutiny and surveillance on labor contracts in risk economic sectors where the use of slaves is a common practice. This will result in a short-term decline of profits for economies that are involved in modern-day slavery but a long-term

strengthening of the licit economy and the national tax-base.

- There is a lack of data and research on the number of criminal networks working in the region involved in human trafficking. Further investigation is needed to more accurately gauge the scale and scope of the activities, track revenues from human trafficking, and assess their connections with legal and illegal establishments. Indeed, there is a lack of accurate information on which criminal networks operates in the region or their links to police officers, private businessman, and so on. Statistics and information need to be collected and coordinated not only locally and nationally, but also on a regional and international level.
- A further challenge of human trafficking relates to forced criminality when traffickers may force adults and children to commit crimes in the course of their victimization (including theft, illicit drug production and transport, prostitution, terrorism, and murder).⁴⁵ For local officers and the prosecution system this represents a test for the correct identification of victims of human trafficking for not being mistaken, treated, and prosecuted as criminals. Effective post-assistance programs involving reintegration into society are also needed, something which has been largely missing in the region and resulting in a high degree of relapse into trafficking due to their weak social position and the pressure criminal networks put on these individuals.
- Intra-regional cooperation is essential to reduce the occurrence of slavery in the region; moreover national alignment to regional and international standards remains a test for improving cooperation in the region. It is essential to incorporate human security and rule of law training programs for state officials (migration board, police officials) and allocate the necessary financial resources and muster enough political support from national governments. The combating of corruption and organized crime will be essential in this process, which is by no means easy as officials at all levels benefit from this trade.
- Finally, the perpetrators of human trafficking need to be held to account. This includes bolstering national criminal justice systems and increasing the

conviction rate of human traffickers involving the better identification and investigation of perpetrators.

Conclusion

This paper has provided a concise survey of the twin problems of human trafficking and modern-day slavery with a particular focus on the Greater Mekong Subregion. It is clear that the magnitude of victims being trafficked and coerced into conditions of slavery is significant with ramifications for all states involved—not least human, economic, and political development. However, it also remains a complex and multi-dimensional issue with its solutions also requiring policy attention at a number of different levels—from combating poverty and strengthening inter-state cooperation to more effectively prosecuting traffickers. Finally, while certain regions such as the GMS may be particularly affected, human trafficking is of global concern with slavery being present in almost all countries in the world.

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KEY POINTS

- Modern-day slavery is present in over 160 countries with the highest proportion of victims (72 percent) found in Asia. The ILO estimates that the total illegal profits obtained from the use of forced labor worldwide amount to US\$150.2 billion annually.
- Trafficking of human beings sold into slavery is after drugs and the arms trade one of the fastest growing transnational criminal activities with the economic gains amounting to billions of dollars. Women and girls account for around three-quarters of all trafficking victims.
- Supply and demand from diverse economic sectors creates the need for cheap human labor, with the result that slave-like conditions and practices are to be found in an increasing number of economic activities. In the GMS, apart from sex work (in Thailand and Cambodia), the fishing industry is a particular sector of concern.
- Risk factors for vulnerability to human trafficking are various and include among others poverty, lack of education, and a lack of adequate protection for migrants who may be deceived into taking unpaid jobs.
- Responses to human trafficking need to be well-coordinated at both national and regional levels to control borders, identify victims and perpetrators, and scrutinize suspect companies and labor contracts.

This figure represents only a low estimate and the figure is most likely significantly higher; however, data is very difficult to confirm in the absence of arrests and detailed information.

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