



**EMERGING TRENDS OF
HUMAN TRAFFICKING IN SRI LANKA :**

TRAFFICKING FOR FORCED CRIMINALITY

The opinions expressed in this publication are those of the authors and do not necessarily reflect the views of the International Organization for Migration (IOM). The designations employed and the presentation of material throughout the publication do not imply expression of any opinion whatsoever on the part of IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

Publisher: International Organization for Migration
12th Floor, IBSL Building, No. 80 A, Elvitigala Mawatha,
Colombo 08, Sri Lanka

© International Organization for Migration -2023

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior written permission of the publisher.

TABLE OF CONTENTS

Abbreviations

Overview

Methodology

1. What is Human Trafficking?	01
2. General Trafficking Trends in Sri Lanka	02
3. Evolving External Trafficking Trends in Sri Lanka	03
4. What is Trafficking for Forced Criminality?	04
4.1 Profile of Human Traffickers engaged in Forced Trafficking.....	04
4.2 Profile of victims trafficked for Forced Criminality	04
4.3 Indicators of trafficking concerning the VOTs who were trafficked for Forced Criminality	05
5. Response to the Emerging Trafficking Trends	08
6. Recommendations	09
6.1 Prevention	09
6.2 Prosecution	10
6.3 Protection	11
6.4 Partnership	12
References	13

ABBREVIATIONS

COO	Country of origin
COD	Country of destination
GoSL	Government of Sri Lanka
IOM	International Organization for Migration
Lao PDR	Lao People's Democratic Republic
MOU	Memorandum of Understanding
NAHTTF	National Anti-Human Trafficking Task Force
SEZs	Special Economic Zones
SoPs	Standard Operating Procedures
TIP	Trafficking in Persons
USD	United State Dollars
VOTs	Victims of Trafficking



OVERVIEW

Following COVID-19 and the country's financial crisis, a surge of irregular and unsafe labour migration has resulted in an influx of reported cases of trafficking at the countries of destination and it is presumed that this trend is to be expected to increase further.

The *Modus operandi* of traffickers are also evolving to adapt to the changing dynamics in the country and new forms of exploitation have emerged. Earlier this year, a new form of trafficking where persons were forced to engage in criminal activities surfaced in the mass media of Sri Lanka.

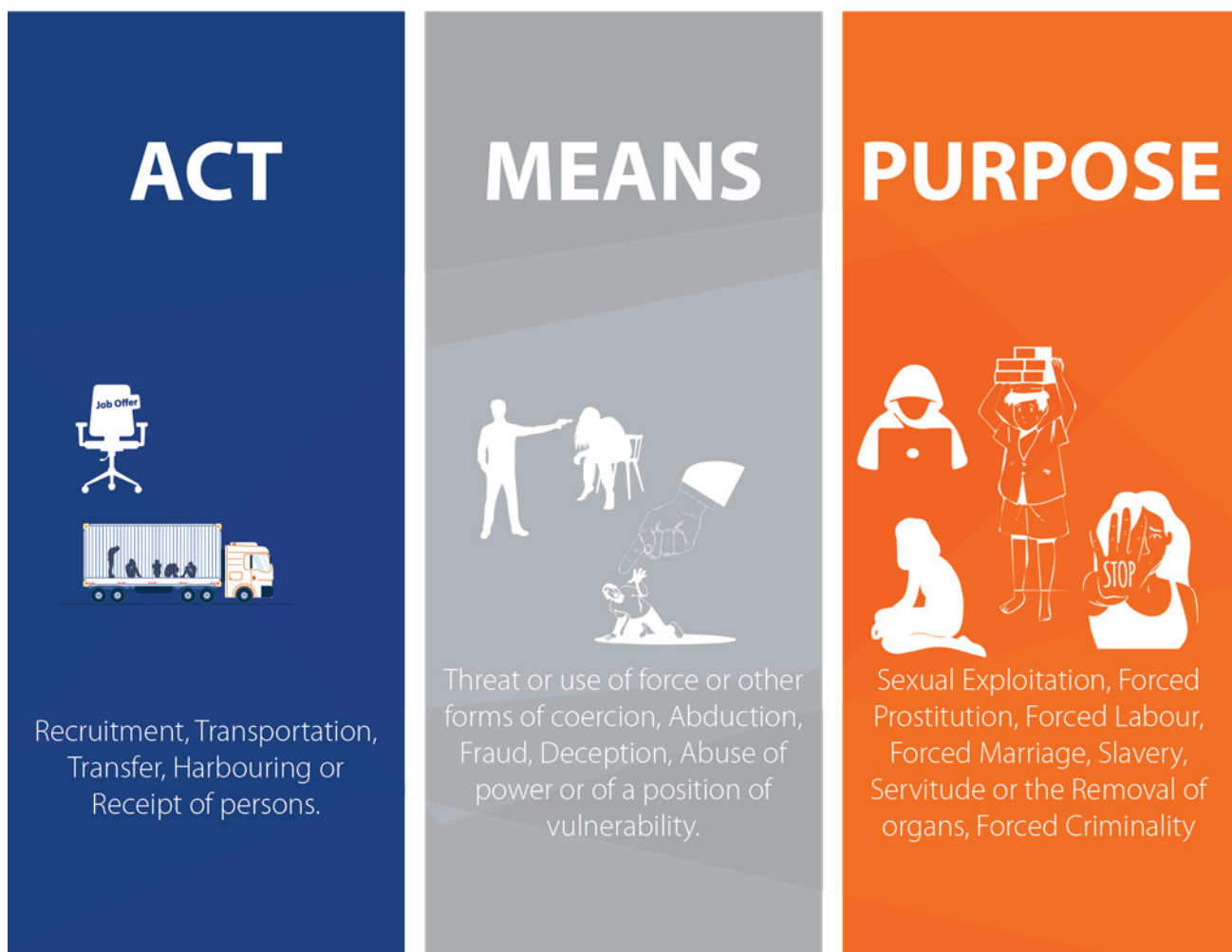
This policy brief has been developed to understand the key features of the new form of trafficking for forced criminality, which has also emerged in Sri Lanka and to make recommendations to combat the crime, effectively protect/assist victims, expeditiously investigate cases and to prosecute the perpetrators.

IOM Sri Lanka in coordination with the relevant government counterparts in both country of Origin (CoO) and Country of Destination (CoD) facilitated the rescue and safe repatriation of 41 Sri Lankan nationals who were trafficked in the Special Economic Zones (SEZs) in the Southeast Asian region (Mainly in Lao PDR, Myanmar and Thailand) whilst supporting their immediate needs. IOM was involved in supporting their rescue, addressing their immediate needs, safe repatriation and reintegration.

METHODOLOGY

IOM Sri Lanka has developed this policy brief predominantly based on the observations made through IOM's direct involvement in assisting 41 victims (between January-September 2023) who were trafficked for forced criminality in the Special Economic Zones (SEZs) in the Southeast Asian region. Further, discussions with government and non-government stakeholders in both countries of origin and destination, IOM missions in countries of destination as well as discussions with survivors of trafficking have also significantly contributed for the development of this policy brief. This brief has also been complemented by a range of media reports, articles, open-source information relating to the scam centre crisis, transnational organised crime and trafficking in persons.





1.

WHAT IS HUMAN TRAFFICKING?

“Human Trafficking” or “Trafficking in Persons (TIP)” is a heinous organized crime where men, women and children are trafficked for the sole purpose of exploitation i.e., forced labour, sexual exploitation, domestic servitude, trafficking for removal of organs and trafficking for forced criminality. This crime can be committed within the borders of a country or across international borders.

According to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons,

especially Women and Children, 2000 (also commonly referred to as the “Palermo Protocol”), “Trafficking in Persons” refers to the recruitment, transportation, transfer, harbouring or receipt of persons (by force, coercion, fraud or some other form of deception) for the purpose of exploitation.

Section 360 (C)(1) of the Penal Code (Amendment) Act No. 16 of 2006 has criminalised the offence of human trafficking in Sri Lanka. The GoSL ratified the Palermo protocol in 2015.

2.

GENERAL TRAFFICKING TRENDS IN SRI LANKA

Many Sri Lankan women and men migrate for employment primarily to the Middle East and certain Asian countries under different skill categories as domestic workers, garment factory workers and construction site workers. Regular migration pathways can be costly and bureaucratically demanding, driving many migrants to access irregular pathways.

Majority of the trafficking trends observed are in conjunction of cross border mobility and linked to labour exploitation in countries of destination where migrant workers have been subjected to unreasonably long hours for little to no pay, physical abuse, restrictions with regard to freedom of movement and communication with families. Incidents of sexual exploitation have also been reported among Sri Lankan women who have been employed as domestic workers.

There is also evidence of migrants trafficked to Sri Lanka for the purpose of sexual exploitation/forced prostitution. While most of the victims trafficked into Sri Lanka are women, there have been reported cases where migrant men have been deceived of jobs in Sri Lanka and have been subjected to labour exploitation.

With regard to internal trafficking trends within the country many incidents are observed where women who have been deceived into accepting jobs in the main cities to work in the garment and hospitality sectors, beauty salons, spas, or for domestic work and are subjected to sexual exploitation by forced prostitution and forced labour.

A study conducted by Save the Children Sri Lanka (which was commissioned by IOM) on “Child Sex Trafficking in the Tourism Sector in Sri Lanka” (2020), has made some important observations related to the trends, push and pull factors relating to child sex trafficking in Sri Lanka.



3.

EVOLVING EXTERNAL/ TRANSNATIONAL TRAFFICKING TRENDS IN SRI LANKA:

Political and economic instability in the country intensified since 2019 with the COVID-19 outbreak and the subsequent economic crisis have led to increased inflation rates and insecurities which have resulted in the large numbers of the citizens choosing to migrate in the hope of securing employment overseas. Latest evidence indicates that many of these migrants opt to use unsafe and irregular modes of migration and are travelling to destination countries (frequently in the Middle East) on visit visas in anticipation of securing jobs upon arrival, but instead are exposed to the increased risks of human trafficking. Although the COVID -19 affected all segments of the population, particularly the migrant workers for a short time frame, the economic crisis within the country has resulted in an increase in migration numbers as well as a substantial number of incidents of trafficking reported abroad.

It is observed that new trends are emerging where new strategies are used by perpetrators in trafficking young men and women with average or high education level for the purpose of forced criminality.

It is estimated that hundreds of thousands of victims across different parts of the world have been forced to work in online scamming centres mainly based in in the special economic zones (SEZ) of Myanmar, Cambodia and Lao People's Democratic Republic (Lao PDR), including in the number is difficult to ascertain given the criminal activity and clandestine nature of the operations. Consular officials, victims and their families are requesting IOM's support frequently to address the immediate needs and support the repatriation of victims.

In early February 2023 in Sri Lanka, reports made headlines where young men and women who were promised jobs in the IT industry as Customer Care Agents, Data Entry and Call Centre Operators in Bangkok, Thailand were later forced to engage in scamming and various cyber-crimes. Many of them were stranded in the said SEZs, also known as the 'Golden Triangle'. Once these migrants were trafficked to the SEZ, they were forced to work in an IT scamming centre/compound deceiving clients via crypto currency through fake social media profiles and dating apps.

The Victims of Trafficking (VoT) who were trafficked for forced criminality identified from Sri Lanka had been transported to the scamming compounds in SEZs in Myanmar, Cambodia, and Lao PDR, with Thailand as the main transit country. It was reported by many VOTs that once they arrived in Thailand, they were taken to scamming compounds in other countries by crossing the Mekong River.

It is reported that these compounds earn an annual billion-dollar illicit revenue from narcotics and human trafficking.

Apart from Sri Lanka there were other VoTs who were trafficked to these SEZs from various countries such as India, Nepal, Bangladesh, Indonesia, Ethiopia, the Russian Federation and Brazil etc. The fact that these online scam centres bring in workforce from all over the world indicate that these are not the usual trafficking corridors running parallel to established migration pathways, but an organized transnational crime.

4.

WHAT IS TRAFFICKING FOR FORCED CRIMINALITY?

Trafficking in persons for the purpose of forced criminality could be described as trafficking in persons for the sole purpose of exploiting their labour through engaging them in performing illicit/ criminal activities against their will. In such situations

the trafficker's intent is to exploit persons for the purpose of committing criminal offences through use of illegal means, which were not part of the promised job description.

4.1 Profile of Human Traffickers engaged in trafficking for Forced Criminality

The perpetrators/ traffickers functioning as criminal syndicates collect profits at low risk by forcing victims to carry out a range of illegal activities, generating income. These traffickers are often from organized crime syndicates that have been operational in these geographical locations for a longest period of time dealing with crimes from fraud, extortion, and money laundering to trafficking and prostitution.

It is found that these traffickers often issue employment contracts to deceive both the victim and authorities where they attempt to legalise the illegal operation of scamming online.

4.2 Profile of Victims trafficked for Forced Criminality

In this context Sri Lankan nationals trafficked at these SEZs in the Southeast region, were forced to work in online scam centres. Majority of the victims were young males and were of ages ranging from 20 to 35 years with secondary/ tertiary educational level and IT competency with English language skills. A few young females were also among these victims. Majority of the victims assisted by IOM Sri Lanka were based in the Hambantota district. Others were from Anuradhapura, Gampaha, Ratnapura, Matara and Colombo districts.



4.3 Indicators of trafficking concerning the VOTs who were trafficked for Forced Criminality

ACT

Recruitment – Victims are mainly lured by job advertisements or through acquaintances to work in professional roles in the IT sector/in call centres in Thailand. Majority of the victims who were trafficked from Sri Lanka to SEZ in the southeast asian region, found employment through word of mouth and were lured by an unregistered local agent who also happened to be a prominent private educator/ businessman, promising legitimate lucrative employment opportunities in call centres in Thailand with attractive salaries.

Job offers and communication throughout the process of employment/ travel to destination was made through social media platforms i.e Facebook, WhatsApp, Instagram etc.

The recruitment process reportedly included a number of stages from interviews to practical examinations (tested for their English language skills and typing skills) where some were interviewed over the phone while others had physical interviews even at star rated hotels in Colombo.

Transportation – The victims travelled in small groups and remained in constant contact with the agents/ recruiters via WhatsApp often using aliases. Many of the victims have travelled to Thailand on tourist visa. The victims thereafter transited in Bangkok and were asked to board a flight to Chiang Rai, where they stayed one night and cross borders (via the Mekong river) to Lao PDR or Myanmar. Throughout this journey the agents/ recruiters were in constant contact with the victims and have sent photographs via WhatsApp messages of the airport movements/ vehicle details and pick up locations. At the transit all expenses incurred by the victims were borne by the victims with the promise that the amount will be reimbursed by the recruiter.

Harbouring and receipt of persons- These victims were always received by unknown third parties at all stages of transportation from the airport/ border crossing to the scamming centres. The company representatives arrived at the immigration point once the victims crossed borders and arrived to either Lao PDR or Myanmar. Upon their arrival, their passports were confiscated and were promised that the employer will be making arrangements to secure appropriate work/employment visa for the victims.

MEANS

Fraud and Deception – Starting from the local agent to the recruiters, deception regarding the employment opportunity is evident. On-site, victims realised they were deceived as to the location, true nature of the job, which demands they take part in scamming activities which could have legal implications and risks as well as regarding the validity of their employment visa.

Threat or use of force or other forms of coercion

- **physical abuse** – Victims are subject to ‘sales’ quotas and face severe punishments if they do not meet the given targets. Whenever the victims could not meet their target of achieving clients or refused to engage in this work, they were asked to run around the company compound several times or were given various forms of punishments, i.e., push-ups or were asked to kneel and carry heavy water bottles as punishment. Other nationals who were victimised in these compounds have also reported severe forms of punishments such as beatings, electrocution etc.
- **psychological abuse/threats** – At certain instances the traffickers would verbally abuse the victims. When the victims insisted to leave the compound, they were requested to pay a ransom and failing to do so threatened that “their kidneys would be sold” if they do not repay money to the company. Further the victims were threatened on regular basis if they did not meet their daily target.

Abuse of power or of a position of vulnerability

- **Denial of freedom of movement** – The company compound was heavily guarded by officials with weapons, at all floors. The premises were barbed wired and with guarded stations around the premises which prevented the victims from leaving the compound premises. The Victims’ movements were confined to 3 - 4 floors of a multi-storied building. The victims were confined to three floors where their dormitory style accommodation arrangements in one floor, another their work area and the third floor serving as a dining area.
- **Restricted/ surveillance on communication** – Limited calls were allowed to be made to the family members of these victims and that too, was allowed under strict surveillance of the employer.
- **Limited access to medical assistance** – It was reported that the employer at times denied medical treatment or if medical treatment was provided that was deducted out of the monthly salary of the victims.
- **Limited access to food/drink** – The victims were given access to a general buffet with most of the time with inedible food items.
- **Withholding of wages** – While some victims were not paid their promised salary, majority did not receive their salary at all. Salaries of most victims were deducted as modes of punishment. There were incidents reported where certain victim wages were deducted for reporting to work late than the stipulated times or for not meeting the given scamming targets.
- **Withholding of travel documents** – Travel documents were confiscated at the time of arrival at the company. These were taken in the pretext of upgrading the visa with a work permit, which in reality were not updated and was used as a tool to control the movement of these victims.
- **Excessive working hours** – Victims were compelled to work 6 days a week from 11PM to 11AM. In order to cover the workload and obtain new clients, they had to work overtime which would lead to longer working hours to around 16 hours per day.
- **Debt bondage** – Some victims owed money to the scam compound operators for their recruitment, air tickets, visas etc., and such debt payments were deducted from their wages when they could not meet the targets resulting in receiving no wages at all.

PURPOSE (EXPLOITATION)

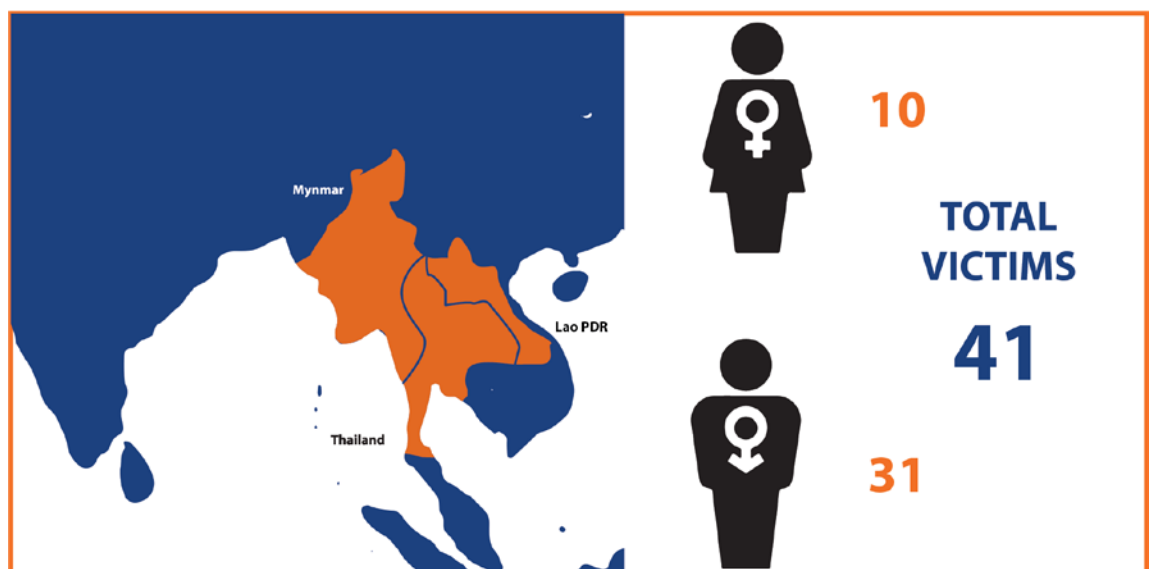
Trafficking for forced criminality (with indicators of labour exploitation) – These victims are often coached/instructed by staff in the compounds to perform online / phone / computer-based activities that ultimately amount to fraud and scamming via the online/cyber platforms.

The victims were provided with detailed instructions and asked to study on the online scamming trade. These online scamming often involved illegal gambling, gaming and lottery schemes (tasked to chat with people online and lure them to deposit money into accounts) or Pig-butchering (investment) schemes (tasked to set up and use fake profiles on networking platforms to develop relationships and gain trust of people, through romance and/or friendship, and entice them into investing in fraudulent schemes (often through cryptocurrency investments) or dating or companionship offer (tasked to impersonate a man/woman looking for companionship and asked for cash transfer to support various requests).

The nature of the job of these VOTs involved creating fake profiles on dating sites (eg. Tinder, Hinge), social media platforms (eg. Facebook, Instagram, Tik Tok), or other online forums to establish relationships, usually romantic ones, with potential victims for scamming purposes. In this situation the trafficked victims were forced to act as scammers and target hundreds of individual phone numbers each day, looking for those willing to respond and engage in conversation.

Once false personas are well-developed and a connection with a potential victim has been made, the scammers will typically use emotional manipulation to gain their victim's trust and affection over an extended period, often weeks or months. After a strong rapport with potential victims is established, scammers will begin asking for money, personal information, or, most frequently, to have victims put their money into some form of investment scheme or crypto-currency trading, often via a fraudulent app or website developed by the scam organisation.

It is to be acknowledged that the victims were engaging in such activity unwillingly and out of fear.



5.

RESPONSE TO THE EMERGING TRAFFICKING TRENDS

The IOM assisted in the rescue and return of these VoTs trafficked in the SEZs of the East-Asian region in coordination with the relevant government counterparts both in the COO and COD as well as in some cases, with local Non Governmental Organizations (NGOs) providing immediate assistance to victims in COD. IOM Sri Lanka through the IOM missions in Lao PDR, Myanmar and Thailand supported the rescue of these victims with relevant Government counterparts, the Ministry of Defence of Sri Lanka (as the chair of the National Anti-Human Trafficking Task Force- NAHTTF), Sri Lankan embassies and consulates in the countries of

destination/ transit to ensure safe and smooth return of these victims.

IOM 's support to these vulnerable VoTs includes immediate assistance (shelter, food and non-food items, medical support, counselling), pre-departure assistance, consular/documentation support, return (airfare and movements) /transit assistance, assistance upon arrival at the airport, their onward transportation, post arrival counselling and referrals as appropriate. Further, in order to reintegrate these VOTs sustainably back into the society reintegration assistance was provided by assessing their needs and requirements.



Image 1: Reception assistance at the airport provided by IOM Sri Lanka for the first batch of VOTs rescued and repatriated from Lao PDR © IOM Sri Lanka, March 2023

RECOMMENDATIONS

These novel trends of trafficking will not be limited to this and may evolve further based on technology advancement and other socio-economic factors that contribute to the exploitation of human beings.

It is noteworthy that individual assistance requests are steadily increasing parallel to the evolving trends of trafficking, together with clear gaps in more structured identification and assistance frameworks in the affected countries, thus it is important to establish an approach that goes beyond immediate assistance and

looks at strengthening stakeholder capacities and multilateral, regionally anchored information sharing approaches to prevent the criminal act itself.

Further, various other national/ regional and international level interventions should take place to prevent and address these evolving trends of human trafficking within and across borders of Sri Lanka. These measures could be taken aligning with the four pillars (Prevention, Protection, Prosecution and Partnerships) of countering human trafficking.

6.1

PREVENTION

- **Strengthening border control measures:** Continue building strong border control systems, with high performance detection capability, as well as establishing rights-based procedures, regulations and policies, and human resources capacities to detect, identify and properly investigate cases of, and refer, vulnerable migrants including potential victims of human trafficking.
- **Public Awareness raising:** Conduct public awareness raising activities targeting all vulnerable groups/ at-risk population including the young, skilled and educated groups on safe and regular migration routes and online scams which will facilitate informed decision-making, especially in the context of an economic downturn where the temptation to accept attractive job offers is high. This awareness could be facilitated through messaging on various social media platforms and through targeted awareness sessions using different communication platforms – street drama, forum theatres etc.
- **Data collection and research:** Intensify research and data collection efforts to measure the extent and magnitude of the online scams crisis, estimates of trafficking victim numbers, as well as details of scam centres currently operating and empower governments to take appropriate policy decisions and preventive measures to manage any future victim caseloads.
- **Anti-corruption efforts:** Intensify anti-corruption efforts through States and International community/organisations to prevent scam compounds being operated with support from corrupt individuals/officials.

6.2

PROSECUTION

- **Legal reforms and processes:** Formulate appropriate legal reforms/processes to make counter trafficking law and policy in consistent with international standards responding to the emerging realities of human trafficking. The current laws should be equipped to capture the latest trends of trafficking and take preventive measures as well as provide effective mechanisms in prosecuting perpetrators.
- **Memorandum of Understandings (MOUs) / agreements:** Strengthen coordination and possible agreements or MOUs with Interpol and law enforcement entities in destination countries for investigating and prosecuting cases related to trafficking for forced criminality.
- **Screening and Investigations:** Strengthen screening, investigation mechanisms/ tools and focused capacity building initiatives for law enforcement authorities leading to increased prosecutions.
- **Capacity building for law enforcement officials:** Capacitate law enforcement officials on evolving trends related to cyber scamming and money laundering related to human trafficking.
- **Intelligence gathering:** Collect and document all the intelligence gathered through computerised systems and enable all officials involved in law enforcement to take preventive decisions while supporting ongoing investigations and prosecution of human trafficking incidents linked to forced criminality.
- **Guidelines and Standard Operating Procedures (SOPs):** Develop guidelines or SOPs focusing on rapid intelligence gathering/ sharing, coordination, investigation, rescue of transnational trafficking cases for forced criminality. Flexible, swift approval processes and action are imperative in responding to such cases.



6.3

PROTECTION

- **Effective identification of victims:** Capacitate government officials, in particular, those attached to embassies and consulates on screening mechanisms/ tools for the effective identification of VOTs (whilst adopting victim centric and trauma informed approaches) and promote systems to be in place for the provision of immediate assistance.
- **Linkages with NGOs/shelters/service providers to assist victims:** Pre-identify and establish linkages with NGOs/shelters/service providers to assist VOTs as soon as they are rescued in destination countries.
- **Victim centric and trauma informed approaches:** National level capacity building to frontline responders to ensure they use trauma-informed and victim-centric approaches and have access to appropriate referral mechanisms.
- **Timely immediate assistance and repatriation support by embassies / consulates in coordination with relevant stakeholders:** Ensure timely assistance and intervention by embassies and consulates in countries of destination when rescuing and repatriating VOTs. Further, the embassies and consulates can be equipped with adequate financial resources to assist victims with their immediate needs at the countries of destination. Thus, clear guidance and protocols for consular officials to effectively work with authorities in destination countries for the rescue and safe return of victims and to coordinate with service providers/NGOs for the provision of immediate assistance to VOTs will be of utmost importance.
- **Collaboration and coordination in rescuing victims:** Need for close collaboration/ coordination between Sri Lankan embassies and the governments and law enforcement entities in destination countries is crucial. For this purpose, MOUs and bi lateral agreements for effective rescues and assistance between countries can be considered. There is a need for collaborative procedural mechanisms for the rescues to be proactive rather than a reactive response i.e – once a scam compound is identified , authorities can plan and initiate the rescue rather than waiting to receive complaints/ requests from VOTs and their families .
- **Repatriation of victims:** As soon as the victims are rescued or identified, there is a need for urgent repatriation to mitigate compounded risks and further harm/ re-victimization. Embassies can organise repatriations in coordination with relevant government authorities in countries of destination and if necessary in collaboration with UN entities/INGOs and NGOs.
- **Reintegration assistance upon return:** There is a need for relevant mechanisms to be made available by State to address immediate, medium and long term needs of these victims in the domains of economic, social and psychosocial reintegration upon safe return.
- **National counter trafficking hotline:** A national counter trafficking hotline operated by the State to effectively coordinate and respond to trafficking incidents in Sri Lanka and abroad will be beneficial.
- **Alternatives to Immigration detention and penalties:** Advocate for alternatives against immigration penalties/detention in destination countries in situations where victims overstay or violate immigration laws as a result of being trafficked. In line with the provisions of the Palermo Protocol on the responsibility of States to prevent re-victimisation of trafficked victims, appropriate measures should be taken to waive off immigration penalties or overstay fees. It is recommended to have established standards in countries that have identified scam centres so that victims are exempted from immigration penalties/fines. Consular officials attached to embassies should continue to advocate for the rights of victims in these respective countries of destination.

6.4

PARTNERSHIP

- Promote policy dialogue and coordination at the regional level to address this growing transnational crime. These platforms could support affected countries and organizations to coordinate the response in terms of direct assistance and referrals to investigations and information sharing with the support of international law enforcement authorities such as the INTERPOL. IOM can also support Member States in setting human rights-centered border management practices to support detection of vulnerable migrants at border crossing points and during border surveillance operations.
- National and Transnational Referral Mechanisms to be leveraged under existing bilateral Memorandum of Understanding.



BI- LATERAL AGREEMENTS

REFERENCES

1. IOM regional Office for Asia and Pacific. (2023). *Situation analysis on trafficking in persons for the purpose of forced criminality in southeast Asia*.
2. Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for South-East Asia. (2023). *Online scam operations and trafficking into forced criminality in South East Asia: Recommendations for a human rights response*.
3. Regional support office of the Bali Process. (2023). *Trapped in Deceit: Responding to the Trafficking in persons fuelling the expansion of South East Asia's online scam centres*.
4. United Nations Office on Drugs and Crime (UNODC). (2023). *Casinos, cyber fraud and trafficking in persons for forced criminality in Southeast Asia*.



12th Floor, IBSL Building, No. 80 A, Elvitigala Mawatha, Colombo 08, Sri Lanka

Tel +94 11 5325 300 Fax: +94 11 5325 302

IOM COUNTER TRAFFICKING HOTLINE – 0776 588 688

Email: iomcolombo@iom.int | Website: <https://srilanka.iom.int/>