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## **SCAMMED: DISSECTING CYBER SLAVERY IN SOUTH EAST ASIA**

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### Into the Inferno

Dante, Inferno. Source: [Testimonianzeonline.com](http://Testimonianzeonline.com)



# Lost in Salvation: How the Current Victim Identification Systems Fail Survivors of the Online Scam Industry in Southeast Asia

Ling LI

*While much has been written about forced criminality in Southeast Asia's cyber-fraud industry, one aspect remains relatively underexplored: the situation of survivors once they exit the scam compounds where they were trapped. In many cases undocumented and without any financial resources, these individuals often find themselves stranded in foreign countries where they do not speak the language and have no support networks. One choice they have is to approach local law enforcement to be acknowledged as victims of human trafficking for forced labour—a status that shields them from prosecution and grants them access to material assistance with the repatriation process. Still, few survivors manage to be officially recognised as victims. Drawing from interviews with survivors who went through the formal victim identification system in Cambodia, Thailand, and Laos, this essay examines why that is the case.*

**T**hey told me they had bought me and owned me. It's weird ... it takes you back to the age of the slave trade in Africa. It is hard to believe when someone tells you: "I own you." But you cannot laugh, because it is serious,' recounts George (pseudonym), a Ugandan man in his early thirties who survived being trafficked to scam compounds in Laos and Myanmar. George was lured with the promise of an IT job in Laos but, on arrival, found himself forced into scamming, tasked with attracting 'clients' from Europe. His new managers told him that he owed the company US\$2,500 and put him to work to pay off this fabricated debt. After an initial stint in a compound in Laos, he was moved to Myanmar. Labour conditions at this second location were appalling and the people trapped inside were kept under heavy surveillance; any attempt to escape was met with severe punishment. When a chance to get out presented itself, George and a co-worker from South Africa immediately took it.

Even once the two men were free, that was not the end of their ordeal. They had to leave all their belongings behind, including their passports and phones, and were stranded in a foreign country without money or identifying documents. After crossing the Mekong River back into Laos, it was only by concocting a story about a forthcoming

payment from a nongovernmental organisation (NGO) that they managed to convince the owners of a guesthouse to let them stay. On the third day there, they got in touch with the local anti-trafficking police. Some officers came and said they would be back within four working days but then disappeared for three whole months, during which time the pair had to come up with ways to pay for food, including offering their services as cleaners at the guesthouse. After that, they were moved to a shelter in Vientiane, where they spent another three months in idleness. As George remembers it:

*There was nothing to do, just every day wake up, sit, stand, sit, sleep, like that. Nothing, nothing at the shelter. Life was just like that, boring and boring. Like, you just think, you get into your head several times because you've been doing nothing all day.*

In July 2023, more than a year after his ordeal had begun, George was finally put on a flight back to Kampala.

George and his South African co-worker were two cogs in a huge online scam industry built on the exploitation of an army of people many of whom are forced to toil in conditions akin to slavery. In 2023, the Office of the United Nations High Commissioner for Human Rights (OHCHR) quoted 'credible sources' stating that as many as 120,000 people may have been held in situations where they were forced to carry out online scams in Myanmar, with another 100,000 in Cambodia (OHCHR 2023). According to this report, scam compounds in Southeast Asia were staffed by people from all over the world. Roughly at the same time, another report, by the United Nations Office on Drugs and Crime (UNODC 2023: 10), mentioned that international organisations had recorded cases of people of at least 40 nationalities trapped in these compounds, although there are likely more nationalities that have gone unrecorded.

Numerous media reports and survivor testimonies have revealed the harrowing working conditions faced by the people trafficked into the online scam industry, as well as the torture they endure (see, for instance, 101 East 2022; Faulder 2022). As I have discussed at length elsewhere (Franceschini et al. 2023), once inside, victims have their documents confiscated and are forced, under threat of physical violence, to conduct scams. Individuals are often prohibited from leaving the compound and barred from contacting friends or family unless closely monitored by supervisors. Victims also describe gruelling working hours, often dictated by the time zones of the targets of their scams. The most common way out for these individuals is to pay a substantial ransom to the criminals running these operations. However, many victims, coming from families without substantial financial resources, find themselves with no choice but to continue participating in the scams to survive.

While much has been written about the harrowing conditions inside Southeast Asia's scam compounds, what is often missing from media and NGO reporting is how the ordeal faced by the people trapped inside seldom ends once they get out. As in George's case, survivors often find themselves stranded in countries they barely know, unable to speak the local language and without any documents or money. If they are lucky, they might be able to count on financial support from their families and receive consular help from their country's embassy to swiftly return home without police involvement, but that is rarely the case. Most survivors are detained by the local immigration authorities for illegal entry into the country, lacking documentation, visa overstays, and other violations of local laws and regulations. This situation is so widespread that, in early 2023, campaigners from Thailand, Malaysia, and Indonesia brought a formal complaint to the Association of Southeast Asian Nations (ASEAN) Intergovernmental Commission on Human Rights, urging governments in the region to stop prosecuting victims of trafficking or detaining them under immigration laws once freed from scam syndicates (Migrant Care et al. 2023).

Generally speaking, survivors without travel documents face two choices if they want to be repatriated: turn themselves in to local immigration authorities, pay hefty fines, and possibly spend some time in jail for violation of immigration rules, after which they are blacklisted and put on a plane back to their home country at their own expense; or go through a formal victim identification (VID) process to prove they are victims of human trafficking for forced labour. This is a long and difficult procedure in which a lot can go wrong, but which can result in some material advantages, such as possible NGO or government support for accommodation, flights, and medical expenses, which are crucial for survivors with limited financial resources, as well as exemption from the punishments they would otherwise have to face for illegal immigration and criminal activities in which they might have been involved. There are also psychological benefits to being officially recognised as a victim of human trafficking, as this can lead to a sense of closure.

Even when survivors go through the VID process, the outcome is far from guaranteed. Despite the consistent use of terms like 'survivors' and 'victims' in UN and US State Department trafficking in persons reports to describe those trafficked into the industry, the number of cases officially identified as victims of human trafficking for forced labour by governments in both destination and source countries remains alarmingly low. While reliable numbers are not available, numerous reports indicate that the VID process has been ineffective and faces significant challenges (see, for instance, US Embassy in Cambodia 2024; UNODC 2023). One crucial reason for this is that, while human trafficking for purposes such as sexual exploitation and 'traditional' forced labour is widely recognised, the concept of human trafficking for forced criminality—particularly in

the context of the online scam industry—is less understood and remains inadequately addressed. According to the UN *Model Law against Trafficking in Persons* (UNODC 2009), states are encouraged to consider various forms of exploitation in their criminal laws, including forcing people to commit illicit or criminal activities. Human traffickers can compel both adults and children to commit a range of crimes, including theft, illicit drug production and transport, prostitution, terrorism, and even murder (US Department of State 2014). Victims of such trafficking should not be held liable for unlawful activities in which they are forced to engage due to their victimisation. However, the lack of clear indicators to identify victims of trafficking for forced criminality poses significant challenges to providing them with the necessary protection and support.

This essay aims to analyse the current state of victim identification in cases of human trafficking for forced criminality in the online scam industry through interviews with survivors, law enforcement officials, and NGO practitioners. Between 2022 and 2024, the main author conducted 78 interviews with survivors. For this study, I selected the cases of 20 individuals who successfully navigated the formal VID process in Cambodia, Thailand, or Laos (see Table 1). Additionally, she interviewed representatives from four NGOs working on these issues in Southeast Asia, along with four law enforcement officers—two from destination countries and two from source countries. By engaging with firsthand accounts and insights from these stakeholders, I will elucidate the multifaceted challenges faced in the current VID system and explore possible ways to enhance victim identification in the context of scam-related trafficking.

The essay is organised in three sections. In the first, I will briefly review current debates about the complex overlap of victim and perpetrator identities in cases of forced criminality. In the second, I will outline how the current victim identification system in the field of forced criminality in the online scam industry in Southeast Asia works, drawing on specific cases from Cambodia, Thailand, and Laos. This section will be structured around three problematic aspects: legal loopholes; indicators and the burden of proof; and practical challenges in the identification and repatriation process. I will conclude with some recommendations for how to enhance the current system to make sure that no victim of human trafficking is left behind.

Table 1: Case List

Case no.	Gender	Age	Source country	Destination country	Country of VID
#1	Male	30s	China	Cambodia	Cambodia
#2	Male	30s	China	Cambodia	Cambodia
#3	Male	19	China	Cambodia	Cambodia
#4	Male	17	China	Cambodia	Cambodia
#5	Male	20s	China	Cambodia	Cambodia
#6	Male	20s	China	Cambodia	Cambodia
#7	Female	20s	China	Cambodia	Cambodia
#8	Male	17	China	Cambodia	Cambodia
#9	Male	20s	China	Cambodia	Cambodia
#10	Female	20s	Cambodia	Myanmar	Cambodia
#11	Male	20s	China	Cambodia	Cambodia
#12	Male	30s	China	Cambodia	Cambodia
#13	Male	30s	China	Laos, Cambodia	Cambodia
#14	Male	20s	China	Myanmar, Cambodia	Cambodia
#15	Male	20s	China	Myanmar, Cambodia	Cambodia
#16	Male	20s	China	Laos, Cambodia	Cambodia
#17	Male	30s	Uganda	Laos, Myanmar	Laos
#18	Male	20s	Uganda	Myanmar	Thailand
#19	Male	20s	Thailand	Myanmar	Thailand
#20	Male	20s	China	Myanmar	Thailand

## The Victim–Offender Overlap

While victims and offenders are commonly thought of as belonging to two separate categories, academics have pointed out that the reality is not always clearcut and the two groups should rather be seen as part of a spectrum. Some scholars have highlighted how individuals who have fallen victim to crime, especially of the violent kind, are more prone to become offenders themselves due to the negative physical, mental, and behavioural consequences of what they experience (DeLong and Reichert 2019).

Others have posited that individuals can be victims and offenders *simultaneously*. As early as the 1950s, scholars proposed the existence of three distinct categories: ‘pure victims’, ‘pure offenders’, and ‘one-and-the-same’ individuals, who embody both victim and offender roles at the same time (Wolfgang 1957). While this theorisation originally referred to people such as those involved in victim-precipitated homicides, the framework has proven applicable to other situations as well. For instance, the ‘one-and-the-same’ approach has been employed to explain the role of individuals in pyramid schemes—an economic crime often employing cult-like tactics to recruit and manipulate participants with promises of financial gain for enrolling new members. As Hock and Button (2023) have pointed out, many of those involved in such schemes struggle to acknowledge their participation in illegal activities. As they experience financial losses and other harms, they may unwittingly become promoters or recruiters and, once they assume these roles, they are often treated as offenders rather than victims. The framework can also be applied to cases of intimate partner violence, where prolonged exposure to abuse can lead the victim to eventually resort to violence, often as an act of self-defence or out of a sense of desperation (Hewitt 1988).

Within the anti-modern slavery field, the victim-offender overlap has often been discussed in the context of commercial sex trafficking (see, for instance, Finn et al. 2015; Baxter 2019, 2020). A landmark document is the UNODC’s 2020 report *Female Victims of Trafficking for Sexual Exploitation as Defendants*, which analysed victim-offender overlap in cases of human trafficking for sexual exploitation where individuals who are victims of trafficking also engage in activities that classify them as offenders. The report claims that such overlap is often seen when victims, due to their past or current exploitation, are coerced or manipulated into participating in the trafficking and exploitation of others. Traffickers might sometimes use victim-defendants as an explicit strategy to protect themselves from prosecution as such victims are more exposed to detection by investigative authorities. In particular, the study underscores the importance of considering social isolation and marginalisation—including irregular legal status—when identifying victims. Moreover, it examines legal precedents illustrating how the non-punishment principle can be invoked in human trafficking for forced criminality cases, thus establishing a foundational framework for understanding human trafficking for forced criminality.

Forced criminality in the online scam industry is such a new phenomenon that it has yet to attract much attention from academics. One notable exception is a 2024 paper in which Fangzhou Wang focuses on the forced criminality behind the recent boom in ‘pig butchering’ (杀猪盘)—a type of fraud at the intersection of investment and romance scams that emerged in the past decade (Cross 2024). Wang’s research highlights the fact that individuals—often themselves victims of manipulation or exploitation—can be coerced into perpetrating these scams. This coerced involvement is a continuation of their victimisation and complicates their legal standing, as they can be considered victims and offenders at the same time—a textbook example of the



victim–offender overlap discussed above. Wang’s analysis extends the understanding of the victim–offender overlap by considering factors such as judicial discretion, sentencing disparities, and the legal challenges posed by cybercrime in a cross-cultural context. She further elaborates on this point in another paper published in 2023 on Chinese court cases related to pig butchering. In it, she found that some courts viewed trafficked individuals forced to engage in fraud as victims and opted for leniency, while others treated them as criminals deserving punishment—an inconsistency that complicates efforts to deliver justice in these complex cases.

Some authors have highlighted how the victim–offender overlap adds layers of complication to victim identification by law enforcement (see, for instance, Villacampa and Torres 2017; Rodríguez-López 2020). This literature acknowledges the frequent lack of financial and technological resources in law enforcement, which hinders the ability of the police to gather sufficient evidence to answer critical questions such as the extent to which victims resorted to committing crimes to alleviate their exploitation and the degree of agency victims have in criminal activities. All of this highlights an urgent need to establish better procedures to protect the people trafficked into forced criminality and ensure they are not victimised twice. Traditional markers may not adequately capture the nuances of coercion and victimisation that occur in these situations. Moreover, new approaches are essential for empowering victims to seek police support without fear of retribution or disbelief.

## Current VID Practices in Southeast Asia

As mentioned above, labour conditions inside Southeast Asia’s scam compounds are often horrific and many people are trafficked into the industry. While this should ostensibly make their identification as victims straightforward, the process is complicated by the fact that many enter these operations willingly—some attracted by the lure of making easy money, some with limited economic opportunities in their home countries—and then become trapped inside. On entering, they are required to sign contracts committing to work for a specified period and breaking these comes with financial penalties. Poor performance can result in physical punishment, for both those who enter willingly and those who do not. For people who are not adept at scamming, their salaries may be much lower than expected, as they are based on commission. Some may not have fully comprehended the nature of the work they would be required to do or the conditions under which they would have to work. For these and myriad other reasons, people may simply want to leave and return home, but find themselves unable to pay the fee for breaking their contract and the miscellaneous other ‘fees’ added on by their employers. There are also numerous reports of companies simply refusing to allow people to leave even when their contract is complete.

Facing situations such as these, law enforcement grapples with some tough questions. What to make of the people who join a criminal enterprise willingly and knowingly and then find themselves trapped inside? Should they be considered victims or offenders? In an industry entirely based on deception and manipulation, how to trust the word of those who claim to have been abducted or tricked into the industry? Could they just be exaggerating their plight in the hope of receiving more lenient treatment? Questions such as these make navigating this field challenging not only for law enforcement officials tasked with handling these cases, but also for the practitioners who assist survivors and the researchers who attempt to gather reliable information on trends within the industry. They also partly explain the shortcomings of current VID systems when it comes to handling cases of survivors of the online scam industry, as they pose more practical challenges. Here I focus on three sets of problems: legal loopholes; indicators and the burden of proof; and some practical complications in the VID and repatriation process.

### a) Legal Loopholes

Countries in mainland Southeast Asia have taken steps to address human trafficking through the adoption of various legal frameworks and international agreements, albeit with varying degrees of specificity regarding forced criminality. Cambodia, Laos, Myanmar, Malaysia, and Vietnam have all signed memorandums of understanding (MoUs) on human trafficking, yet these agreements do not explicitly address issues related to forced criminality. As members of ASEAN, they also adhere to regional anti-trafficking frameworks. ASEAN's *Convention against Trafficking in Persons, Especially Women and Children* (2015) reinforces the non-punishment principle by urging member states to consider holding trafficking victims not criminally liable for unlawful acts directly related to their trafficking situation. Even though no specific offence is named, victims of trafficking for the purpose of forced criminality in the online scam sector could rely on this provision to protect themselves from prosecution for the crimes they were forced to commit.

Domestic laws vary. Thailand has passed legislation such as the 2008 *Anti-Trafficking in Persons Act* that aligns with the Palermo Protocol's objectives of protecting and assisting trafficking victims (Gauci and Magugliani 2023). Still, there are loopholes. For instance, Section 41 of the Act specifically prohibits legal proceedings against trafficking victims forced into criminality, but only lists four types of offence—namely:

[E]ntering, leaving, or residing in the Kingdom without permission under the law on immigration, giving false information to the official, forging or using a forged travel document under the Penal Code, offence under the law on prevention and suppression of prostitution, particularly on contacting, persuading, introducing and soliciting a person for the purpose

of prostitution and assembling together in the place of prostitution for the purpose of prostitution, or offence of being an alien working without permission under the law on working of the alien. (For this translation, see Antislavery in Domestic Legislation 2019)

This leaves a gap in which victims coerced into committing online fraud may not receive automatic protection under current Thai law. As a Thai law enforcement officer explained:

Thailand accepts this principle under Article 41, which exempts penalties as mentioned in immigration law, prostitution, labour laws, and counterfeit laws. We only include these four cases without including other types. For instance, if a person is coerced into participating in war, we do not protect that person ... With scammers, there is a growing need to invoke this principle as suggested by the US TIP [trafficking in persons] report ... but we do not have laws directly addressing it.

Similarly, Cambodia and Laos criminalise human trafficking and provide protections for victims, but lack specific provisions addressing forced criminality, especially in emerging areas like online fraud.

In such contexts, the determination of whether individuals involved in forced criminality in the online scam industry are treated as victims or criminals, and whether scam activities are included under the non-punishment principle, rests heavily on the discretion of frontline law enforcement officers and their interpretation of the law. For instance, another Thai law enforcement officer alerted us to a possible legal loophole that could work in favour of the survivors of scam compounds. Article 67 of the Thai Criminal Code provides for a necessity defence, which could be invoked in cases of forced criminality where individuals act under compulsion or imminent danger that cannot be avoided. Sympathetic law enforcement officers could construe this as indirectly supporting the non-punishment principle for people trafficked into the online scam industry.

## b) Indicators and Burden of Proof

People trapped inside the scam compounds are generally required to sign an ‘employment contract’ on arrival. This serves not only to perpetuate the pretence that scamming is a ‘normal’ line of work, but also to trap workers under the burden of additional debts and obligations ostensibly supported by the weight of the legal system. As a result, a common point of contention between local authorities and human rights organisations when it comes to people trafficked into criminality in the online scam industry is whether

these cases constitute a labour dispute or a human trafficking issue. On one side, local authorities, especially in Cambodia, often categorise survivors' reason for leaving as a contractual dispute over labour conditions (we discuss this in detail in our forthcoming book; see Franceschini et al. 2025). They also focus on the criminal aspect of survivors' stories, underscoring their complicity with the crime syndicates for whom they worked (see, for instance, BERNAMA 2024). On the other side, NGOs tend to do exactly the opposite, emphasising the suffering these people experienced inside and framing their cases as forced labour. While this is all very distressing for survivors, it also makes victim identification particularly challenging for law enforcement as questions about where voluntary work ends and forced labour begins cannot be set aside.

It is important to note that such complexities are not unique to the online scam industry. Similar discussions have arisen in the context of the sex industry, where individuals may initially enter with some degree of consent but then find themselves captive (Baxter 2019, 2020). They also apply to situations in which migrants smuggle themselves into other countries for economic reasons but then end up in the hands of militias or criminal groups and face severe abuse, exploitation, and even conditions akin to slavery (see, for instance, Simmons 2024). Should these people be considered victims of forced labour or willing participants in an illicit industry? To address this conceptual confusion, the International Labour Organization (ILO) has come up with what is probably the most comprehensive set of forced labour indicators to date (International Labour Office n.d.). It covers most of the criteria included in the ILO indicators for trafficking of adults for labour exploitation (International Labour Office 2009), along with those of the UNODC (n.d.) human trafficking indicators. This merger reflects a novel understanding, dating from the early 2000s, that forced labour and human trafficking should not be treated as two separate phenomena, but rather necessitate a comprehensive approach (Schalkowski and Renard 2023).

The authorities tasked with identifying victims of human trafficking for forced labour have their own internal set of indicators, which they do not disclose to the public to avoid having bad-faith actors affect the proper functioning of the system. For this reason, it is impossible for outsiders to assess how much these indicators overlap with those elaborated by the ILO. What is certain is that survivors face considerable hurdles even to be assessed according to these indicators. First, people trafficked into forced criminality in Southeast Asia's scam compounds are mostly international migrants, which means that jurisdiction over their cases falls directly under the local immigration departments, accompanied by relevant anti-human trafficking authorities. As a result, the primary questions survivors face revolve not so much around their experiences within the compounds as around whether they crossed the border legally and whether they did so knowingly and willingly. As a migration officer I interviewed in Thailand quipped:



What are the motives of those who sneak across natural pathways when there are legal checkpoints? If you argue that is because natural pathways aren't guarded by officials, it allows people to be deceived and taken across, then the question is, if you didn't go there in the first place, there wouldn't be an incident. But you went and you agreed.

Second, political considerations often drive how local law enforcement agencies decide who should be considered a victim, as local governments try to downplay the extent of the criminal activities occurring on their watch. Sometimes discrepancies in the political considerations of different authorities in the region in how they identify victims spill into the public arena. This is what happened in August 2023 when the Indonesian Embassy in Phnom Penh announced the repatriation of 41 Indonesian nationals, presenting them as victims of online scam operations in Cambodia (Sothyroth and Goldstein 2023). Cambodian police officials immediately argued that these individuals were not victims, as some of them had been seen walking outside the building in which they were allegedly being held. In their eyes, this meant that they were not detained by the company and therefore should not have been regarded as victims of human trafficking for forced labour.

Third, even when survivors manage to have their case heard and assessed against the internal indicators, the burden of proof falls entirely on them. This is a pivotal issue as much in the country where the VID process takes place as in their source country. For instance, in July 2024, China's Supreme People's Court, Supreme People's Procuratorate, and Ministry of Public Security issued an 'Opinion' providing guidance to the country's judicial organs when handling cross-border fraud cases. The opinion emphasised, among other things, that those who claim to have been 'coerced to participate in the crime' must provide solid evidence and materials to prove that this was the case (Supreme People's Court et al. 2024). The very formulation of this document demonstrates how difficult this can be:

If a criminal suspect or defendant is able to maintain free contact with the outside world during the period of committing telecommunications network fraud, extortion, or other criminal activities abroad, or actively commits the crime after being initially coerced, he is generally not considered to have been coerced. (Supreme People's Court et al. 2024)

The burden of proof is often an insurmountable hurdle for survivors. Almost all interviewed survivors reported that they were asked by their first responder—usually local police or immigration officers—to provide objective evidence of compulsion directly and causally linked to their trafficking situation. Few survivors can satisfy these

requirements. A common tactic used by managers of scam operations is to confiscate their workers' phones, replacing them with company devices used specifically to perpetrate scams. These devices are often heavily monitored. As one survivor recounted:

We were only allowed to download certain apps for scam purposes. Sometimes they let us use our personal phones to send messages to family, but the manager would be there watching us to ensure I did not leak any information about the company to the outside world. One time, they beat the person who tried to contact the police so hard in front of us ... After my family paid ransom for me, they gave back my phone but cleaned everything inside. So, I do not have any evidence to prove that they trafficked me.

Another survivor recounted being denied recognition as a victim because a police officer found a photo of him laughing with colleagues while in the scam compound. The police held this image as evidence that he was 'voluntarily' participating in the scam activities, despite the survivor's repeated protestations that other images documenting violence and the dark side of life in the compound had been deleted by his manager before he let him go.

This practice of confiscating and monitoring communication devices, combined with physical intimidation and the erasure of digital evidence, significantly hinders survivors' ability to provide proof of their trafficking experiences to law enforcement. Moreover, as reports of torture within the compounds have become more widespread, managers are displaying remarkable creativity in their methods of physical punishment. Based on the testimonies of several survivors, instead of the usual heavy beatings, scam operators now are more likely to employ tactics such as forcing individuals to climb stairs repeatedly, hold heavy objects while standing in the sun for extended periods, and work excessively long hours. Long stints in isolation combined with food and sleep deprivation are also common. These new approaches are designed to avoid leaving visible scars on the body, further complicating the process of gathering evidence.

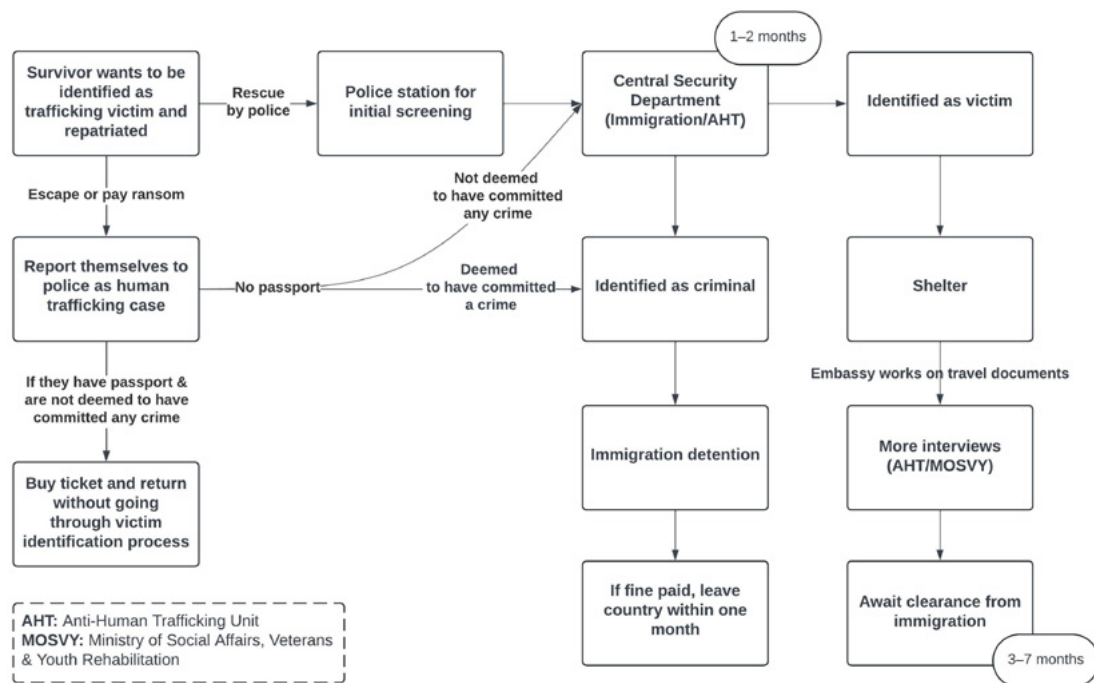
To underscore the level of difficulty in providing relevant evidence, Table 2 lists the above-mentioned forced labour indicators elaborated by the ILO and discusses how they apply to survivors of the online scam industry based on the testimonies of the survivors interviewed by the main author.

Table 2: ILO Forced Labour Indicators and Their Applicability to the Online Scam Industry

Forced labour indicator (ILO)	Does it apply to human trafficking for forced criminality in the online scam industry?	Explanation	Difficulty to prove
Abuse of vulnerability	Maybe	Most interviewees do not speak the language of the destination countries and do not know how to contact local authorities.	Easy
Deception	Yes	All interviewees reported that they were lured under false premises by misleading job advertisements.	Medium
Restriction of movement	Yes	All interviewees reported that they were not allowed to leave the compound or building where they were held.	Easy
Isolation	Debatable	Due to the nature of scam work, interviewees did have access to mobile phones, which undermines their case that work was conducted in isolation. However, all reported that their chats were under surveillance and any escape attempts would be punished, often severely. Some of them were forced to call their family members to lie about their circumstances and reassure them about their safety.	Hard

### c) Complications in the VID and Repatriation Process

There are cases when repatriation of survivors of the scam compounds is extremely swift, but this tends to be when a group of people has been found and extracted from a compound during raids that have come about through joint law enforcement actions. For example, in March 2024, Vietnamese border officials received more than 100 nationals who had been detained just five days previously in a raid in Sihanoukville, Cambodia (Tam 2024). However, these cases are an exception. Normally, the victim identification and repatriation process for trafficked individuals in Southeast Asia is complex and involves several stages and actors, which vary across countries. The flowchart above (Figure 1) shows a simplified version of how the system works in Cambodia based on the testimonies of interviewees who went through the process.



### How the System Works

Figure 1:  
Identification and repatriation process for suspected foreign victims of human trafficking in Cambodia based on survivor testimonies.  
Source: Ling Li.

If a survivor of a scam compound wants to be officially identified as a victim of human trafficking for forced labour and seeks repatriation, they must be rescued by police. If they exit a compound on their own initiative by paying a ransom, staging an escape, or with the help of a local civil society organisation, they must report themselves to the local police. This is where problems often start. Among the survivors interviewed for this research, none of those who left the compound without police intervention had their request to have their case handled as a human trafficking victim accepted. Once such a request is denied, there are two scenarios: if the survivors still hold their passport and have committed no other crimes, they can pay an overstay fine and buy a flight back to their country; if they do not have identification documents, they must turn themselves in to the immigration department, they are treated as illegal migrants and placed in immigration detention, often in harrowing conditions (this has been documented especially well in the case of Cambodia; see, for instance, Mech and Liu 2022).

If the police are directly involved in the rescue or agree to handle the case as a potential instance of human trafficking, survivors undergo an initial interview by an officer in the province



where they sought help before being transferred to the Central Security Department in Phnom Penh for further interviews. However, even this first step of reporting to police is never easy in a context in which officials receiving rescue requests have been found to have links to the very groups involved in the alleged detention (see, for instance, Keeton-Olsen and Mech 2022; Jackson 2024). One of our informants, a young Chinese man who was sold by a friend to a scam compound in Sihanoukville in 2022, had direct experience of this:

When I reached Along [a Chinese blogger with a long history of reporting on scam companies], I was desperate. He asked me whether I dared to use my real name and ID number when I reported to the police because it would add credibility to my case and also attract more attention. I agreed ... However, the second day, the rescue I expected did not come. Instead, the manager shouted at me: 'How dare you even think of getting away? Are you looking for trouble?' Several guys dragged me into the dark room, where they stripped me, handcuffed me, and beat me with wires and batons. I was left there like a corpse for three days.

Stories such as this make individuals trapped in the scam compounds wary of giving too much information to the police. As another survivor explained:

I managed to contact my family back in China, and they helped me report my situation to the local police. The Chinese police advised me to reach out to the Cambodian police for rescue and provided a website to report my case. However, when I attempted to fill out the form on the website, much of it was in a language I didn't understand ... My family then connected me with a rescuer in Cambodia, but that person asked so many questions such as the identity of my trafficker, my location, and the name of my company. He said it was the only way he could contact the police on my behalf. I was terrified to disclose this information because I had seen others in my company who tried to get rescued but were severely beaten when discovered by our boss. Ultimately, my parents decided to pay the ransom.

Once the survivor is taken to the Central Security Department, their case falls under the jurisdiction of the immigration police, the Anti-Cybercrime Department, the Department of Anti-Commercial Gambling Crimes, and the Anti-Human Trafficking (AHT) unit. More rounds of interviews are conducted, which can take one or two months, during which time the survivor's mobility is limited. If the survivor is eventually identified as a victim, they are placed in an official shelter and receive support reserved for certified victims, including free food, accommodation, legal aid, and medical assistance. Further interviews are conducted by the AHT and the Ministry of Social Affairs,



### Victim Identification

Survivors of a scam compound being interviewed by Cambodian police for the purpose of victim identification.  
Source: Ling Li.

Veterans, and Youth Rehabilitation inside the shelter. These questions are largely the same as those initially asked by the police, in a duplication of efforts that highlights the lack of coordination, or possibly mutual distrust, between agencies. If the survivor's request to be identified as a victim is rejected, they are sent to immigration detention. Here, they may face charges of illegal border crossing, visa overstay, or even fraud, if relevant evidence is found. If they can pay the relevant fines, they may leave the country within one month.

One significant issue that emerges from our interviews is how local law enforcement, as well as other actors involved in the process, including embassies, often prove unqualified to interview survivors who have experienced significant trauma. This applies across the board, all over the region and with a broad array of stakeholders. This results in re-traumatisation and further psychological harm. In one case I came across, a Taiwanese survivor, a woman in her early twenties, had been subjected to repeated rape inside scam compounds. When she sought help from the Cambodian police, she was interviewed by male officers who repeatedly asked for detailed descriptions of the violence to which she had been subjected.

While in the shelter, identified victims also need assistance from their embassy to receive travel documents. The level of cooperation from consular officials varies from embassy to embassy, with some

extremely helpful and efficient and others less so. Even after the victims get the travel documents from their embassy, they face a lengthy wait, which can be between three and seven months. This is because they still need clearance from the local immigration authority before they can be repatriated. If they are lucky, NGOs or embassies with larger budgets shoulder the costs of the trip, but that is not necessarily the reality, and it varies on a case-by-case basis.

Even at this stage, there could still be significant hurdles to repatriation. If someone is identified as a victim in the destination country, there is no guarantee they will be recognised as such in their country of origin. This is particularly problematic in the case of survivors from mainland China, as Chinese criminal law acknowledges only women and children as possible victims of human trafficking, which precludes the identification of adult Chinese men as victims of human trafficking for forced labour. This is a significant problem for Chinese survivors, as shown in the following quote from a Chinese man who was trafficked to Myanmar and managed to escape by jumping out of a car in Thailand during his transfer to Cambodia:

My family called the Chinese police immediately after I went missing. Once I managed to contact the Chinese authorities, I cooperated extensively with them, providing names of scam bosses and helping them stop scam activities. The Chinese police identified me as a victim of illegal detention. However, after I escaped and showed the local police in Thailand this document, they insisted that I still need to go through a victim identification process, which will take months. I just want to go back home. Why can't law enforcement work together and share my information?

## Ways Forward

In this essay, I reviewed the functioning and shortcomings of the current VID systems in the field of human trafficking for forced labour in the online scam industry in Southeast Asia. As we have seen, while all countries in the region have legal provisions in place to deal with cases of human trafficking, including those that involve forced criminality, there remain significant gaps that leave survivors of the online scam compounds vulnerable to prosecution for offences ranging from breaking immigration rules to involvement in cybercrime. Also, while there is no clarity on what indicators local law enforcement uses to identify victims, law enforcement work is marred by overlapping jurisdictions, an excessive emphasis on the immigration aspect of the crime, and impossible burdens of proof imposed on survivors. Finally, identification and repatriation systems have significant problems, including excessive waiting times, frequent re-traumatisation of victims, and issues deriving from discrepancies between different legal systems.



### Behind Bars

Suspected scam  
compound in  
Sihanoukville,  
Cambodia,  
September 2022.  
Source: Roun Ry.

One important step forward would be for policymakers in the region to finally consider the complexities of forced criminality in the online scam industry and adopt relevant legislation to fill current gaps and address loopholes. Another would be for law enforcement agencies in the region to reach a common understanding about how to apply victim identification criteria in a more consistent and transparent fashion. As we have seen, existing indicators, such as those elaborated by the ILO, could be applicable to the cases of survivors of the online scam industry.

Even if these steps are taken, however, this would not address the problem of the excessive burden of proof currently placed on the shoulders of survivors. As obtaining direct evidence of compulsion can be challenging, an alternative approach could involve categorising participants based on several factors: their level of involvement in the scam activities, their attempts to seek help or contact authorities (for instance, whether they encouraged their families to notify the police or attempted to escape), and their willingness to cooperate with law enforcement (their readiness to provide information about the scam organisation and the criminal networks behind them). This categorisation can help differentiate between those coerced into participation and those who may have had varying degrees of agency in their



involvement. Greater cooperation between law enforcement in source and destination countries to verify whether the individual has a history of fraud or other financial crimes would also go a long way towards helping survivors.

To conclude, it is striking that of our 78 interviewees, only 20 managed to successfully navigate the victim identification system. That is little more than one in four. Of the others, some were simply not given the chance to go through the official system; some could not provide sufficient evidence to prove that they had been trafficked and coerced into criminality; while others simply wanted to go home as soon as possible and were not willing to go through the vagaries of local law enforcement and bureaucracy. The last group—probably the majority—was willing to pay hefty fines and give up the few advantages guaranteed by receiving official recognition as victims in exchange for a swift return. These numbers are a clear indictment of current VID practices. Unless appropriate measures are taken, survivors of human trafficking in the online scam industry will continue to be victimised twice: first, by their captors while they are inside the scam compounds, and then by law enforcement once they get out. ●