

Mandates of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences and the Special Rapporteur on trafficking in persons, especially women and children

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(Please use this reference in your reply)

10 March 2025

Mr. Min Aung Hlaing,

We have the honour to address you in our capacities as Special Rapporteur on contemporary forms of slavery, including its causes and consequences and Special Rapporteur on trafficking in persons, especially women and children, pursuant to Human Rights Council resolutions 51/15 and 53/9.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 60 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to your attention to the following information we have received concerning the human rights of victims of trafficking of persons originating from all over the world, especially from the Association of Southeast Asia Nations (ASEAN) region (from Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam), East Asia (from China (including Hong Kong Special Administrative Region, Taiwan Province of the People's Republic of China), Japan and the Republic of Korea), South Asia (Bangladesh, Bhutan, India, Nepal, Pakistan, Sri Lanka), Africa, Middle East, North America and South America for the purposes of forced labour, forced criminality, sexual exploitation and other severe violations of human rights in scam centers and scam compounds in South East Asia. Many of them are held captive in prison-like conditions and forced to spend long hours scamming unsuspecting targets. It is reported that these human rights violations are perpetrated and facilitated by criminal groups, and other entities/individuals of several nationalities, including those from Cambodia, China, Lao

Armed Forces of Myanmar

PDR and Myanmar.

According to the information received:

Trafficking for the purposes of online scam operations

People are recruited for online scam operations mainly through the internet. Many of them are fraudulently recruited through seemingly legitimate job advertisements on social media platforms like Facebook, Instagram, Tinder, Hinge, WeChat, TikTok, LinkedIn, and Jobs.com offering attractive conditions such as high salaries, regular bonuses, and free accommodation. The jobs are often said to be based in Bangkok or other regional hubs. Some victims have been targeted by recruiters in their countries of origin or from a third country while others were recruited when they were already present in the countries of destination. On arrival, victims are typically received by the traffickers who collect them from the airport or other port of entry and take them to temporary accommodations or transfer them directly to the gated compounds or centres where the scams operate, harboring them there, where they are watched over by security guards who are often heavily armed. It is also reported that a small number of victims are kidnapped from the street and sold to scam operations.

There are also cases where individuals understood they were being recruited to conduct online fraud but were deceived about the conditions in which they would be expected to live and work. Reportedly in certain communities, criminal networks have come to dominate the local economy and labor market, leaving rural residents with no choice but to work under these conditions. Whether they enter the industry willingly or unwillingly, it is common for people to be refused permission to leave even after they complete the contracted period.

Victims held in these scam operations are allegedly being exploited for the purpose of forced criminality to generate profit for the criminal actors that orchestrate the scams. Individuals are forced or coerced to perpetrate online fraud using a range of platforms including fake gambling websites and cryptocurrency investment platforms, as well as romantic and financial scams, whereby fake romantic relationships or friendships are used to defraud online users of significant amounts of money. It is reported that most trafficking victims are young men, often educated professionals. We understand that some presumed victims are middle aged, and others have completed secondary education and have knowledge of using social media.

According to the information received, victims of trafficking are deprived of their liberty. In some cases, they are unable even to move between different floors of the compound in which they are confined or chained to their desk. Many victims report that their passports were confiscated, often along with their mobile phones or they were otherwise prohibited from contacting friends or family. There seems to be limited food and drinking water and the living conditions can be cramped and unsanitary. Working hours are long and difficult. In addition, there is reportedly inadequate access to medical treatment with some disturbing cases of victims dying as a result of mistreatment and lack of

medical care.

Furthermore, people are allegedly subjected to torture, cruel and degrading treatment, and punishments, including threats or use of violence. Victims are allegedly forced to witness or commit violence against others, most commonly beatings, humiliation, electrocution, and solitary confinement, especially if they resist orders, disobey compound rules, or fail to meet expected scamming targets. Reports have also been received of sexual violence, including gang rape and trafficking into the sex industry, most often as punishment for not meeting their targets.

Traffickers allegedly hold an ever-increasing debt over the victims, which they are told they must pay off before being freed, creating a situation of debt bondage. Sometimes, victims are “sold” to another scam operation either within or outside the country. Traffickers may also demand debt ransom from victims’ families with photographic evidence of the individual suffering physical abuse. Attempts to escape from forced scamming centre often end unsuccessfully, either with death or severe punishment upon recapture. There are even reports of organ removal.

Online scam operations and relevant activities in Myanmar

The information received indicates that cyber scam compounds are located in Myanmar and neighboring countries in Southeast Asia. It is reported that independent and scattered fraud gangs have been replaced by larger, consolidated criminal groups often operating under the guise of industrial and science and technology parks. Scam compounds are not confined to remote areas but can be anywhere, including Southeast Asian capitals. They are highly mobile, and multiple compounds and scam companies may operate from a single location.

Specifically in Myanmar, forced scamming centres are or were allegedly primarily located along the China-Myanmar and Thailand-Myanmar borders. Along the Thailand-Myanmar border, there has been a dramatic expansion of criminal compounds in areas of Myanmar’s Kayin State (known as ‘Karen State’ among the ethnic-Karen population living there), controlled by the Karen Border Guard Force. In this area, hotspots have reportedly developed in Shwe Kokko, Myawaddy, Payathonzu, KK zone located on the Moei River and other locations in Kayin State on the Thailand-Myanmar border. Forced scamming centres are or were also located in Kokang Self-Administered Zone, Wanhai and Tangyan in Shan State and the Wa-administered city of Mong La on the Chinese border among others, but widespread conflict between the Myanmar army and ethnic armed organisations in these regions since late 2023 has largely driven those activities further South, especially to the locations mentioned earlier along the Thailand-Myanmar border. Because of widespread poverty as the conflict in the countries deepens, scamming activity has further gained momentum and is allegedly migrating to empty high rises in urban areas, for example in Yangon. In order to avoid forced conscription, which has been implemented by the Myanmar army since February 2024, Myanmar men and women between the ages of 18 and 35 have also been reportedly trafficked or recruited in increasing

numbers into scam centers and related activities, including for purposes of sexual exploitation. According to recent reports, thousands of victims have recently been released from scam compounds in Myanmar, and will be sent back to their home countries over the next weeks. Hundreds have already cross into neighboring Thailand to be repatriated to their home countries. This reportedly follows increasing pressure and coordination from China and Thailand to crack down on scam operations at the border areas and facilitate the repatriation of victims.

Identification, assistance and protection of victims of trafficking and repatriation

Several reports indicate a lack of proper identification of persons trafficked into these scam operations. In part, this may be due to underreporting by victims who fear reprisals from the traffickers and law enforcement actions by public authorities. Reports indicate that persons who are rescued, escape or otherwise released from the compounds are in many cases not treated as victims of trafficking and face serious human rights abuses. They are often treated as criminals and/or immigration offenders. Individuals who are rescued from the scam centers are often held in immigration detention, sometimes for prolonged periods, followed by deportation without effective access to protection, justice and remedies. Most countries have policies and procedures to screen for victims of trafficking, but in most cases, these are allegedly not applied in cases of trafficking into forced criminality. Other reports suggest that victims' embassies or consulates are unable to provide adequate support and organize their repatriation or there is the lack of support services for victims of online scam trafficking, including the absence of shelters for male victims.

According to information received, some victims of trafficking face prosecution in their own countries for crimes related to the scamming, including money laundering and conspiring to commit transnational organized crimes, as well as irregular re-entry into the country upon their return. Others are subject to significant bond payments and electronic tagging on return to their countries of origin. Some law enforcement authorities have reportedly interpreted the fact that some migrants in these scam centres had written contracts, albeit fraudulent, or that they received payment for the forced work in the centres, as evidence that they were not trafficked but rather engaged in labour migration. Moreover, we are informed that there are cases where the authorities are applying administrative penalties to returnees in the hope that this will act as a deterrent to irregular migration.

Lack of good governance, corruption and shrinking civic space

Organized crime groups reportedly operate in environments of large-scale corruption, including in border towns adjacent to their areas of operations, and especially in conflict-affected areas of Myanmar, form alliances with non-state armed groups. Collusion with senior government officials, politicians, local law enforcement, and influential businesspersons is also reported. We also note the lack of freedom of expression and shrinking civic space in the region, which could impede whistleblowing and result in a lack of public exposure of such

situations. Furthermore, advances in money laundering, online banking and underground banking systems in Southeast Asia, are reported to be driving and accelerating the rapid evolution of this exploitative illicit scam industry as well.

While we do not wish to prejudge the accuracy of these allegations, we express our serious concern that there may be a failure to take measures to prevent trafficking in persons, forced criminality, forced labour and sexual exploitation.

We are severely concerned by these serious human rights violations and serious crimes which have placed people in situations amounting to slavery, a lack of accountability for them, and continued impunity for trafficking in persons. In this respect, we reiterate that the prohibition of slavery is a peremptory norm of jus cogens and applicable erga omnes, in accordance with conventional and customary international law. Furthermore, we are concerned about the shrinking of civic space in Myanmar, where there is a serious risk of retaliations and intimidation for human rights defenders, journalists, and civil society organizations assisting victims and raising the alarm on the phenomenon, thereby further hindering efforts to effectively address issues of forced scamming and ensure the protection of victims.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on measures taken to ensure that effective investigations are undertaken into trafficking in persons for the purpose of forced criminality, and what measures are being undertaken to investigate and prosecute those alleged to be responsible for trafficking in persons, and to trace missing persons who may be victims of trafficking.
3. Please provide information on how the Myanmar military has addressed activities of forced scamming centres operating in areas under its control in Myanmar. Please also explain the measures taken to ensure that these measures are comprehensive, effectively addressing all scam operators, and is not selective or compromised by officials, security forces, military aligned armed actors and militias, businesses or any other local actors.
4. Please indicate what measures are being taken to ensure full access to consular assistance for all victims of trafficking who are not Myanmar citizens.
5. Please provide information on what measures are being taken to investigate and prosecute those responsible for any corrupt practices,

including high level officers, businesses or other local actors, who contribute to forced scamming operations.

6. In light of recent reports of increased pressure by China and Thailand on the Armed Forces of Myanmar and other armed groups regarding scam centres, which has led to the release of many individuals, could you provide details on the process being followed for those released? Specifically, what measures are being taken to ensure they are identified and treated as victims of trafficking, rather than as irregular migrants or criminals? What protections and support mechanisms are in place to assist them in their reintegration or safe return?

This communication and any response received from you will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with you to clarify the issue/s in question.

Please be informed that letters regarding this subject have also been sent to the governments of Association of Southeast Asian Nations, Cambodia, China, Lao PDR, Malaysia, the Philippines, Thailand, and Viet Nam.

Please accept, Mr. Min Aung Hlaing, the assurances of our highest consideration.

Tomoya Obokata
Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Siobhán Mullally
Special Rapporteur on trafficking in persons, especially women and children

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, and without implying, in advance, a conclusion on the facts, we would like to draw your attention to the international standards and norms applicable to the matters set forth above.

The Universal Declaration of Human Rights (UDHR), adopted by the General Assembly of the United Nations on 10 December 1948, is a key component of international standards regarding the elimination of all forms of slavery. Article 4 states that “no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.” We also wish to underline the jus cogens nature of the prohibition of slavery enshrined in the UDHR.

We remind you of the importance of ensuring that journalists and human rights defenders can carry out their work without fear of retaliation, in accordance with article 19 of the Universal Declaration of Human Rights, which guarantees the right to freedom of expression, including the right to seek, receive, and impart information and ideas through any media.

We would also like to draw attention of you to the Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations as well as the Recommended Principles and Guidelines on Human Rights at International Borders published by the Office of the High Commissioner for Human Rights.

The principle of non-refoulement forms essential protection under international human rights, refugee, humanitarian and customary law. Non-refoulement prohibits all forms of removal and transfer of any individual, regardless of their status, when there are substantial grounds for believing that the individual would be at risk of irreparable harm, such as death, torture or cruel, inhuman or degrading treatment or punishment, persecution, enforced disappearance or other serious human rights violations, in the place to which they are to be transferred or removed. The principle of non-refoulement under international human rights law is characterized by its absolute nature without any exception, applying to all persons, including all migrants, at all times, irrespective of their citizenship, nationality, statelessness or migration status.

We would also like to recall objective 6 of the Global Compact for Safe and Regular Migration to facilitate fair and ethical recruitment and safeguard conditions to ensure decent work, under which authorities should review existing recruitment mechanisms to guarantee that they are fair and ethical, and to protect all migrant workers against all forms of exploitation and abuse (A/RES/73/195).

In addition, we would like to refer to the Recommended Principles and Guidelines on Human Rights and Human Trafficking, issued by the Office of the High Commissioner for Human Rights in July 2002, complemented by an accompanying Commentary published in 2011. Principle 13 of the Principles and Guidelines calls for effective investigation, prosecution and adjudication of trafficking, including its component acts and related conduct, whether committed by governmental or non-State actors".

Regarding the application of the principle of non-punishment, we bring to your attention the report of the Special Rapporteur on trafficking in persons, especially women and children to the Human Rights Council in 2021, on the implementation of the non-punishment principle. According to this, “the principle of non-punishment is applied to: (a) All forms of trafficking, including for the purpose of sexual exploitation, labour exploitation and forced criminality, as well as to both cases of international trafficking and cases of internal trafficking; (b) Any unlawful activity carried out by a trafficked person as a direct consequence of their trafficking situation, regardless of the gravity or seriousness of the offence committed; (c) Criminal, civil, administrative and immigration offences, as well as other forms of punishment, such as arbitrary deprivation of nationality, denial of consular assistance or repatriation, exclusion from refugee status or other forms of international protection and family separation; (d) Any situation of deprivation of liberty, including immigration detention and detention pending removal, transfer or return proceedings.” (A/HRC/47/34, para 57).

The full texts of the human rights instruments and standards recalled above are available on UN Human Rights Office (ohchr.org) or can be provided upon request.