Abstract

Human trafficking is a serious and growing global concern, and Southeast Asia has emerged as a particular trafficking hub. Many actors, both internationally and on a state level, have responded to this concern with securitization: in other words, they have presented human trafficking as an existential threat which should be responded to with extraordinary measures. However, successful rhetorical securitization does not always translate to policy effectiveness, and Southeast Asia’s notorious problems with human trafficking remain pressing and relatively unattended to. The clear disjuncture between rhetorical and effective securitization in the region challenges the traditional assumption within the Copenhagen School that speech acts are sufficient to securitize a given issue. Furthermore, the School’s western orientation and inattention to local contexts is problematic when applying it outside of a western context. A revised model that accepts a differentiation between rhetorical and effective securitization and distances itself from a Euro-American conception of the state is far more useful in understanding the securitization of human trafficking in the region. To demonstrate my arguments, I will investigate the cases of Thailand and Cambodia, primarily relying on archival evidence, internet sources, and official documents.
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1. Introduction

The trafficking of human beings is a widespread phenomenon that affects untold millions of men, women, and children throughout the world. The horrific nature and scope of this problem has not gone unnoticed by either international or state actors, and has produced a strong reaction within the international community. Both the United Nations (UN) and the United States (US) have been particularly active in framing this issue both as a security threat to the state and a serious and unacceptable threat to vulnerable individuals and communities. These actors are intent upon ensuring it is understood as a security threat the world over.

However, not all states have responded to the call to securitize in the same manner, nor with the same enthusiasm. In particular, Southeast Asian states, although severely affected by trafficking in persons (TIP), have securitized this issue only on a rhetorical level. When it comes to policies and action, TIP remains effectively unsecuritized. This clear disjuncture between rhetorical and effective securitization in the region offers an interesting puzzle.

In this thesis, I argue that it is problematic to apply the Copenhagen School to the securitization of human trafficking in Southeast Asia, at least as it is narrowly articulated by Barry Buzan, Ole Waever, and Jaap de Wilde. Their traditional model exhibits a general lack of concern with assessing policy effectiveness, heavy reliance on a Eurocentric model of the state, and inattention to the motivations behind securitization. However, a revised model that accepts a differentiation between rhetorical and effective securitization, is attentive to underlying securitization motives, and distances itself from a Western conception of the state can be highly useful in understanding the securitization of human trafficking in Southeast Asia.
In pursuing this argument, I will also challenge prevailing stereotypes about human trafficking. In particular, I question the notion that victims of trafficking are predominately women and children who are forced into the commercial sex industry, and that the trafficking business is chiefly run by highly organized criminal syndicates.

In the first section of the thesis, I offer a definition of human trafficking and describe its most salient characteristics both globally and within Southeast Asia. The second section outlines the concept of securitization and the theoretical underpinnings of the Copenhagen School. This section further provides several pertinent critiques of the school. I then apply a revised theory that distinguishes between effective and rhetorical securitization to the securitization of human trafficking at both the international and state levels, and argue that human trafficking presents particular challenges that are shared the world over. In the fourth section, I examine the cases of Thailand and Cambodia, primarily relying on archival evidence, internet sources, and official documents, and note the disjuncture between rhetorical and effective securitization in these two countries.

In the final section, I offer an explanation for this disjuncture by arguing that the Copenhagen School makes several assumptions that cannot be applied outside of a western setting. Broadly speaking, the concept of the state used is heavily Eurocentric, differing socioeconomic and cultural contexts are not accounted for, and motives for securitization remain unexplored. More particularly, the school does not address issues of state incapacity, misjudgement, and official profit from trafficking. I end with several recommendations for future study.
2. Definition and Description of Trafficking in Persons

Human trafficking first emerged as an issue of global concern in the mid-1990s amidst growing unease over transnational crime, swelling numbers of illegal migrants, and the increasing inclusion of feminist perspectives on international and national agendas. This increasing preoccupation with trafficking came to a head in 2000, when both the UN and the US created landmark documents that recognized and attempted to confront TIP, namely the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the “Trafficking Protocol”), and the US Trafficking Victims Protection Act (TVPA), respectively.

In the UN Trafficking Protocol that was adopted together with the Convention against Transnational Organized Crime (the “Palermo Convention”) in December 2000, TIP was defined as:

the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person, for the purposes of exploitation,

in which exploitation is taken to mean forced prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar thereto, or the removal of organs.¹ The TVPA uses a similar definition, in which TIP is explicitly understood to be a modern form of slavery.² Individuals are considered to be victims of trafficking regardless of whether they are

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born into a state of servitude or are transported to it, and regardless of whether they initially consented to work for a trafficker or participated in crimes as a result of their trafficked condition.³

Although sex trafficking has typically received the lion’s share of attention in both academic and official circles, forced labour may in fact be the most prevalent form of trafficking today. The International Labour Organization (ILO) estimates that there are currently 14.2 million people being exploited in labour industries worldwide with an additional 2.2 million in state-imposed forced labour. This clearly dwarfs the estimated 4.5 million people currently exploited in the commercial sex industry.⁴ Other common forms of TIP include, but are not limited to, debt bondage, involuntary domestic servitude, and forced military service.⁵

TIP typically involves between three and four phases, namely (1) the abduction or voluntary recruitment of an individual, (2) the transport of the victim from the place of origin to the place of destination, (3) exploitation of the victim, and, depending on the size and sophistication of the operation, (4) profit laundering.⁶ In the first phase, traffickers take advantage of individuals, many of whom are driven to migrate due to conditions of extreme poverty and employment disparities. As substantial funds are usually required to travel and arrange employment, migrants are vulnerable to debt bondage arrangements and exploitation at the hands of traffickers. The second, or “movement” phase does not require the transportation of victims across borders: an individual may be considered trafficked even when he or she remains

in the same country, city, or neighbourhood. Human trafficking is defined in terms of the myriad forms of exploitation, coercion and enslavement rather than in terms of movement.7

2.1 International Scope

TIP has increased dramatically in the past two decades, both in terms of numbers of humans trafficked and in awareness of the issue. Indeed, TIP is one of the fastest growing areas of criminal activity worldwide, and currently ranks behind only the smuggling of drugs and arms as the most lucrative illicit business.8 Economic liberalization policies and technological innovation in transportation and communication networks have exponentially increased the demand for labour and sexual services,9 and the control of human movement has become progressively more difficult due to increasingly porous state borders.

The scope of the human trafficking problem is difficult to cite with any certainty. However, between 600,000 and 800,000 individuals are typically acknowledged to be trafficked across international borders yearly.10 This estimate does not encompass the millions of victims who are trafficked internally within states annually; taking such internal trafficking victims into account, there may be up 27 million people currently undergoing conditions of forced labour, bonded labour, forced child labour, and sexual servitude at any given time.11

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10 This figure is commonly quoted. For a sample citation, see, U.S. Department of State, 2006 Trafficking in Persons Report, 6.
2.2. Southeast Asian Scope

Southeast Asia has been widely acknowledged as a particular human trafficking “hotspot.” It is conservatively estimated that between 200,000 and 225,000 women and children alone are trafficked yearly in Southeast Asia, comprising the single largest proportion of the global total.\(^1\) This estimate does not account for male trafficking victims, which would sizeably increase the total numbers.\(^2\) These exceptionally high figures can be explained largely by the sharp fertility declines and resultantly slowed growth in labour supply that is coincident with rapid rates of development and increased demands for labour and sex in several parts of the region.\(^3\) Years of regional conflict, high levels of corruption, and unstable political systems have further left many in highly vulnerable positions to traffickers.\(^4\)

\(^1\) UN Women Entity for Gender Equality and the Empowerment of Women, *UN Women Issue Briefs on Women’s Human Rights in the ASEAN Region: Trafficking in Women*, (Bangkok: UN Women, 2012), 1.

\(^2\) Note that precise, reliable data detailing exact numbers of victims in the region is difficult, if not impossible to find. The difficulties in collecting data on human trafficking are well known in the field and will be discussed below.


Trafficking and other forms of exploitation occur within well-worn migratory pathways in the region. Amarjit Kaur has identified two characteristic migration systems: first, the archipelagic ASEAN system, in which individuals predominantly from the Philippines and Indonesia migrate to Malaysia, Singapore, and Brunei, and second, the Mekong subregional system, in which Thailand has emerged as the main destination point for sex and labour workers from Burma, Cambodia, Laos, and Vietnam. These patterns are similar for both legal and illegal flows. Significant numbers of victims are also trafficked into and out of the region; for

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16 In this figure, Asia and the Pacific is listed fourth on the Prevalence per 1,000 inhabitants scale, undoubtedly as a result of the massive populations of China and India. It is clear that the region struggles with human trafficking on an immense scale in both relative and absolute terms, with well over three times as many labour trafficking victims as any other region. U.S. Department of State, 2012 Trafficking in Persons Report, 47.

instance, victims have been found as far afield as Japan, Canada, South Africa and the Middle East, while victims from Fiji and the Central Asian states are known to have been trafficked into the region.\(^{18}\)

Although much of the literature on TIP focuses on transnational trafficking, internal trafficking is also extremely common in the region. Victims frequently migrate from comparatively poverty-stricken rural areas to urban and tourist centres in search of economic opportunities. They are often taken advantage of by traffickers without ever crossing a border.\(^{19}\) This trend is readily apparent throughout Southeast Asia. In Cambodia, for instance, nearly 74 percent of the population are considered internal migrants, and many of these become trafficking victims.\(^{20}\) However, reliable figures are virtually impossible to cite: internal trafficking tends to be far more difficult to track and confront than the transnational trade, in itself a daunting task.

It is clear from this brief survey that human trafficking is a large and growing problem, both globally and within Southeast Asia. Many actors have responded by securitizing this issue; it is to security theory that we will now direct our attention.


\(^{19}\) Feingold, “Human Trafficking,” 32.

3. Securitization Theory

Beginning in the mid-1980s, scholars began expressing dissatisfaction with the field of security studies. Traditionally confined to the study of military forces and acutely restricted by the nuclear obsessions of the era, this narrow field began to be challenged and enlarged as non-traditional, non-military threats began to be acknowledged. This broadening was pioneered by Buzan, Waever, and de Wilde, among others, who helped develop the Copenhagen School of security studies. These scholars argued that security is about state survival, which can be threatened in many more ways than simply via military force. Since the state includes not only government and territory but also society, a threat to that society must be framed as a security threat in its own right. The Copenhagen School provides a framework to determine how a non-traditional security issue (for instance, transnational pollution, transnational crime and terrorism, or HIV/AIDS) becomes securitized within a given state -- or in other words, how a given issue becomes framed as a security threat that requires extraordinary measures. A security threat is therefore a subjective creation; there need not be an objective danger so long as a threat is perceived to exist.

The most distinguishing feature of securitization is its rhetorical structure. By framing an issue in securitized terms, a state representative presents an issue as posing an existential

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22 Ibid., 21.


threat to a designated referent object, and seeks to legitimately pursue emergency measures.\textsuperscript{25} As Waever argues, “something is a security problem when the elites declare it to be so ... the utterance is the primary reality.”\textsuperscript{26} Through such speech acts, an issue is taken beyond the established rules of the game and removed from political debate. The state may then claim the legitimate right to use all means necessary to protect itself and its people.\textsuperscript{27}

In sum, actors securitize issues by declaring to a given audience that a referent object is existentially threatened and that actions normally outside the bounds of political procedure are required to confront the threat. An issue is considered to be successfully securitized once an audience accepts it as representing such an existential threat.\textsuperscript{28}

Both policymakers and academics have argued for the efficacy of securitization as a way to garner significant resources and attention. The act of securitization pushes the issue to the top of the agenda and imbues it with a sense of urgency, typically leading to increased provision of resources and heightened interagency cooperation. Securitization may result in increased efficiency in handling a complex issue, mobilization of popular support for government policies, greater allocation of resources, and the legitimation and empowering of military and security forces (or, in the case of criminalization, police and law enforcement officials).\textsuperscript{29}

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\textsuperscript{25} Emmers describes these as measures that are “located outside the usual bounds of political procedures and practices.” See Ralf Emmers, “Securitization,” in \textit{Contemporary Security Studies}, ed. Alan Collins (Oxford: Oxford University Press, 2007), 114.


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Securitization theory has provided an intuitively attractive and parsimonious framework with which to understand the process by which a state creates a security threat. Indeed, consideration of how, why, and by whom a security threat is created has proven analytically invaluable. However, the theory has not been without its critics, many of whom have attempted to increase analytic effectiveness by offering suggestions and modifications.

Mely Caballero-Anthony and Ralf Emmers have provided a succinct summary of the major critiques, three of which are particularly pertinent to this discussion and which will be returned to at greater length below. First, the Copenhagen School does not address the question of why an actor would choose to securitize an issue. Although an actor may choose to securitize because of a genuinely perceived threat, he or she may rather do so because of potentially tangible benefits. Second, the Copenhagen School has been severely criticized for its institutionalized Eurocentrism. Indeed, one scholar has recently declared that the Copenhagen School has yet to escape its “Westphalian straitjacket.” It assumes democratic processes and a capable state that has the wherewithal to pursue its securitized goals. However, this cannot be assumed for many, if not most states outside of a Euro-American setting. Finally, the Copenhagen School has been criticized for placing undue emphasis on the speech act, which leads to a lack of concern with assessing effective policy implementation. Once rhetorical securitization has taken place, securitization is declared successful and no further investigation is considered necessary. Emmers has questioned the significance of securitization in the absence of real policy outcomes. Rhetorical securitization may be present, but unless policy implementation


and effectual handling of an issue occurs, *effective* securitization remains absent.\textsuperscript{32} This differentiation between rhetorical and effective securitization will be of importance in analyzing the cases below.

Traditional securitization theory is hindered by these essential shortcomings. However, when the modifications suggested by its critics are applied, particularly the differentiation between rhetorical and effective securitization, this theory may be used to great analytic effect in establishing a useful groundwork by which to understand the securitization of human trafficking at both the international and state levels. It is to the application of securitization theory at these two levels that we will now turn.

### 3.1 Securitization of Human Trafficking at the International Level

Human trafficking is represented as a grave security threat at the international level. According to the framework provided by the Copenhagen School, powerful international players such as the UN and the US, and to a lesser extent the International Organization for Migration (IOM) and European Union (EU) are the major securitizing actors at this level. These actors project their securitization message outward, and specifically target policymakers within individual states, and to a lesser extent, within regional organizations.

There are three major referent objects at this level. First, in all official documents released by international securitizing actors, the victims of human trafficking are understood to be under threat, particularly in terms of their human rights and dignity. Trafficking has been framed in human security terms since at least 2000, when the UN created the Palermo Convention and the Trafficking Protocol. Second, international peace and security is understood

to be existentially threatened by the existence of the organized criminal syndicates involved in the human trade. TIP is rarely, if ever discussed in official documents without reference to such criminal organizations. Lastly, state sovereignty is considered to be jeopardized by the illegal movement of peoples across borders.\(^{33}\) Such migration is perceived as a threat to sovereignty for a wide variety of reasons, including economic concerns, terrorism, and societal destabilization. Indeed, Anne Gallagher has argued that the sovereignty and security issues surrounding trafficking are the true driving force behind securitizing efforts, although human rights concerns may provide some impetus and cover for action.\(^{34}\)

Rizal Sukma has outlined various rhetorical strategies that have been employed by international actors in their efforts to securitize human trafficking. First, despite the lack of reliable data, actors repeatedly emphasize (and perhaps exaggerate) the numbers of people being trafficked.\(^{35}\) For instance, it is commonly reported that up to twice as many people experience conditions of forced labour today than did during the height of the African slave trade.\(^ {36}\) Figures such as these are meant to shock people into urgent action and remove the issue from political debate.

Second, the discourse on human trafficking is framed as a human rights issue. For example, the US government has repeatedly declared trafficking to be a “heinous international

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crime and human rights abuse" and the UN Office on Drugs and Crime (UNODC) bluntly refers to TIP as a crime against humanity. Ronald Skeldon has argued that there is a clear moral dimension involved in the fight against trafficking. TIP has “taken on the mantle of a latter-day slave trade with coercion, deception, violence and exploitation as central themes.” Secretary of State Clinton has made the US’s position on human trafficking very clear: trafficking “cannot be tolerated in any culture, community or country ... [It] is an affront to our values and our commitment to human rights.” Prominent American diplomat Richard Holbrooke has also been unequivocal in stressing that “ending this crime so monstrous is not a political issue; it is an American imperative, and a human responsibility.” By presenting the issue as an affront to human rights and “grafting” it onto issues that have already been securitized, actors seek to remove it from normal political debate.

Third, trafficking is commonly framed as a problem that poses a serious national and trans-national security threat. The EU, UN, and US frequently link human trafficking to international criminal organizations which present a clear threat to state security.

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42 Richard Price discusses this strategy of developing new norms, in which “active, manipulative persuasion and the contingency of genealogical heritage” are combined. For instance, TIP is often discussed in combination with slavery, which has long been established as an inherent wrong (particularly in the US). When two such issues are fused together, rapid normative change can result. See Richard Price, “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines,” International Organization 52, no.3 (Summer 1998): 613-644.

also frequently linked to illegal migration,\textsuperscript{44} itself often seen as a threat to states’ control of borders and societal and national security. Securitizing actors exploit the horror engendered by TIP to help address these other major security concerns.

In addition to these rhetorical strategies, securitizing actors frequently implement policies and take effective action to combat TIP on a global level. For instance, in 2007 the UN launched the Global Initiative to Fight Human Trafficking (UN.GIFT), designed to raise global awareness, reduce the vulnerability of potential victims, study the human impact of the crime, and take action wherever needed.\textsuperscript{45} INTERPOL has also been instrumental in confronting TIP, particularly in the capacity of supporting national police in tactical operations against traffickers.\textsuperscript{46}

The US has been a particularly successful securitizing actor, in both rhetorical and effective terms. Since 2001, the US State Department Office to Monitor and Combat Trafficking in Persons (the “TIP Office”) has produced annual reports which rank all countries on a four-tier scale based on their challenges with, and progress in, combating human trafficking. According to the ranking system, Tier 1 countries fully comply with the TIP Office’s minimum standards for the elimination of trafficking, countries in the Tier 2 and Tier 2 Watch List categories\textsuperscript{47} do not fully comply with minimum standards but are making significant efforts to do so, and Tier 3

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\textsuperscript{47} Note that these are two separate and distinct categories. While both categories include countries that are judged to not fully comply with minimum standards but make significant efforts to do so, Tier 2 Watch List countries further fail to provide evidence of increasing efforts to combat TIP from the previous year and decreasing official complicity. Furthermore, the absolute number of victims in Tier 2 Watch List countries is very significant or is significantly increasing compared to Tier 2 countries. U.S. Department of State, \textit{2011 Trafficking in Persons Report}, 13.
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countries are judged as not making any substantive efforts to bring themselves into line with the minimum standards. Countries that do not fall under any of these categories (such as Somalia, due to its lack of central government) are labelled “special cases.”

In addition to the moral suasion embedded in the reports, the US has established an incentive structure to encourage countries to follow their recommendations. In 2003, the government declared its willingness to withhold or withdraw non-humanitarian foreign assistance and funding for government employees’ participation in educational and cultural exchange programs. Additionally, the US may provide opposition to assistance from international financial institutions such as the World Bank and International Monetary Fund (IMF) in return for non-compliance. On the other hand, countries considered devoted to combating TIP are eligible to apply for annual grants to fund anti-trafficking programs. Gallagher has argued that the US TIP Reports have exercised a strong and perhaps even decisive influence on the manner in which states have responded to human trafficking.

3.2 Securitization of Human Trafficking at the State Level

The securitizing efforts of international actors have resulted in the widespread success of rhetorical, and in many cases, relatively effective securitization of TIP worldwide. Most

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countries are signatory to the UN Palermo Convention and Trafficking Protocol and have accepted the securitization discourse posed by international actors, becoming in turn securitizing actors in their own right.

At the state level, policymakers target their own citizens, tourists from abroad, and their enforcement personnel. Referent objects tend to mimic those seen on the international level: victims’ human rights, international peace, and state sovereignty are generally seen as threatened by the existence of large-scale human trafficking. The securitizing strategies employed by state actors also tend to mirror those at the international level; although individual state idiosyncrasies are bound to arise, an emphasis on the staggering scope, grotesque human rights abuses, and the security threats posed by criminal organizations and illegal migration remain widespread rhetorical securitizing mechanisms. In addition to these rhetorical devices, governments have overwhelmingly responded by criminalizing trafficking and bringing national law enforcement and criminal justice systems to bear on perpetrators, with varying degrees of success.

Western developed states have experienced relative success in securitizing this issue in both effective and rhetorical terms. Within Canada for instance, trafficking is frequently referred to in both official and nonofficial sources as “shocking,” “dehumanizing,” and “evil.” Stories frequently surface in national news outlets describing the “fight” against trafficking in the country. In addition to these rhetorical efforts, Canada fully complies with the minimum standards for the elimination of trafficking as outlined by the TIP Office. The Canadian government consistently increases law enforcement efforts, provides sustained victim protection,

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and pursues preventative efforts.\textsuperscript{53} Additionally, individual provinces undertake a variety of anti-trafficking events, initiatives, and awareness raising campaigns.\textsuperscript{54} Although success is necessarily a relative term and much work remains to be done to confront human trafficking in Canada,\textsuperscript{55} this issue has been securitized to a greater extent than in many other states. The US and most, if not all countries within the EU have also responded with a relatively effective national securitization agenda of their own.

Effective securitization has not been replicated equally worldwide. States within Southeast Asia have been particularly resistant to the calls to securitize human trafficking, or have done so only on a superficial and rhetorical level. Sukma has commented that human trafficking has been the least securitized of all the non-traditional security issues within both the regional and national discourses on the issue.\textsuperscript{56} States in Southeast Asia continue to treat human trafficking as an ordinary crime rather than as an issue that poses an existential threat requiring extraordinary measures to confront.\textsuperscript{57}

3.3 Challenges to Securitization Particular to Human Trafficking

This disjuncture between rhetorical and effective securitization may be partially explained by a general tendency of actors to selectively prioritize combative efforts towards


\textsuperscript{54} Ibid., 112. Also see Benjamin Perrin, \textit{Invisible Chains} (Toronto: Penguin Group, 2010), photo inserts.

\textsuperscript{55} Canada has done a particularly poor job of protecting vulnerable First Nations populations throughout the country. For instance, as many as eight out of ten sexually exploited youth in Winnipeg are of Aboriginal descent. See Perrin, \textit{Invisible Chains}, 181.

\textsuperscript{56} Sukma, “The Securitization of Human Trafficking in Indonesia,” 1.

\textsuperscript{57} Rizal Sukma, “Different Treatment: Women Trafficking in the Securitisation of Trans-National Crimes,” (paper presented at the 2nd NTS Convention, Beijing, November 9-11, 2008), 2.
women and child victims who are trafficked into the commercial sex industry by well-organized
criminal syndicates. This tendency will be considered in the following section.

Trafficking has typically been associated with the sexual enslavement of women and
children since it was placed on the agenda of international and national policy makers in the
1990s by politically active feminists. A gendered understanding has emerged within both public
and policy makers’ discourse that typically associates only women and children with being
trafficked.\textsuperscript{58} To “trafficking” is frequently attached the addendum “particularly of women and
children” to emphasize a particularly heinous aspect of the crime. Male victims have generally
been ignored and treated as “the invisible dimension” of trafficking.\textsuperscript{59} It is the image of the
young girl -- “kidnapped from a village and transported to the city, where she is kept in sordid
conditions to serve an endless procession of men until she is eventually released to return home
to die of AIDS”\textsuperscript{60} -- that is used to generate the moral outrage deemed necessary to combat
human trafficking.

However, this view of an overwhelming female majority being trafficked into brothels is
inaccurate, leastways with regards to Southeast Asia. The ILO reports ample evidence that there
are more people trafficked for labour exploitation than for sexual exploitation,\textsuperscript{61} and David
Feingold reports that less than 10 percent of victims of trafficking in Asia end up in the sex
trade.\textsuperscript{62} Although a greater emphasis on labour trafficking is slowly emerging, women, children,

\textsuperscript{58} Nicola Piper, “A Problem by a Different Name: A Review of Research on Trafficking in Southeast Asia and

\textsuperscript{59} Skeldon, “Trafficking: a Perspective From Asia,” 8, 17.

\textsuperscript{60} Ibid.


and the sex trade still dominate the discussion. This selective prioritizing marginalizes the plight of millions of individuals, primarily men and boys, who are often trafficked into non-sexual sectors of work.63

Human trafficking is also primarily seen as being controlled by transnational criminal organizations that transport the bulk of their victims across borders. The UN Trafficking Protocol places a particularly heavy emphasis on the transnational and criminally organized aspects of TIP, and this emphasis has been consistently replicated worldwide. Individual states in Southeast Asia have certainly maintained this focus; Burma, Laos, and Vietnam, for instance, have come under scrutiny for focusing exclusively on transnational trafficking at the expense of internal trafficking occurrences.64 Most, if not all of countries both globally and regionally emphasize the potential security threats posed by transnational criminal organizations, and tend not to concern themselves with petty traffickers.

However, it is clear that many victims are internally trafficked from poorer, rural provinces to wealthier ones without ever crossing an international border. The degree to which powerful criminal syndicates control the human trade is also questionable, particularly in Southeast Asia. Feingold reports that trafficking in the region involves mostly “disorganized crime”65 and Phil Marshall describes trafficking as resembling a cottage industry.66 There is no standard profile of traffickers, and due to changes in the sex industry, organized criminal

63 Ibid.
64 See U.S. Department of State, 2011 Trafficking in Persons Report.
networks have faded greatly in importance.67 Although international criminal syndicates are undoubtedly involved in human trafficking to some extent, amateur individuals and small groups tend to dominate the trafficking business.68

In sum, government policies are frequently directed towards rescuing women and children from commercial sexual exploitation at the hands of transnational criminal syndicates despite the fact that many, if not most victims are men that are trafficked into forced labour, frequently at the hands of disorganized individuals or small groups, and often without crossing a border. As long as state securitizing efforts disregard these aspects of human trafficking, effective securitization will remain incomplete.

This tendency to selectively prioritize may account for the ineffective securitization of human trafficking in Southeast Asia up to a point. However, it is not fully satisfying. Selective prioritizing occurs worldwide, and yet many regions and states (particularly in the developed west) have managed to effectively securitize human trafficking to a far greater extent than that seen in Southeast Asia. States in the region overwhelmingly continue to treat TIP as an ordinary crime rather than as one that requires urgent and extraordinary measures.

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4. Case Studies

To further investigate the marked discrepancy between rhetorical and effective securitization in the region I will survey the cases of Thailand and Cambodia. These two countries have been chosen because they are both major source, destination, and transit countries, the only two that fit this description in the region. Other states tend to be either source or destination, and are not necessarily transit countries. This is of importance, as a government’s motives and the techniques it uses to confront trafficking will differ depending on whether the country is a destination for external victims or its own citizens are falling victim to traffickers. By choosing countries that are both source, destination, and transit, I will hopefully control for this.

Each case study will begin with a brief outline of the history and extent of TIP in the country. The history of rhetorical and effective state efforts to combat trafficking and the current state of anti-human trafficking efforts will then be surveyed. I rely primarily on the yearly TIP reports released by the US TIP Office, as well as data collected by the UN and its subsidiaries, various non-governmental organizations, news outlets, and individual researchers.

4.1 Thailand

4.1.1 Description of TIP in Thailand

Over the past decades, Thailand has emerged as the principal destination country for individuals in the commercial sex and forced labour industries within the Mekong Subregion. Hundreds of thousands of women have been trafficked into the Thai sex industry in the past two

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69 Burma is a source country only. Laos, Indonesia, and the Philippines are sources, and to a much lesser extent destination and transit countries. Vietnam is a source, to a lesser extent a destination, and is not considered a transit country. Malaysia is unique in the region, being primarily a destination and to a lesser extent, a source and transit country. See U.S. Department of State, 2012 Trafficking in Persons Report.
decades, and thousands more are trafficked into the forced labour sector annually. Thailand has been a centre of sex tourism and trafficking since the 1970s, when many US soldiers came to the country on leave from the Vietnam War. However, a recent surge in trafficking can be explained largely by the country’s rapid economic growth: in 2006, Thailand’s GDP exceeded that of Burma, Cambodia, Laos, and Vietnam combined. The potential opportunities offered by such comparative wealth attracts many hundreds of thousands of yearly migrants from surrounding countries. Human Rights Watch estimated in 2010 that between five and ten percent of the national work force are migrants, both legal and illegal. The majority of migrants come from Burma, Laos, Cambodia, and Yunnan Province in China, although some come from as far afield as Uzbekistan and Russia. Since illegal migrants (including children) are not entitled to any labour or social protection under Thai law, many thousands of individuals are left extremely vulnerable to traffickers. Documented migrants are also at risk as they often lack Thai language skills and may not understand their rights under Thai law.


71 To give some idea of the scope of this problem, more than 20,000 Cambodians trafficked into forced labour in Thailand were deported in 2009 alone. Additionally, more than 30 percent of Cambodian fishermen deported from Thailand report being trafficked, and numbers are likely to be far higher as victims on boats often do not see shore for up to a year at a time and are more difficult to track. Note that these numbers include only Cambodians, while many other nationalities (particularly Burmese) are trafficked into Thailand annually. See “Cambodia-Thailand: Men Trafficked into ‘Slavery’ at Sea,” Integrated Regional Information Networks (IRIN), August 29, 2011, http://www.unhcr.org/refworld/docid/4e60ac202.html (accessed July 31, 2012).


74 Human Rights Watch, From the Tiger to the Crocodile: Abuse of Migrant Workers in Thailand (New York: Human Rights Watch, 2010), 8.


Internal migration from poor provinces to wealthier ones is also common in Thailand. Half of the country’s hill tribes and ethnic minorities (approximately half a million people) are not eligible for Thai citizenship, leaving these stateless individuals exceptionally vulnerable to traffickers. Impoverished ethnic Thais desperate for employment and educational opportunities often unknowingly place themselves in the hands of traffickers who promise to provide them with help. Frequently, following voluntary migration, victims both urban and rural are subjected to trafficking conditions and sent to work in domestic industries, forced labour, or the sex trade, both in Thailand and worldwide.

The majority of trafficking victims are typically forced into the “3D” jobs -- dirty, dangerous, and disdained, typically in factories, construction, agriculture, and domestic work. The deep sea fishing industry (DSFI) is especially embedded with human trafficking victims; many thousands of migrant men and boys from Burma, Cambodia, Laos, and Thailand have been trafficked into this unregulated industry under appalling conditions. Nearly 60 percent of migrant workers in the seafood industry in Samut Sakhon experience conditions of forced labour, and roughly the same proportion of surveyed migrant fishermen trafficked aboard Thai fishing boats report witnessing fellow fishermen considered too weak or sick to work being killed by

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boat captains.\textsuperscript{81} Although it is difficult to estimate the exact numbers of victims, the scale of this issue is clearly immense.

\subsection*{4.1.2 State Efforts to Confront TIP}

\subsubsection*{4.1.2.1 Rhetorical}

The Thai government has taken steps to securitize human trafficking, but has primarily done so in a negligent and rhetorical fashion. The country first recognized the existence of trafficking in 1928 with the passage of the Trafficking in Women and Girls Act. This Act only recognized the existence of female victims and considered sexual exploitation to be the only form of trafficking. In 1997, the Act on the Measures in Prevention and Suppression of Trafficking in Women and Children extended coverage to boys under 18, expanded powers of law enforcement in pursuing traffickers, and increased trafficking penalties. The law was severely criticized for lacking depth and clarity and left many unprotected.\textsuperscript{82}

This lukewarm reaction to the issue of human trafficking began to change in the 2000s. In 2004, Prime Minister Thaksin Shinawatra declared a “war against human trafficking,” and described traffickers as murderers leading their victims to a life of hell. He pledged that the government would overhaul laws, create a special police task force, improve victim protection, increase local and international coordination, stamp out local corruption, and launch awareness campaigns.\textsuperscript{83} Some progress was indeed forthcoming; in 2008 the Anti-Trafficking in Persons Act was put into effect, covering all forms of trafficking and prescribing penalties commensurate

\begin{thebibliography}{9}
\bibitem{81} U.S. Department of State, \textit{2012 Trafficking in Persons Report}, 338.
\end{thebibliography}
with those prescribed for other similarly grave crimes. The elevation of human trafficking to the national agenda further resulted in the establishment of the National Committee on Prevention and Suppression of Human Trafficking in 2005, the National Policy and Plan on Prevention and Resolution of Domestic and Cross-border Trafficking in Children and Women (2005-2010, 2011-2016), and the Integrated Plan on Prevention and Resolution of Human Trafficking in 2005.

Regionally, Thailand participated in the First Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT) in 2004, which yielded the historic COMMIT Memorandum of Understanding (MOU) in October of that year. This MOU recognized the urgent need for a comprehensive regional approach to combat human trafficking and expressed deep concern over the suffering caused by TIP in the region. It asserted that human trafficking is completely unacceptable and called for a strengthened criminal justice response by all signatory parties. This MOU was both preceded and followed by a wide variety of regional MOUs and agreements with individual countries and regional groups, as well as a profusion of intrastate MOUs signed with non-governmental organizations (NGOs), government agencies, and provinces. Additionally, the ASEAN Declaration Against Trafficking in Persons Particularly Women and

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84 U.S. Department of State, 2008 Trafficking in Persons Report, 244.
87 Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region (Yangon, October 29, 2004), 1.
Children was adopted in November 2004, and Thailand has signed, but not ratified the UN Trafficking Protocol.88

4.1.2.2 Effective/Policy Outcomes

The Thai government’s rhetorical attempts to securitize human trafficking appear, on the whole, to be successful. Human trafficking is frequently described as threatening human dignity and security and jeopardizing social cohesion and values,89 and there appears to be a general recognition of the urgency of the problem. The Thaksin government’s call for a “war” on human trafficking is the quintessential attempt at securitization, declaring human trafficking to be, in effect, an existential threat to human security in the country. However, much as Sukma has described in regard to ASEAN as a whole, this process of securitization “ends at the recognition of the urgency of the problem [and] falls short of implementing the necessary extraordinary measures to address it.” Although the state appears to be convinced about the threat, this has not been sufficient to push it to institute measures beyond standard political procedure.90

In 2011, UN Special Rapporteur for Trafficking in Persons Joy Ngozi Ezeilo reprimanded the Thai government for its lack of effective efforts to combat TIP. She noted with concern the increasing scale of forced labour trafficking in the agricultural, construction, and fishing industries and the rampanty of trafficking in children. Implementation and enforcement of law remains “weak and fragmented,” victims are frequently misidentified as illegal migrants, and


89 See for example Memorandum of Understanding Between the Government of the Kingdom of Thailand and the Government of the Union of Myanmar on Cooperation to Combat Trafficking in Persons, Especially Women and Children (Nay Pyi Taw, April 24, 2009), 1.

90 Sukma, “The Securitization of Human Trafficking in Indonesia,” 2.
shelters are little better than “detention centres and a vehicle for violations of human rights.””\textsuperscript{91} This lambasting by Ms. Ezeilo has been mirrored by the US TIP Office, which downgraded Thailand’s ranking from a Tier 2 to a Tier 2 Watch List in 2009. Indeed, Thailand would have been downgraded again in 2012 to Tier 3 (ranking alongside such countries as North Korea and the Democratic Republic of Congo) if it had not been granted a waiver as a result of a written government plan to reverse the tide of human trafficking.\textsuperscript{92} Despite this written plan, the grossly inadequate front-line officers and police investigations, slow and inefficient justice system, endemic corruption, and failures to identify and protect victims ensured yet another low ranking and reprimand from the US TIP Office in their 2012 TIP Report.\textsuperscript{93}

State rhetoric declaring a firm stance on trafficking means little when government policies ensure hundreds of thousands, if not millions remain vulnerable to traffickers. Despite vociferous assertions of commitment to the fight against TIP, the Thai government has not followed securitized rhetoric with effective policies. In sum, human trafficking has been rhetorically, but not effectively securitized in the country.

4.2 Cambodia

4.2.1 Description of TIP in Cambodia

Cambodia’s modern history of violence and poverty has had lasting repercussions in terms of levels of human trafficking in the country. The three year rule of the Khmer Rogue


\textsuperscript{92} U.S. Department of State, 2012 \textit{Trafficking in Persons Report}, 339.

\textsuperscript{93} See Ibid., 338-342.
resulted in the deaths of one-third of the population and destruction of formal and informal institutions throughout the country.\textsuperscript{94} Although Vietnamese forces drove the regime into the countryside during their 1978 invasion, the resulting 10 year occupation and 13 year civil war ensured that peace-building did not begin in earnest until relatively stable authority was established after UN-sponsored elections in 1993.\textsuperscript{95} The ILO argues that the aftermath of the Khmer Rouge is still deeply felt both psychologically and economically by the peoples of Cambodia and contributes heavily to trafficking in the country.\textsuperscript{96} In addition to this devastating legacy, the large number of personnel in the UN transitional team have been accused of increasing the number of prostitutes from 6,000 to approximately 20,000 in the years they were stationed in the country.\textsuperscript{97} This tremendously increased demand for woman and children quickly outstripped the voluntary supply, and sex trafficking numbers correspondingly ballooned.\textsuperscript{98}

The situation in Cambodia remains bleak: approximately 80 percent of the population has little to no access to clean water, electricity, sanitation, education, or medicine, and periods of factional violence continue to periodically arise.\textsuperscript{99} This leaves much of the population vulnerable to traffickers. There is widespread migration from rural areas to urban and tourist centres.


\textsuperscript{96} Shelley, \textit{Human Trafficking}, p. 159.


Individuals from other countries such as Vietnam and China also frequently follow this pattern and are often found in Phnom Penh, Koh Kong, Sihanoukville, Siem Reap, and Poipet.\(^{100}\) Cambodians of all ages and genders frequently migrate to countries inside and outside the region, (primarily Malaysia and Thailand, but also further afield to Saudi Arabia, the US, and Somalia) and are subsequently subjected to conditions of trafficking.\(^{101}\)

Men, women, and children are trafficked into both the labour and commercial sex industries in Cambodia. Up to 700 children per month are trafficked across the border into Vietnam as beggars, and more than 4,000 Cambodians per year are trafficked into the Thai DSFI.\(^{102}\) In addition to the mass scale of labour trafficking, the Coalition to Address Trafficking and Sexual Exploitation of Children in Cambodia (COSECAM), a local NGO, reports that at least 20 percent of the sex workers in Phnom Penh have been trafficked. Although it is difficult to estimate total numbers, it is likely that between 200 and 500 individuals per month enter the sex industry in the capital alone.\(^{103}\) Over half of Cambodian girls are estimated to have lost their virginity to a tourist or foreign client, illustrative of the importance of the sex trade in the country.\(^{104}\) Clearly human trafficking in Cambodia is occurring on an immense scale.


\(^{101}\) Ibid.106.


\(^{103}\) Ibid.

4.2.2 State Efforts to Confront TIP

4.2.2.1 Rhetorical

The Cambodian government has made specific provisions to combat human trafficking since 1996, when it passed the Law on Suppression of the Kidnapping and Trafficking of Human Persons and the Exploitation of Human Persons. This law had the objective of suppressing acts of human trafficking in order to “protect human dignity” and “protect the health and welfare of the people.” However, only trafficking for the purposes of sexual exploitation was criminalized, leaving a great deal of trafficking (perhaps even the majority) absent from debate entirely. It was not until the Law on Suppression of Human Trafficking and Sexual Exploitation was adopted in February 2008 that law enforcement authorities were empowered to investigate all forms of trafficking. It was also in this year that a “zero-tolerance” policy for corrupt officials reaping benefits from TIP was announced.

In the years following the signing of the Palermo Convention and UN Trafficking Protocol, Cambodia made significant efforts to publicly combat human trafficking, particularly in the sex industry. Between 2000 and 2004, a National Action Plan on Trafficking and Sexual Exploitation of Children was adopted, and a second national plan was drafted in 2005. In August 2009, the Ministry of Social Affairs (MOSAVY) issued a new Policy and National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking. Furthermore, the government has been actively engaged in conducting awareness-raising

campaigns; MOSAVY organized an anti-trafficking awareness day in December 2011, and the Ministry of Tourism produces billboards, magazine advertisements, and handouts aimed at reducing the demand for commercial sex acts and child sex tourism.\textsuperscript{109}

Cambodia is signatory to a wide variety of MOUs and Agreements with other states and regional groups. In these documents, human trafficking is regularly referred to as a “gross infringement of human rights and grievous trampling on the dignity of human beings,” and the government professes to be “gravely concerned” that TIP, particularly of women and children “has a negative impact on individual physical, mental, emotional, moral development and is detrimental to the social fabric and values of the society.”\textsuperscript{110} Cambodia is signatory to the COMMIT MOU and the ASEAN Declaration Against Trafficking in Persons Particularly Women and Children, discussed above. In 2007, the country ratified the UN Trafficking Protocol.\textsuperscript{111}

4.2.2.2 Effective/Policy Outcomes

Much as was seen in the case of Thailand, the rhetorical securitization of human trafficking has been largely successful in Cambodia. TIP is consistently framed as a security threat to victims, international peace and safety, and state sovereignty in both official and unofficial documents. Furthermore, audiences seem to have accepted this discourse; newspapers and grassroots organizations consistently acknowledge and deplore the danger that trafficking poses, particularly to women and children.


\textsuperscript{110} See for example, Agreement Between the Royal Government of Cambodia and the Government of the Socialist Republic of Vietnam on Bilateral Cooperation for Eliminating Trafficking of Women and Children and Assisting Victims of Trafficking (Phnom Penh, October 10, 2005).

\textsuperscript{111} “Protocol to Prevent, Suppress and Punish Trafficking in Persons,” UNODC.
However, the creation of this discourse has not yielded the extraordinary measures that would have emerged had this matter been effectively securitized. For instance, although the government has signed a plethora of international instruments as discussed above, government reactions to these have been criticized as remarkably passive.\(^{112}\) Cambodia remains a chief destination country for sex tourists and pedophiles, with a sobering 313,000 children estimated to be trapped in the worst forms of exploitation at any given time.\(^{113}\) Grassroots human rights organizations have consistently lamented the deplorable progress in effectively combatting human trafficking, acknowledging “zero”\(^{114}\) or at best, “slow”\(^{115}\) progress by the state. Notably, the country has spent four out of eight years as a Tier 2 Watch List country or worse.\(^{116}\)

In sum, TIP remains a serious issue in Cambodia that is not being effectively addressed despite rhetorical efforts. The passage of laws and issuance of statements declaring unequivocal opposition to and disgust for human trafficking has not been followed with effective policies that seriously address the practice. Measures outside usual political procedures remain unexplored, despite appearances that the state is convinced about the threat of human trafficking.

\(^{112}\) For example, although the MOU between Cambodia and Thailand is well-developed and lists specific counter-trafficking activities, there has been no sign that the government will undertake these; many counter-trafficking activities are left in the hands of international actors. See Takashi Yasunobu, “Combatting Human Trafficking in Cambodia: Establishing a Legal Environment for the Effective Counter Trafficking Measure,” (MA Thesis, Brandeis University, 2004), 18.


5. Conceptual and Practical Challenges to the Copenhagen School

These two case studies leave us with a puzzle. According to the Copenhagen School, a security threat is created when elites declare it to exist: “the utterance is the primary reality.” However, such a securitized reality in Southeast Asia has not been forthcoming: the linguistic efforts of these states have not resulted in a securitization discourse that yields tangible results. Why has this been the case? In the following section I will address this puzzle by questioning certain underlying assumptions of the Copenhagen School, first addressing broad conceptual problems and then addressing more particular, practical difficulties not typically seen to an equal extent in Euro-American settings.

5.1 Conceptual Difficulties

5.1.1 The “Westphalian Straitjacket”

The Copenhagen School’s institutionalized Eurocentrism assumes that securitizing states will be democratic, and, once an issue is securitized, capable of pursuing a securitized agenda, thus resembling states in the developed west. According to Claire Wilkinson, “there is the presumption that European understandings of society and the state are universal.” However, these presumptions are frequently invalid throughout much of the developing world, and are certainly so in Southeast Asia. States in the region rank low on democratic indicators, and concepts of state and society differ markedly from Euro-American ones. The importance of speech acts in a non-democratic setting is not readily apparent, as actors have little need to

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convince audience of the existence of a threat. Furthermore, while states in the region can linguistically declare something to be securitized with relative ease, their capacity to effectively follow through cannot be taken for granted. The Westphalian assumptions made by the Copenhagen School skew its predictive power.

5.1.2 Socioeconomic/Cultural Constraints

The socioeconomic and cultural situation in Southeast Asia differs distinctly from that expected by the Copenhagen School. Economic growth in Southeast Asia has proceeded both fitfully and unevenly over the years. Dire poverty and inequality leave millions vulnerable to human traffickers; destitute families often resort to selling children,¹²⁰ and migrant labourers flood markets looking for work. These economic imbalances are a major root cause of human trafficking. Indeed, many scholars argue that human trafficking simply cannot be effectively addressed without raising a population’s socioeconomic status.¹²¹ Considering the state of economic development throughout much of Southeast Asia, this is likely to remain a major challenge not seen to nearly the same extent in the developed west.

Cultural constraints also tend to intensify human trafficking in Southeast Asia, particularly with regard to sex trafficking. The status of women and children is nearly always beneath that of men, and their human rights are correspondingly weak. In Cambodia, for instance, the chhap srey code of conduct expounds extreme male dominance over women, and sex with virgins is taught as a way to increase male virility.¹²² Largely resulting from the inferior

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¹²⁰ Shelley, Human Trafficking, 45.

¹²¹ See, for example, Skeldon, “Trafficking: a Perspective From Asia,” 7.

status of women and girls in many Asian cultures, schooling and job opportunities are extremely limited, leading to the “feminization of poverty” and the unfortunate but common pursuit of work in the sex trade and other sectors vulnerable to trafficking. 123 Although women and children struggle with abuse and inequality the world over, the depth and scale of this problem in Southeast Asia is not something commonly confronted in the developed west. Both socioeconomically and culturally, the situation in Southeast Asia differs pronouncedly from that seen in Euro-American settings.

5.1.3 Questionable Motives and Differing Threat Perceptions

The Copenhagen School is typically not concerned with the reasons why a state would wish to securitize an issue. Indeed, there are many other reasons why a state may wish to do this aside from a genuinely perceived threat. For instance, in the case of human trafficking in Southeast Asia, the US has provided a tangible benefit to securitize (or rather, a disincentive to not securitize) in the form of significant penalties for non-compliance and rewards for the reverse. It is probable that securitization efforts are used as a convenient rhetorical device devised to satisfy the US, rather than as a means to confront a genuinely perceived threat. 124 In this sense, the intended audience of the securitization discourse may be the US, rather than local citizenry and officials.

Indeed, states in the region may not genuinely perceive TIP as a security threat that requires extraordinary state action. Non-traditional threats in the region are still regarded as less

124 Emmers discusses this possibility in regards to ASEAN as a whole. See Emmers, “The Securitization of Transnational Crime in ASEAN.”
significant and threatening than traditional threats that require military responses.\textsuperscript{125} Emmers has argued that non-traditional security threats have been “absorbed into an understanding of security that focuses on the stability of the state,” and are viewed as important only insofar as they are acknowledged to threaten state sovereignty.\textsuperscript{126} While possible threats to border security are considered seriously, the human security element of trafficking is effectively ignored. A strongly state-centric perspective continues to dominate the discussion, leading to an overemphasis on prosecution at the expense of protecting victims and preventing further abuses.

This tendency by state officials is particularly problematic in terms of effective securitization efforts, since it has been persuasively argued that TIP is primarily a human security concern.\textsuperscript{127} Magdalena Ionescu has forcefully argued that TIP cannot be fought effectively if the human aspect of trafficking is not considered when devising anti-trafficking policies. The solution to human trafficking lies in empowering vulnerable people by providing them with alternatives to their relatively impoverished statuses rather than prosecuting perpetrators.\textsuperscript{128} However, human security is of little consequence to government officials in the region who remain fixated on traditional security threats. Measures to combat TIP will remain ineffective so long as victims’ needs are unattended to.

\textbf{5.2 Practical Difficulties}

In addition to these questionable conceptual assumptions, there are a number of practical impediments to the securitization of human trafficking in the region that are generally not

\begin{flushright}
\textsuperscript{125} Ibid., 2.
\textsuperscript{127} Ibid., 19.
\textsuperscript{128} Ionescu, “A Human Security Approach to Anti-Trafficking Policies,” 211.
\end{flushright}
experienced to the same extent in the developed west. These will be considered with particular reference to the case studies.

5.2.1 Government (In)capacity

A major hindrance to effective securitization lies in governments that are incapable of pursuing a securitized agenda. Speech acts are insufficient when states do not have the power to effectively follow through on their rhetoric. Many governments in the region lack the institutional capabilities and laws to respond to the challenges of human trafficking and are often crippled by legacies of poverty, violence, corruption, and turbulence.

Among other challenges, Cambodia is still recovering from decades of brutal violence and extreme poverty. Police investigators and prosecutors lack coordination, judicial and law enforcement systems are weak, and witness protection is nonexistent. Ignorance of existing human trafficking laws further hampers anti-trafficking efforts: prosecutors frequently charge trafficking offenders under non-trafficking articles and laws, and vice versa. Laws and regulations regarding migrant labourers remain weak and murky, and the government does not monitor agencies to avoid abuses and corruption.\textsuperscript{129} While the Thai state is relatively stronger, it too struggles with issues of capacity. Awareness of the 2008 anti-trafficking legislation remains low, victim identification training for front-line officers is inadequate, and legal processes are protracted and weak.\textsuperscript{130}

Widespread corruption also contributes heavily to an enabling environment for human trafficking. In Southeast Asian states, government officials at all levels frequently have a great


deal to gain by allowing TIP to continue. Therefore, rather than attempting to support securitized rhetoric, these officials often subvert public state policies and hinder effective efforts. Transparency International, which measures corruption on a scale of 1 to 10, with 10 being the least corrupt, assigns Thailand 3.4, and Cambodia 2.1. Corrupt Thai police frequently share the proceeds of bribes with politicians and political parties, and officials have been accused of protecting brothels, other commercial sex venues, and seafood and sweatshop facilities from raids and inspections in return for a cut of profits. There are also accusations of clientelist relationships amongst central-level specialist police officers. Amongst the most heinous accusations are those levied against police and immigration officials reportedly involved in the trafficking of Burmese to the Democratic Karen Buddhist Army (DKBA), and against certain officials who have reputedly engaged in sex acts with child trafficking victims. These reports are not officially investigated or responded to. Indeed, extremely few officials are ever brought to justice for such actions.

Cambodia also struggles with severe and rampant corruption. Firsthand accounts by NGOs report that labour recruitment agencies involved in labour trafficking are connected to senior Cambodian officials, and local police and government officials extort bribes from brothel owners, sometimes on a daily basis. Police are reputed to regularly tip-off brothels and labour recruitment firms about impending anti-trafficking raids. These reports have not been acted on

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132 Shelley, Human Trafficking, 161.


by authorities. The declaration of a “zero-tolerance” policy for corruption means little when police and judicial officials continue to involve themselves in trafficking with impunity, both directly and indirectly. As long as such corruption continues, effective securitization efforts will be seriously hampered.

The geographical and political fragmentation rife in the region further exacerbates state incapacity. The mesh of river valleys and systems in mainland Southeast Asia has historically led to political, economic, and demographic fragmentation, which correspondingly leads to and exacerbates institutional incapacity. The challenge of implementing policies uniformly over provinces within a given state is extreme. Curley and Herington note the particular difficulty Indonesia faces when local political relationships hinder or make national level policy dictates ineffectual. This difficulty is shared by both Cambodia and Thailand.

In sum, institutional state incapacity, which is neither predicated nor accounted for by the Copenhagen School, impedes the ability of the state to pursue an effective securitization agenda.

5.2.2 Misguided Policies and Unintended Consequences

The Copenhagen School assumes that the declaration of a security threat will be followed with effective government policies. However, legislation that attempts to confront trafficking sometimes has the unintended consequence of compounding the issue. For instance, as part of their anti-trafficking efforts in 2011, the Cambodian government imposed a comprehensive ban on the emigration of Cambodian women to Malaysia for domestic service work. Contrary to

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135 U.S. Department of State, 2011 Trafficking in Persons Report, 111.


137 Curley and Herington, “The Securitization of Avian Influenza,” 147.
government expectations, this policy has been accused of increasing the vulnerability of women intent on working in Malaysia, who often turn to traffickers to evade the ban.\textsuperscript{138}

Even more common is the tendency amongst states to attempt to restrict illegal migration, which frequently, albeit unintentionally, exacerbates human trafficking. Restrictive migration policies tend to encourage people to rely on irregular migration channels, increasing their vulnerability to traffickers.\textsuperscript{139} Thailand’s policies towards migrant workers have been particularly shortsighted in this regard. The official process designed to legalize migrant workers heightens their vulnerability to trafficking and debt bondage due in part to relatively high fees.\textsuperscript{140} Furthermore, an in-depth study conducted by Human Rights Watch in 2010 found widespread violations of migrant worker rights by police, military, and immigration officers, among others, who attempt to intimidate migrant workers by threatening, physically harming, and extorting them with impunity. Many of these violations are embedded in laws and local regulations, such as extreme restrictions on freedom of movement.\textsuperscript{141} An unofficial policy to make migrants feel unwelcome has had devastating effects on human trafficking rates: migrant workers, particularly those without documentation, are extremely vulnerable to human traffickers, particularly when their rights, such as they are, are ignored or subverted by Thai officials.\textsuperscript{142} However, since dealing with illegal migration tends to outweigh the desire to address TIP, these policies continue unabated.


\textsuperscript{140} U.S. Department of State, 2012 \textit{Trafficking in Persons Report}, 342.

\textsuperscript{141} Human Rights Watch, \textit{From the Tiger to the Crocodile}, 1-3.

\textsuperscript{142} Ibid., 2.
5.2.3. The Profits of Trafficking

Lastly, a small but significant portion of Southeast Asian economies depend upon the labour of trafficking victims, making effective securitization of TIP difficult to accomplish without certain important drawbacks. The DSFI in Thailand is particularly beholden to slave labour, as is the sex industry. The latter is often seen as an important form of development capital throughout Southeast Asia and particularly in Thailand, due to its importance to the tourist industry.\textsuperscript{143} Karen Colligan-Taylor has noted that “an alliance is formed between local governments in search of foreign currency, and both local and foreign businessmen willing to invest in the sex-travel industry.”\textsuperscript{144} Officials are often unwilling to lose important tourist revenue by cracking down on the sex trade, which partially explains Thailand’s willingness to suffer international opprobrium rather than make any discernible efforts to reduce sex tourism.\textsuperscript{145} By supporting (or at least not impeding) these economic sectors, officials often indirectly gain credibility and popular support. Officials will pursue a securitized agenda only insofar as they have little to lose, or something to gain. These conflicting motives often undermine securitization efforts.

\textsuperscript{143} Shelley, \textit{Human Trafficking}, 161.


6. Conclusion

“The unrelenting, unpunished, and craven exploitation of millions of human beings,” writes Robert Bilheimer, “is simply the most appalling and damaging expression of so-called human civilization we have ever seen.”146 This pervasive and perverse crime has certainly not gone unnoticed on either an international or state level. The US and UN in particular have become securitizing actors, and present human trafficking as an existential threat to the human dignity of victims, international peace and security, and state sovereignty. This securitization agenda has been taken up by individual states, which have correspondingly become securitizing actors in their own right. However, despite states in Southeast Asia appearing to have rhetorically securitized this issue, effective policies remain scarce or absent. This is not predicted by securitization theory, which considers an issue to be securitized once it has been framed as such in speech acts. Although human trafficking poses certain particular challenges to securitization, these challenges are not enough to fully explain the rhetorical but ineffective securitization of human trafficking in the region.

Through the use of the case studies of Thailand and Cambodia, I challenged the Copenhagen School’s exclusive emphasis on speech acts, lack of attention to actors’ securitizing motives and threat perceptions, and strong underlying Eurocentric assumptions. Recognizing these weaknesses helps provide an explanation for the discrepancy between rhetoric and fact in the region. A modified version of securitization theory, particularly one that differentiates between rhetorical and effective securitization, is invaluable in establishing a groundwork by

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which to understand the securitization of human trafficking outside of a Euro-American setting. Drawing this distinction allows for a far deeper understanding of the securitization process.

Much work remains to be done on this topic, and some of the following suggestions indicate how this study may be extended and bolstered. Scholarly work on human trafficking remains sparse, due in part to a troubling dearth of data. It is vital that this be addressed. Zbigniew Dumienski has lamented that human trafficking research rarely has identifiable sources or adequate methodologies.\textsuperscript{147} The challenges here are particularly problematic, as most of the relevant populations (such as traffickers, illegal immigrants, victims, and so forth) are hidden populations for whom no sampling frame exists and for whom the size and boundaries are unknown. Membership in these groups is often stigmatized, making data collection particularly difficult. Victims may choose not to come forward or give reliable answers for fear of being ostracized from their families or of being punished by authorities.\textsuperscript{148} Furthermore, individual states and grassroots organizations often have neither the incentive nor capacity to collect substantive data, and trafficking activists frequently “pull their numbers out of thin air” to support their agendas.\textsuperscript{149} As a result, data is frequently murky and suspect. It is of paramount importance that this be addressed, as more data and details will naturally yield greater analytical potential.

On a more theoretical level, more research remains to be done on the differences between rhetorical and effective securitization. Many questions remain to be answered: for instance, does

\textsuperscript{147} Zbigniew Dumienski, “Myths and Reality of Human Trafficking: A View from Southeast Asia,” \textit{Interdisciplinary Political Studies} 2, No. 1 Special Issue (March 2012): 61.


\textsuperscript{149} Dumienski, “Myths and Reality of Human Trafficking,” 61.
rhetorical securitization always precede effective securitization, or can there be effective securitization without speech acts? In other words, can an actor effectively act as though something has been securitized without declaring it so linguistically? Would this affect the strength of the securitization, and what are the advantages and disadvantages of it? How important is the distinction between rhetorical and effective securitization in a western context?

Further work also remains to be done on the modalities of securitizing human trafficking. Is securitization the best way to deal with TIP? Are there ways of combating trafficking that do not include treating it as an existential threat, and yet remain effective? What drawbacks can be seen when trafficking is securitized? While securitization may increase political awareness, provision of resources, and interagency cooperation, Elizabeth Wishnick has convincingly argued that it also has its disadvantages: for instance, an issue may best be addressed by a preventative risk management strategy, rather than the reactive mobilization engendered by a securitized discourse.\(^{150}\) It is of theoretical interest and practical importance to discover what the possible pitfalls of securitization may be in regard to human trafficking before such a course is recommended to all states.

Human trafficking is a terrible blight upon those who are affected by it, and a highly complex phenomenon. The sooner we can begin to understand, the better.

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