STRENGTHENING ASEAN REGIONAL COOPERATION AGAINST HUMAN TRAFFICKING IN SOUTHEAST ASIA

Firhan Igirisa[1], Seniwati[2]

firhanigirisa2@gmail.com

[1,2]International Relations Department, Social and Political Sciences Faculty,Hasanuddin University, Indonesia

ABSTRACT

The phenomenon of human trafficking in the Myanmar, Laos, Thailand, and Cambodia (MLTC) region has evolved from a conventional transnational crime into a complex, non-traditional security crisis, deeply integrated with regional political and economic dynamics. This article delves into the intersection of structural vulnerabilities including development disparities, forced migration, and governance dysfunction and the adaptive capabilities of criminal syndicates. These syndicates exploit jurisdictional grey areas and weak regional legal regimes. Using a qualitative-descriptive approach and content analysis, grounded in two primary theoretical frameworks Non-Traditional Security (NTS) Theory and International Regimes Theory this research evaluates the effectiveness of existing ASEAN frameworks (ACTIP and RPA) in responding to the complexities of this cross-border crime.

 Keywords: Human Trafficking, MLTC, Non-Traditional Security, International Regimes, Scam Compounds.

ABSTRAK

Fenomena perdagangan manusia di kawasan Myanmar, Laos, Thailand, dan Kamboja (MLTC) telah berevolusi dari kejahatan transnasional konvensional menjadi krisis keamanan non-tradisional yang kompleks, yang terintegrasi secara mendalam dengan dinamika politik dan ekonomi regional. Artikel ini mengkaji hubungan antara kerentanan struktural, termasuk disparitas pembangunan, migrasi paksa, dan disfungsi tata kelola, serta kemampuan adaptif sindikat kriminal. Sindikat-sindikat ini mengeksploitasi wilayah abu-abu yurisdiksi dan rezim hukum regional yang lemah. Dengan menggunakan pendekatan kualitatif-deskriptif dan analisis isi, yang didasarkan pada dua kerangka teori utama, yaitu Teori Keamanan Non-Tradisional (NTS) dan Teori Rezim Internasional,

penelitian ini mengevaluasi efektivitas kerangka kerja ASEAN yang ada (ACTIP dan RPA) dalam menanggapi kompleksitas kejahatan lintas batas ini.

Kata Kunci: Perdagangan Manusia, MLTC, Keamanan Non-Tradisional, Rezim Internasional, Senyawa Penipuan.

INTRODUCTION

Human trafficking is a highly complex and destructive transnational organized crime. It not only violates fundamental human rights, but also creates multidimensional impacts on global social, economic and security stability. This phenomenon, often dubbed "modern slavery", is of serious concern to the international community due to its adaptive nature and ability to exploit the vulnerabilities of individuals around the world (HRWG, 2022). Human trafficking's ability to adapt and exploit systemic vulnerabilities makes it a persistent threat that requires an integrated global response, particularly in the ASEAN Region.

In Southeast Asia, the issue of human trafficking is increasingly crucial. Rapid economic dynamics, high population mobility, and development disparities between countries are the main drivers. A specific area of concern is the border region of Myanmar, Laos, Thailand and Cambodia (MLTC) (UNODC, 2023). Syndicates' reliance on the vulnerability of individuals and their ability to adapt suggests that this problem is not just another crime. It is a security challenge rooted in inequalities of development and population mobility, making the MLTC an important case study in combating "modern slavery."

The MLT(C) area, widely known as the Golden Triangle due to its history as a hub for illegal activities such as drug trafficking, is now also the epicenter of various forms of human trafficking. Modes range from forced labor in agriculture, fishing, construction, and factories, to commercial sexual exploitation, and even new forms such as organized cyber fraud (UNODC, 2023). Vulnerabilities in the region are compounded by significant economic disparities, protracted internal and political conflicts (particularly in Myanmar), and challenges with law enforcement and cross-border coordination (UNODC, 2024). Human trafficking syndicates in the MTC demonstrate exceptional adaptive capacity, cleverly capitalizing on the intersectionality of victims' economic and socio-political vulnerabilities.

They exploit the desperation of conflict and lack of legal protection, leading to increasingly sophisticated forms of exploitation. This dynamic highlights the need for a multi-sectoral approach: law enforcement, strengthening community resilience, and social protection systems, to break the supply chain of vulnerabilities that transnational crime networks continue to exploit.

The scale of the human trafficking problem in the MTC region is alarming. The Global Slavery Index (2023) estimates 1.8 million people in ASEAN are living in modern slavery, with a significant proportion originating or transiting through the Mekong subregion. International Labor Organization (ILO, 2022) and Human Rights Watch (2023) reports consistently highlight how undocumented migrant workers, refugees, and marginalized groups are easy targets for syndicates. The unstable political conditions in Myanmar following the 2021 military coup, for example, have created massive waves of displacement, drastically increasing the vulnerability of populations to human trafficking, including Rohingya refugees who are often trapped in desperation (Human Rights Watch, 2023; UNHCR, 2024). Analysis of this data suggests that the problem of human trafficking in the MTC is a systemic humanitarian crisis, driven by complex interactions between structural vulnerabilities and contemporary crises. The sheer scale of estimated victims indicates collective failures in regional human rights protection and governance systems, demanding a more proactive and coordinated regional response, going beyond existing frameworks.

These transnational criminal networks are highly organized, taking advantage of technological advances and globalization to establish cross-border connections. Groups such as China's Triads, Mexican gangs, Japan's Yakuza, and syndicates from Russia or the former Soviet Union are often involved in complex and covert human trafficking operations (Interpol, 2023). The existence of these networks suggests human trafficking is no longer just a domestic problem, but a global issue with serious implications for regional stability and security.

The complex dynamics of human trafficking seen at the MLTC are also reflected, if not exacerbated, by the unique realities in countries of origin, such as Indonesia. Human trafficking in Indonesia is a combination of local dynamics and global networks, often utilizing well-structured international syndicates operating in secrecy. Globalization, with its ease of crossing national borders, further facilitates these organized syndicates seeking victims anywhere in the world (Dianto,

2023; Laksmi, 2022). In fact, globalization, instead of just bringing progress, has become a tool for transnational crime syndicates. They exploit global mobility and communication to expand their range of operations, recruit victims globally, and carry out crimes with high efficiency. Therefore, for ASEAN member states, including Indonesia, this issue is of urgent national interest to be resolved. Tackling it cannot rely solely on domestic approaches, but demands an internationally coordinated response and a deep understanding of the transnational crime supply chain. This is not only a moral obligation to protect citizens, but also an imperative to maintain the integrity of sovereignty from the penetration of global criminal networks that threaten internal stability and international reputation.

As a region that prioritizes human security and sustainable development, ASEAN is required to respond to human trafficking not only as a legal and security issue, but also as a social and humanitarian issue that requires a holistic approach. However, ASEAN cooperation mechanisms that adhere to the principles of non-intervention and state sovereignty often become obstacles in creating effective and responsive policies, causing responses to humanitarian crises, including human trafficking, to

remain reactive and not fully integrated (Khairil, 2021). This analysis indicates that while ASEAN's rhetoric emphasizes human security, its founding principles hinder proactive and comprehensive responses to cross-border threats such as human trafficking, exposing a structural dilemma in ASEAN's regional governance.

As the region relies on border transactions for economic benefits through "expanding social exchanges, trade, and investment in infrastructure," the ease of cross-border movement supported by regional connectivity projects (ADB, 2023) coupled with inconsistent border management makes it a hotbed for transnational crime (TC). This emphasizes the need for closer cooperation among member states to enhance ASEAN's effectiveness by strengthening cross-border cooperation to combat TCs (ASEAN Secretariat, 2024). This analysis shows that the paradox of economic development that relies on open borders without strong management creates loopholes that transnational crime exploits, demanding integration between economic and security policies to ensure stability and collective benefits.

Based on the identified research, this article aims to substantively and factually analyze the dynamics of

human trafficking in the Myanmar, Laos, Thailand, and Cambodia (MLTC) region, with a particular focus on its implications for efforts to strengthen ASEAN regional cooperation. The research will explore the push and pull factors, highlight the latest and adaptive modus operandi of criminal networks, and identify specific challenges and opportunities in cross-border law enforcement and integrated victim protection mechanisms in the region. Furthermore, the article will examine the extent to which ASEAN initiatives and frameworks (particularly ACTIP and RPA) have contributed to countering human trafficking in the MLTC region, based on recent data and reports, and formulate policy recommendations for strengthening ASEAN regional cooperation in combating human trafficking in the MLTC.

As such, this article is expected to make significant academic and practical contributions. Academically, this research will enrich the literature by presenting a comprehensive analysis that integrates the sociological, political, and legal aspects of human trafficking in the specific regional context of the MLTC, as well as how these dynamics interact with the ASEAN regional cooperation framework. Practically, the findings of this study are expected to provide valuable inputs for policy makers in ASEAN member states, international organizations, and law enforcement agencies. The proposed recommendations are expected to help formulate counter-trafficking strategies that are more effective, coordinated, and responsive to evolving challenges in the region, in order to protect fundamental human rights and achieve regional stability..

THEORY

This research analyzes the complexities of human trafficking in the Myanmar, Laos, Thailand and Cambodia (MLTC) region and its implications for efforts to strengthen ASEAN regional cooperation through the lens of Non-Traditional Security (NTS) and International Regimes Theory. These two theoretical frameworks offer complementary perspectives to understand transnational threats and the collective responses required at the regional level.

1. **Non-Traditional Security (NTS) Theory**

Non-traditional security (NTS) theory offers a paradigm shift in security studies from the conventional state-centric and militaristic focus towards a broader understanding of threats that affect individuals, societies and regional stability. The traditional concept of security predominantly centers on protecting state sovereignty from external aggression through

military force (Buzan, 1991). However, post-Cold War, there is a growing realization that threats to security are no longer limited to state actors and military issues alone. They have become increasingly diverse, transcend national boundaries and are often cross-cutting, demanding holistic and collaborative responses (Caballero-Anthony, 2005; Emmers, 2003). This suggests that the NTS not only enriches our understanding of the spectrum of contemporary threats such as human trafficking, climate change or pandemics but also challenges threat hierarchies and redefines who the 'subjects' of security are. This shift implies that security effectiveness is no longer solely measured by the military might of a state, but rather by the collective capacity to address transnational vulnerabilities that have a direct impact on individual lives and regional stability, demanding cross-border cooperation and a more inclusive approach.

Within the NTS framework, human trafficking is understood as a significant security threat due to its widespread impacts. First, it directly threatens human security by violating the fundamental rights of individuals, depriving them of their liberty, and causing profound physical and psychological suffering to victims (UNDP, 1994; Caballero-Anthony, 2005). Human trafficking erodes the dignity of individuals and impedes human development in countries of origin and destination.

Second, human trafficking is socially and economically destabilizing. It exacerbates poverty, facilitates corruption, and distorts labor markets, creating greater vulnerability in society (UNODC, 2020). Organized criminal networks involved in human trafficking are often also involved in other crimes such as drug trafficking and money laundering, collectively undermining governance and the rule of law in the region (UNODC, 2023). The impact of human trafficking goes beyond individual harm; it fundamentally undermines the pillars of state stability. The interconnection of this crime with drugs and money laundering demonstrates that human trafficking is not just an isolated criminal issue, but a manifestation of systematic transnational syndicates, capitalizing on and amplifying systemic vulnerabilities. This demands a comprehensive security approach, focusing not only on law enforcement against trafficking, but also on combating organized crime as a whole to protect socio-economic integrity and the rule of law.

Third, human trafficking has state and regional security implications. It can trigger humanitarian crises, increase illegal migration pressures, and threaten border integrity. Failure to effectively

tackle human trafficking can erode government legitimacy and worsen interstate relations, especially in vulnerable border regions such as the MLTC (Emmers, 2003). This suggests that beyond the criminal aspect, human trafficking is a real threat to internal stability and diplomatic relations, especially in regions characterized by fragile governance.

The NTS is therefore relevant to this research as it enables the placement of human trafficking as a priority security issue on ASEAN's regional agenda. This helps explain why countries in the region, while traditionally focusing on military security, are now increasingly recognizing the need for cooperation in dealing with non-traditional threats that undermine collective stability. Buzan's (1998) concept of "securitization" is also relevant here, where the issue of human trafficking is "securitized" by actors (e.g., ASEAN governments, international organizations) as an existential threat that requires an extraordinary response, encouraging cross-border cooperation.

2. International Regime Theory and Regional Cooperation: Understanding ASEAN's Collective Response

Human trafficking is one of the most complex and destructive forms of transnational crime, which not only violates fundamental human rights but also disrupts the social, economic and security stability of a region. In Southeast Asia, the region often referred to as the "Golden Triangle" encompassing the border region between Myanmar, Laos, Thailand and Cambodia has long been a hotspot for human trafficking networks. The region is not only known for its weak border controls and lack of law enforcement infrastructure, but also for its high rates of poverty, social inequality, and internal conflict, especially in Myanmar (UNODC, 2021). That the convergence of governance weaknesses, socio-economic disparities, and political instability in the MLTC creates an environment that is highly conducive to the flourishing of organized human trafficking practices that are difficult to eradicate.

The impact of human trafficking in the region is not limited to individual victims, but also poses challenges for ASEAN countries in maintaining security stability and strengthening regional integration. This issue has long been a concern for ASEAN, as reflected in the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) which was signed in 2015 and came into force in 2017. The Convention aims to strengthen cooperation in the prevention, prosecution, and protection of victims

of human trafficking. However, various reports indicate that implementation of the ACTIP still faces serious challenges, particularly in terms of cross-border coordination, harmonization of national laws, and limited resources (ASEAN, 2020; IOM, 2021).Despite normative commitments through the ACTIP, persistent implementation barriers threaten the effectiveness of regional responses and potentially hamper ASEAN's efforts to achieve stability and deeper security community integration.

As a region that prioritizes human security and sustainable development, ASEAN is required to not only respond to human trafficking as a legal and security issue, but also as a social and humanitarian issue that requires a holistic approach. Unfortunately, ASEAN cooperation mechanisms that adhere to the principles of non-intervention and state sovereignty often become obstacles in creating effective and responsive policies. This has caused ASEAN's response to humanitarian crises, including human trafficking, to be reactive and not fully integrated (Khairi, 2021). While ASEAN's rhetoric emphasizes human security, its founding principles hinder a proactive and comprehensive response to cross-border threats such as human trafficking, exposing a structural dilemma in ASEAN's regional governance.

This research aims to examine how the impact of human trafficking in the border region of Myanmar Laos Thailand Cambodia affects the dynamics and effectiveness of regional cooperation in ASEAN. Specifically, the study will analyze how the human trafficking crisis is a catalyst for strengthening regional security and humanitarian cooperation, or conversely, a weak point in ASEAN's regional cohesion. Using a multidisciplinary approach and based on regional policy analysis, this study is expected to contribute to the formulation of more inclusive and collaborative policies in combating human trafficking in Southeast Asia.

As the region relies on border transactions to further economic gains through "expanding social exchanges, trade, and investment in infrastructure," the ease of cross-border movement supported by regional connectivity projects (ADB, 2023) coupled with inconsistent border management makes it an apt choice for Transnational Crime (TC). This has emphasized the need for closer cooperation among member states to enhance ASEAN's effectiveness by strengthening cross-border cooperation to combat TCs (ASEAN Secretariat, 2024). The paradox of economic development that relies on open borders without strong management creates loopholes that transnational crime exploits,

demanding integration between economic and security policies to ensure stability and collective benefits.

RESEARCH METHODS

This analysis uses a descriptive qualitative approach methodology with content analysis of secondary sources from international agencies and official government reports and scientific journals, examined within the theoretical frameworks of NTS and International Regimes, with a primary focus on content analysis of secondary data to understand the dynamics of human trafficking in the Myanmar, Laos, Thailand and Cambodia (MLTC) region. Data analysis is conducted systematically using two main theoretical frameworks. First, Non-Traditional Security Theory (NTS) was applied to analyze how human trafficking evolved into a multidimensional and transnational regional security threat, going beyond conventional criminality. Second, International Regime Theory is used to evaluate the effectiveness of ASEAN's regional responses (ACTIP and RPA), by identifying implementation gaps, the impact of the "ASEAN Way," corruption issues, and victim protection challenges. Through the combination of these two theories, this research aims to provide a comprehensive analysis as well as adaptive and resilient policy recommendations in countering human trafficking in the MLTC.

RESULT AND DISCUSSION

This analysis section presents a comprehensive synthesis of key research findings on the complex dynamics of human trafficking in the Myanmar, Laos, Thailand, and Cambodia (MLTC) region and its cascading implications for strengthening ASEAN regional cooperation. The analysis methodically applies the lens of Non-Traditional Security (NTS) Theory to analyze the multidimensional nature and scope of the expanding threat of human trafficking, and International Regime Theory to evaluate the effectiveness of the response and collaborative framework that ASEAN has established. The integration of these two theoretical frameworks allows for a holistic and in-depth understanding of the deep-rooted challenges and strategic opportunities in tackling this transnational crime at the regional level, while highlighting the complexity of interactions between internal state factors, regional dynamics, and the changing global crime landscape.

1. **Dynamics of Human Trafficking in the Myanmar, Laos, Thailand and Cambodia (MLTC) Region: A Non-Traditional Security Crisis**

The MLTC region has long been recognized as a distressing hotbed for global human trafficking networks, with existing data solidifying its status as an epicenter of the problem. According to the Global Slavery Index (2023), an estimated 1.8 million people across the entire ASEAN region live in modern slavery. This staggering figure signifies a collective failure in human rights protection. Of this total, approximately 400,000 individuals specifically originate from the Mekong sub-region, encompassing Myanmar, Laos, Thailand, and Cambodia. This highlights the severe concentration of the problem within this particular geographical area. These numbers reflect the immense scale of the issue, where millions of individuals are trapped in horrific situations due to systemic exploitation by transnational criminal syndicates.

The sheer scale of human trafficking in the MLTC is a massive humanitarian crisis, with a high concentration of victims in the Mekong sub-region. This underscores a significant failure in human rights protection and demands a far more intensive and coordinated regional response.

Consistent and robust secondary data analysis strongly confirms that human trafficking in the MLTC region has transcended conventional criminality. It has evolved into an entrenched non-traditional security threat, with widespread destructive impacts on individuals, communities, and regional stability. Its transnational, adaptive, and multidimensional characteristics fundamentally replicate and exacerbate existing social, economic, and political vulnerabilities within the region, affirming the crucial relevance of the Non-Traditional Security (NTS) framework (Caballero-Anthony, 2005). Human trafficking in the MLTC is not merely a crime; it is a complex security phenomenon that deepens systemic vulnerabilities. This necessitates an NTS approach to understand its root causes and to design responses that move beyond traditional security paradigms limited to militaristic and state-centric threats. Consequently, solutions must focus on strengthening community capacity, governance, and cross-border cooperation to effectively dismantle these adaptive exploitation networks that continually threaten regional stability.

a. **Intersection of Economic Vulnerability and Exploitation: Root of a Gnawing Human Security Crisis.**

A key driving factor contributing to the high rates of human trafficking in the region is the stark and persistent economic disparities. Significant differences in the level of economic development between countries in the region create structural vulnerabilities that are mercilessly exploited by human trafficking syndicates. As a stark illustration of this disparity, GDP per capita data in 2023 shows a deep chasm: Thailand is around $6,393.89 USD, while Cambodia is around $2,083.59 USD, Laos is around $2,648.89 USD, and Myanmar is only around $1,177.77 USD (Trading Economics, 2023). This drastic income gap where Thailand's GDP per capita can be 5-6 times higher than Myanmar or Laos strongly encourages massive population migration from low-income countries to richer neighboring countries, especially Thailand, in search of better job opportunities and a better life expectancy.

However, this quest for opportunity often leads to exploitation. One of the most troubling modus operandi and a major factor driving human trafficking in the Southeast Asian region is scamming through social media (Saputra & Lawoleba, 2024; Sitinjak, Kurniawan, & Paramahita, 2022). Perpetrators often utilize digital platforms by offering lucrative jobs abroad. However, once victims arrive in the destination country, they are trapped and exploited, both physically and economically.

Many nationals from poorer countries, including Indonesia, Vietnam, and the Philippines, fall victim to syndicates that advertise fictitious job positions in the technology, customer service, or gaming sectors with the lure of fantastic salaries and luxurious facilities in Cambodia, Myanmar, or Laos (Sitinjak et al., 2022). Victims, who often have limited educational backgrounds or are looking for work amid economic hardship, are tempted by offers that are too good to be true (IOM Indonesia, 2023). They are then forced to work in slavery-like conditions in scam compounds, where they are forced to commit cyber scams (such as love scams or fake crypto investments) with targets from around the world. If they fail to reach their targets or try to escape, they face physical violence, torture, and threats against their families back home (Kumalasari & Wijaya, 2024) It can be seen that modern human trafficking syndicates exploit the economic vulnerability and aspirations of individuals through sophisticated cyber fraud modus operandi. Their

success relies on disinformation and the exploitation of false promises, ultimately trapping victims in a cycle of violence and coercion.This underscores the urgency for victims' home countries to raise public awareness of these risks, strengthen protections for vulnerable citizens, and collaborate internationally to eradicate these increasingly troubling cybercrime networks.

In addition, victims are often undocumented or falsely documented migrant workers, refugees (including Rohingya from Myanmar who face systemic discrimination), and marginalized ethnic minority groups. They are trapped in a cycle of exploitation in various other sectors such as brutal forced labor in the unregulated agriculture and fishing sectors, slavery-like conditions in the construction and factory sectors. This fundamentally violates the concept of "freedom from fear and want" (UNDP, 1994), suggesting that the failure of the state to protect its citizens from exploitation is a primary security failure that requires a comprehensive response, involving not only law enforcement but also inclusive economic development and social protection.

b. Internal Conflict and Population Mobility as Catalysts: Expansion of Criminal Modus Operandi and Erosion of Sovereignty.

Another driving factor that dramatically exacerbates vulnerability to human trafficking is the unstable political situation, especially in Myanmar post 2021 military coup. Prolonged armed conflict and political turmoil have led to massive displacement; more than 1.5 million people have been displaced in Myanmar as a result of this conflict many of whom are desperately caught up in trafficking networks while seeking refuge or livelihoods outside conflict zones (OCHA, 2024). High population mobility in the region, both internal migration and poorly regulated cross-border migration, makes it easier for syndicates to locate, recruit and exploit victims. Individuals seeking work in neighboring countries often lack legal documents or are forced to use unofficial channels, making them particularly vulnerable to fraud and exploitation.

The syndicates' evolving modus operandi and adaptation to these governance and security gaps is alarming. They set up scam compounds in poorly regulated special economic zones or border areas controlled by non-state armed groups (such as in eastern Myanmar and western Cambodia), representing a

new threat to sovereignty and governance. Thousands of people from various countries not only from MTC but also from other Southeast Asian countries and even Latin America are forced to work in conditions similar to cyber slavery, becoming perpetrators of global fraud. This phenomenon creates "criminal mini-states" that operate outside the control of the law, directly eroding state sovereignty and undermining governance. This underscores the NTS argument that contemporary threats come not only from other states but also from non-state actors capable of challenging state authority from within or in unregulated territories, creating space for illegality to flourish (UNODC, 2023; CSIS, 2024).

The phenomenon of scam compounds represents a significant evolution in transnational crime, from mere criminality to a real threat to state sovereignty. These syndicates capitalize on governance and security gaps in border regions, creating criminal entities that operate outside of legal control. This confirms the relevance of Non-Traditional Security Theory (NTS), where non-state actors are capable of destabilizing states and regions from within, demanding a more adaptive and comprehensive security response.

c. Implikasi De-stabilisasi Regional: Efek Domino dari Instabilitas Internal yang Melumpuhkan Respons Kolektif.

The ongoing crisis in Myanmar, as the core of the MLTC subregion, directly puts tremendous pressure on neighboring countries such as Thailand and Laos, which have to bear the brunt of refugee flows, increased transnational crime at the border, and even cases of abduction of their own citizens for scam compounds. Internal instability in Myanmar not only increases the supply of victims but also significantly weakens the capacity of the ruling government to fully and effectively participate in regional anti-trafficking efforts (United States Department of State, 2023). This creates a huge operational gap, actively exploited by syndicates, who cleverly capitalize on political chaos and weak law enforcement. From an NTS perspective, this is a classic example of how internal instability in one member state can quickly spread and threaten overall regional security (Emmers, 2003). While ASEAN faces challenges in responding to the situation in Myanmar, it can also be a catalyst for increased collective awareness and urgency. The situation has prompted ASEAN to reflect on its regional security framework, and in turn, can strengthen its resolve as a security

community bent on building collective stability. This suggests that the "securitization" (Buzan et al., 1998) of human trafficking, whereby the issue is elevated to the level of an existential threat

However, ASEAN's efforts in tackling human trafficking, particularly in the MLTC region, are faced with structural challenges that need to be addressed to achieve a more comprehensive response. One of these is the principle of non-interference, a pillar of the "ASEAN Way." While instrumental in building regional stability, it now faces criticism for being too rigid in dealing with rapidly evolving non-traditional threats. Securitized issues, such as human trafficking, demand a swift and coordinated response; however, ASEAN's insistence on the principle of non-intervention has exacerbated collective ineffectiveness in responding to crises such as Myanmar. These tensions indicate regime fragility that threatens ASEAN's credibility as a regional security provider.

While human trafficking is clearly a transnational crime that violates human rights and threatens regional stability, the principle of non-interference may limit the scope of ASEAN's collective action to actively and effectively pressure member states that are the primary source or destination of this crime (Luthfi, A.A

2025). This highlights a complexity in ASEAN governance: that while the issue of human trafficking demands collective and coordinated intervention, the principle of sovereignty that it upholds requires a careful approach for regional ambitions to translate into practical implementation.

As a concrete example, Myanmar's protracted political crisis post 2021 military coup has created a massive wave of displacement and extreme vulnerability for the population, directly exacerbating human trafficking issues in the MLTC region. This internal instability has also significantly weakened the capacity of the government in power to fully participate in regional anti-trafficking efforts (United States Department of State, 2023). The regional impacts are clear, ranging from refugee burdens in neighboring countries to an increase in transnational crime at borders and kidnapping of citizens for scam compounds. However, ASEAN's response to the situation in Myanmar is still considered ineffective, which indirectly exacerbates the problem of human trafficking in the MTC.

Although ASEAN has formulated frameworks such as the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), implementation on the ground is often

hampered by a lack of strong coordination and slow consensus among member states. The involvement of well-structured transnational syndicates, involving mafias from various countries including China, Mexico, Japan and Russia, shows that these crimes operate outside of legal control and create "criminal mini-states" in poorly regulated border areas (Agustin, J. C. 2025). The phenomenon of scam compounds operating in special economic zones or areas controlled by non-state actors shows the governance loopholes exploited by syndicates, directly eroding state sovereignty and undermining governance.

Ultimately, ASEAN's inability to more effectively address the situation in Myanmar and, in turn, the issue of human trafficking in the MLTC, risks eroding ASEAN's legitimacy and effectiveness as a security community bent on building collective stability. This underscores that the "securitization" of human trafficking - that is, the recognition that it is a pressing security threat - requires comprehensive action, not just rhetoric, and may demand revisions to established principles such as non-interference to address pressing cross-border threats. (Martinus, A., & Aridati, I. A.2025) Human trafficking requires not only strong law enforcement, but also bold dialogue

and cooperation mechanisms to transcend traditional boundaries of sovereignty for the sake of collective security, signaling the need for the evolution of the "ASEAN Way" itself.

2. ASEAN Regional Response: International Regime Ambiguity in the Face of Adaptive Threats and Internal Political Dynamics

ASEAN has actually responded to this challenge through the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) which was signed in 2015 and came into force in 2017. In addition, A SEAN also adopted a Regional Plan of Action (RPA) that supports the implementation of the ACTIP. These documents are evidence of regional awareness of the seriousness of the issue of human trafficking.

However, the effectiveness of ACTIP and RPA implementation is still limited. Member states have not fully harmonized national regulations with the conventions, and weaknesses remain in reporting, victim protection, and cross-border enforcement (ASEAN Secretariat, 2020; IOM, 2021). One of the main obstacles is the principle of non-intervention and state sovereignty, which hinders ASEAN intervention when gross human rights

violations occur, such as in the case of Rohingya refugees in Myanmar.

On the other hand, there are countries such as Thailand and Vietnam that have shown progress in legal reform and bilateral cooperation. However, these efforts are still not enough to create structural change in the region, especially in countries with weak legal systems such as Myanmar and Laos.

a. **Chronic Implementation Gap: From Norm to Fragmented Reality.**

Although the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) has established clear principles, norms, and rules for prevention, prosecution, and protection, and ratification by most member states indicates an initial normative commitment and collective recognition of the issue at the regional elite level (Agustin, 2025), implementation realities on the ground show substantial gaps. ASEAN implementation progress reports consistently highlight persistent discrepancies between written commitments and actual practice (ASEAN Secretariat, 2022; U.S. Department of State, 2024). This indicates that while the legal framework and political will are in place, the real challenge lies in translating regional norms into effective and coordinated national policies.

One significant challenge is the different legal definitions of human trafficking between member states. This often hinders cross-border cooperation in prosecution and extradition, creating "legal loopholes" that syndicates exploit (Redalyc, n.d.). Furthermore, uneven legislative capacity and law enforcement infrastructure across member states, for example, the stark difference in the presence of trained and funded specialized anti-trafficking units between Laos or Cambodia and Thailand further widens this implementation gap (ASEAN Secretariat, 2022; U.S. Department of State, 2024). This phenomenon, which creates a "jurisdictional gap," is cleverly exploited by syndicates that adapt to differences in regulation and law enforcement capacity to avoid capture (SOAS University of London, 2025; GIATOC 2025). This consistently supports the argument in regime theory that the implementation of international agreements is heavily influenced by the domestic capacity, national priorities, and political will of member states, beyond the mere intentions expressed in formal documents. This suggests that legal harmonization and equitable capacity building among member states are key to closing these gaps, shifting the focus

from mere normative commitments to concerted practical action to combat transnational crime.

b. **The Dilemma of the 'ASEAN Way': A Consensus that Paralyzes the Need for Swift and Decisive Responses in the Midst of a Smoldering Crisis.**

The "ASEAN Way" principle of consensus, non-interference in the internal affairs of member states, and a voluntary approach (Acharya, 2001) is often a double-edged sword in dealing with transnational crimes such as human trafficking. While this approach successfully promotes regional unity and stability by avoiding open conflict, in the context of transnational crimes that require a quick, decisive, and coordinated response, the "ASEAN Way" sometimes hinders deeper policy harmonization and strong law enforcement action. For example, obstacles in sharing real-time intelligence or launching joint operations often arise due to concerns of sovereignty violations.

In the case of scam compounds in Myanmar's non-centrally controlled areas, ASEAN struggled to act decisively as the principle of non-interference limited their ability to pressure Myanmar to crack down (Human Rights Watch, 2023). This suggests that ASEAN's regime structure, while successful on certain issues, lacks agility and effectiveness in dealing with dynamic and organized Non-Traditional Security (NTS) threats, especially when such threats are rooted in members' internal conflicts. The conflict between the principle of sovereignty and collective security needs becomes apparent in this context. The implication is that while the ASEAN Way has built a foundation of stability, the model is now being tested by the borderless nature of transnational crime, demanding adaptation and possible recalibration of its underlying principles to ensure a more adaptive and cohesive response.

c. **Systemic Corruption in the Implementation of Anti-Trafficking Regimes undermines Trust and Accountability.**

Data analysis from Transparency International (2023) and UNODC (2021) consistently highlights rampant corruption at several levels of government and law enforcement agencies in MLTC countries. This corruption serves as a "lubricant" for the operations of illegal syndicates, allowing them to buy impunity, obtain sensitive operational information, and maintain their complex networks. It directly undermines the effectiveness of the ACTIP as a regime, as the norms

of law enforcement and prosecution cannot be impartially enforced, but rather are often manipulated for the personal benefit of syndicates and corrupt officials. This corruption is not just a domestic problem; it creates an environment that allows transnational crime to flourish unhindered, thus becoming a substantial regional security issue.

Regime theory recognizes that implementation challenges can stem from internal issues such as corruption, which can potentially affect trust and compliance among regime members, and can even create opportunities for "shadow regimes" that support crime. As such, efforts to strengthen ASEAN regional cooperation in combating human trafficking have the opportunity to fundamentally address these root causes of corruption. Through clean and accountable governance, any legal and operational initiatives can continue to progress without significant obstacles to achieving effective goals (Transparency International, 2024). This means that an effective regional response depends not only on formal legal frameworks, but also on internal governance reforms in individual member states to close loopholes potentially exploited by criminal networks, thus paving the way for stronger collaboration and better outcomes

d. The Victim Protection Crisis of Inhumanity Threatens Regime Legitimacy and Sustainability.

Regime theory recognizes that implementation challenges can stem from internal issues such as corruption, which can potentially affect trust and compliance among regime members, and can even create opportunities for "shadow regimes" that support crime. As such, efforts to strengthen ASEAN regional cooperation in combating human trafficking have the opportunity to fundamentally address these root causes of corruption. Through clean and accountable governance, any legal and operational initiatives can continue to progress without significant obstacles to achieving effective goals (Transparency International, 2024). This means that an effective regional response depends not only on formal legal frameworks, but also on internal governance reforms in individual member states to close loopholes potentially exploited by criminal networks, thus paving the way for stronger collaboration and better outcomes.

This challenge is compounded by the lack of effective restitution mechanisms for victims, which often leaves them without compensation for their losses and suffering. Additionally, fears of deportation, deep social stigmatization, or potential

retaliation from syndicates, significantly affect victims' willingness to come forward (Global Initiative Against Transnational Organized Crime, 2025). This situation presents a crucial complexity: on the one hand, victims are a vital source of information for prosecution, but on the other hand, their lack of security and support makes them less likely to cooperate, which can affect the justice process.

Limitations in protecting and empowering victims not only affect the fulfillment of fundamental human rights, but also significantly impact prosecution efforts. Without credible testimonies and evidence from victims, it becomes more difficult to build a strong criminal case and convict perpetrators, so law enforcement processes can face obstacles (UNODC, 2023). This confirms that any limitations in providing holistic protection for victims can affect the criminal justice chain, potentially turning victims into elements that require more attention in the law enforcement system instead of valuable assets.

If a regime, such as the ACTIP, faces challenges in protecting its primary constituency - victims of human trafficking - then its legitimacy and potential sustainability can be an important consideration for the public and the international community. The circle of vulnerability can continue, potentially creating space for increased trust between society and government, and strengthening the collective efforts that have been built. This means that the effectiveness of an anti-trafficking regime is not only measured by the number of laws passed or conventions ratified, but also by its concrete ability to provide safety and justice for the most vulnerable. This analysis confirms that holistic and comprehensive victim protection is not only a moral obligation based on humanitarian principles, but a crucial strategic prerequisite to effectively dismantle human trafficking networks and strengthen the credibility and effectiveness of anti-trafficking regimes in the region.

e. Strengthening Adaptive and Resilient Regional Cooperation in the MLTC

This analysis simultaneously reveals both the substantial entrenched challenges and unique strategic opportunities for strengthening ASEAN regional cooperation in countering human trafficking in the MLTC region. Recognizing and addressing these two aspects is key to formulating effective and sustainable policy recommendations that go beyond rhetoric and focus on concrete action and adaptive collaboration.

On the other hand, ASEAN must also strategically leverage innovative opportunities and strategic partnerships for flexible and adaptive responses. This includes the ability to leverage international pressure and public activism as powerful drivers of change. Increased global awareness and pressure from credible reports such as the U.S. Trafficking in Persons Report can be an important lever for ASEAN to drive further political commitment, greater resource allocation, and accountability from its member states (U.S. Department of State, 2023). This analysis shows how external spotlight and global advocacy can serve as positive catalysts, encouraging ASEAN member states to accelerate efforts to tackle human trafficking and demonstrate regional leadership. At the same time, the role of civil society in the MLTC region is critical; they serve as the frontline in keeping the issue relevant on national and regional agendas, while pushing governments to act and increase transparency (ACSC/APF, 2023). This active engagement of civil society creates important synergies, where voices from the grassroots reinforce the legitimacy and urgency of regional efforts, bridging the gap between formal policies and real needs on the ground.

Furthermore, ASEAN should accelerate the rapid adoption of counter-cybercrime technologies. Given the modus operandi shift to increasingly sophisticated cyber scamming, ASEAN should prioritize enhancing cyber investigation and digital forensics capabilities across the region (UNODC, 2023). This emphasizes the importance of modernizing ASEAN law enforcement capacity to align with the evolution of crime, enabling a more proactive and intelligent response in tracking and stopping online syndicate operations. This could involve the establishment of regional centers of excellence for knowledge and technology sharing, the development of secure and encrypted data sharing platforms for cybercrime intelligence, or strategic partnerships with developed countries and technology companies that have expertise in this area, thus creating a connected and responsive response network (Interpol, 2024). This multi-layered approach illustrates the vision to build a resilient cybersecurity ecosystem in ASEAN, leveraging collective strengths and external innovation to surpass the technological challenges syndicates face.

Equally important is broadening and deepening multi-actor partnerships. The effectiveness of the response to human trafficking cannot rely solely on governments. The role of NGOs and civil society organizations in victim identification, provision of

direct assistance, protection services, and advocacy is critical and often the first to reach victims (ASEAN-ACT, 2023). This highlights the value of inclusive collaboration, where the strength and reach of non-governmental organizations complement government efforts, ensuring services reach those most in need efficiently. ASEAN should actively engage NGOs and the private sector, especially technology and telecommunications companies that have the data and capabilities to track scamming activities, to create a more comprehensive response, utilizing their expertise and resources (ILO, 2022). This strategic partnership with the private sector unlocks great potential for innovative and data-driven solutions, turning the challenge of cyber scamming into an opportunity to leverage technology for good, creating a more dynamic and effective response. This multi-actor approach is key to building social resilience to human trafficking and effectively breaking the chain of exploitation.

Finally, and perhaps most challenging, is the need for a pragmatic reorientation of the "ASEAN Way" for non-traditional security, balancing sovereignty and collective responsibility (Acharya, 2001). While the principle of non-interference is important and has shaped ASEAN's identity and cohesion, the organization needs to find a better balance between respect for state sovereignty and the need for a rapid and decisive collective response to non-traditional security threats that know no borders (Emmers, 2005).

This analysis recognizes the historical value of the ASEAN Way while arguing the urgency of adaptation, suggesting that the evolution of this principle is a necessary proactive step to maintain ASEAN's relevance in the face of contemporary threats. This may entail reinterpreting or adjusting the "ASEAN Way" principle to allow for stronger intervention or coordination mechanisms, for example, through the establishment of a regional oversight mechanism with the power to recommend actions to member states, especially in cases of human trafficking that have a clear regional impact and threaten collective stability (ASEAN Secretariat, 2024). This more adaptive approach could strengthen ASEAN's capacity to respond more effectively to cross-border crises, turning a potentially inhibiting principle into a foundation for more dynamic and collectively responsible collaboration. Without a willingness to adapt and slightly loosen the rigidity of the interpretation of this principle, regional efforts will continue to face challenges, but with a spirit of adaptation, this can be an opportunity

to strengthen the security of the entire region.

CONCLUSION

Overall, this analysis concludes that ASEAN has built an important and comprehensive regime foundation through the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), demonstrating a collective commitment to the issue of human trafficking. However, the implementation journey is faced with the complexity of regional dynamics in the Myanmar-Laos-Thailand-Cambodia (MLTC) region, enriched by the growing internal crisis in Myanmar and the evolution of the crime modus operandi into the realm of increasingly sophisticated cyber scamming. This situation suggests room for further optimization and strengthening in the regional response.

The gap between normative framework and practical implementation is a key area for improvement. The principles of the "ASEAN Way," including non-interference, which have fostered regional unity and stability, now inspire discussions on how to adapt approaches to address transnational crimes that require a coordinated response. In addition, variations in legal definitions, law enforcement capacity among member states, as well

as governance challenges related to corruption at several levels of government, underscore areas where harmonization and capacity building can create "legal bridges" and strengthen existing systems. Enhanced victim protection also represents a significant opportunity to strengthen prosecution efforts, optimizing the legitimacy of the regime as a whole.

Amidst these challenges, there are substantial and unique strategic opportunities to strengthen regional cooperation. Constructive use of international pressure and public activism can be key drivers for increased political commitment and resource allocation. Rapid adoption of counter-cybercrime technologies, establishment of regional centers of excellence, and development of secure data-sharing platforms are essential proactive measures to keep pace with the sophistication of modern crime modus operandi. Furthermore, the expansion of multi-actor partnerships involving NGOs, civil society organizations, and the private sector, will build social resilience from the ground up, ensuring a more comprehensive and inclusive response.

Ultimately, the issue of human trafficking, as a tangible manifestation of Non-Traditional Security (NTS), requires a dynamic approach and pragmatic evolution of the "ASEAN

Way." ASEAN has an opportunity to revisit and find an innovative balance between respect for state sovereignty and the essential collective responsibility to protect individuals and strengthen regional stability. A revitalization of high-level political commitment, accompanied by proactive, adaptive, integrated and multi-actor collective action, will ensure sustainable security and human dignity across Southeast Asia. This is an opportunity for ASEAN to further strengthen its role as an empowered and adaptive security community in the face of contemporary challenges.

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