Australian Aid | ASEAN-Australia Counter Trafficking

MEDIA STUDY

The role and influence of media in counter-trafficking in Southeast Asia

2023

love frankie

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Executive Summary

The importance of the role of the media in countering trafficking in persons (TIP) cannot be overstated. Journalists and news outlets play an integral role in breaking stories about TIP, influencing government action, and shaping and reflecting public sentiment. However, they face mounting challenges. In Southeast Asian countries, journalists must navigate a difficult landscape while reporting on TIP. Laws that limit free speech are ubiquitous, including imprecisely worded defamation and misinformation laws which can be used to silence dissent. Complicity and endemic corruption in the region also exposes journalists and media outlets to serious legal, security, and reputational risks.

In addition to precarious legal landscapes, the journalism industry is facing challenging financial times. As people turn increasingly to social media for news and information, the industry has been impacted by falling advertising revenues. Journalism that requires substantial resources such as TIP, is being underfunded. Compounding the underfunding of TIP stories are audiences in Southeast Asian countries that generally do not prioritise TIP as an issue. Journalists have struggled to distil such a complicated issue in a way that is accessible and digestible for audiences especially in local languages. This has resulted in low readership and reach of TIP stories. Given the costs and security risks involved in conducting in-depth reporting on TIP issues, and the uncertainty over whether the reports will resonate with audiences, many journalists and news outlets in Southeast Asia that the risks and costs of reporting on TIP outweigh the benefits.

The current state of reporting on TIP in Southeast Asia is a direct product of this complex operating environment. Informative, surface-level reporting dominates. For journalists and media outlets, these inexpensive and non-inflammatory pieces are the safest way to inform a general public who may or may not be paying attention. International outlets who report on TIP are somewhat better shielded from business and security risks and stories from these sources have been impactful, such as the Thai fisheries stories of 2014/2015 and the Cambodia scam centres in 2022. However, these stories are largely curated for international audiences and do little to move the needle of public apathy in local contexts. And eventually, these stories also succumb to financial pressures and fade away after the initial groundswell.

In response to consumer demand, reporting on TIP has been liable to sensationalism. This may cause more harm by exploiting victims and reinforcing stereotypes. Journalists, editors, and NGOs working on TIP are incentivised to sensationalise their reports as garnering increased attention can simultaneously achieve business, advocacy, and programmatic goals. Overall, the quality of reporting seems to be improving, this is due in part to training programs for journalists reporting on TIP that have been initiated in some Southeast Asian countries. In addition, the ethical standard on TIP reporting has also been improving. While it is hard to determine the extent to which these ethics are applied in the field, editorial teams appear to be making strides in framing, terminology, and protection of victims. Improved quality of journalism is a vital step in garnering more attention and informing local audiences about TIP issues.

Reports that do garner the requisite attention nationally have the power to pressure governments into responding. This may begin as simply acknowledging the issue is happening then framing in a way that shapes responses. Law enforcement approaches are the most common response, with proactive approaches such as awareness raising campaigns and policy or legislative changes being slower to develop. While initial reports may be the catalyst, journalists and media outlets must continue reporting on the responses and initiatives to ensure they are holding governments to account. But journalists and media cannot work alone. The involvement of civil society, political pressure, and public pressure must all converge to influence positive government responses to TIP.

Given the vital role they play, there are a number of opportunities available to help journalists, media, and TIP practitioners better navigate the media landscape in the region and increase appeal of local audiences. There are opportunities to strengthen existing initiatives, such as supporting local journalism, providing media and TIP training to fledgling journalists, and building networks that create environments for stakeholders to share knowledge and experiences. Yet this should be complemented by innovative solutions to help reach new audiences, efforts to reframe TIP issues in each context, and providing for strategic and sustainable reporting and communications that achieve advocacy and policy goals.

Introduction

The challenging environment that journalists and media outlets must navigate in Southeast Asia is well-documented. Imprecisely worded laws, attacks on journalists, threats of arrests, and a lack of access to information are just a few of the serious obstacles that journalists in the region face. Compounding this is an ever-changing media landscape where traditional economic models are faltering and news and media outlets are having to make hard choices to remain financially viable. This has come at the cost of resource-intensive stories and unfortunately, the jobs of some journalists themselves. As some outlets pivot to different business models, new forms of journalism are appearing online, some of which lack the editorial and ethical standards of traditional outlets.

Within this challenging landscape, reporting on trafficking in persons (TIP) in Southeast Asia struggles to attract the coverage it deserves. Suffering from the same issue as global reporting on TIP, media coverage of human trafficking in Southeast Asia tends to overfocus on sex trafficking. A Thomson Reuters survey of 50 activists, lawyers, academics and law enforcers engaged in combating human trafficking globally found that media coverage of modern slavery is often misinformed, unethical in its treatment of survivors, and fixated with the sex trade [1]. The trends of sensationalism and dubious ethics now extend to social media where the rise of crowdsourced reporting and 'alternative' news outlets means journalism standards are not always applied [2].

It can be argued that these types of reports are well-intentioned and simply responding to consumer demand in an attempt to raise awareness of TIP issues. But this points to another problem that impacts reporting on TIP in the region: public empathy and demand to learn about issues such as forced labour and exploitation as well as the root causes and structural forces behind TIP are extremely low. International coverage of TIP issues has proven to be a catalyst to draw attention to some of these under-reported issues. High profile examples such as the Thai Fisheries reporting in 2015 and Cambodia Scam Centers in 2022 helped shine the spotlight on serious exploitation and abuse through English reporting to an international audience. However, while international attention has undeniably been successful in pressuring government response to TIP in the region, the reporting is largely inaccessible to a significant portion of local audiences and therefore does little to move the needle on the issue in local contexts.

1. Large, Timothy, "Sex obsession mars slavery coverage, experts tell journalists", Thomson Reuters Foundation News, May 2016.
2. Rogers, R. and Niederer, S. (2020) 'The politics of social media manipulation', The Politics of Social Media Manipulation, pp. 19–70.

Stories about human trafficking are first and foremost about people being exploited. But there is a structure that involves the private sector, complicit officials, organised crime, and market forces that work together to allow for human trafficking to thrive. Journalists investigating these relationships are exposing themselves to attacks, arrest, prosecution, and the ever-looming threat that their news outlets could be closed down without warning. Given the costs and security risks involved in conducting in-depth reporting on TIP issues, and the uncertainty if the reports will resonate with audiences, many journalists and news outlets in Southeast Asia simply do not feel it is worth the potential trouble.

Given these challenges and the changing media landscape, the ASEAN-Australia Counter Trafficking program funded by Australian Government commissioned Love Frankie to conduct a study to better understand the role and influence of the media in counter-trafficking in persons responses from October 2022 to March 2023. Specifically, the study was guided by the following overarching research questions:

1. How do laws and policies influence the level of reporting on human trafficking?

2. How does the media report on trafficking cases in Southeast Asia?

3. To what extent are journalistic ethics applied in TIP reporting?

4. How has the media influenced government responses to human trafficking in Southeast Asia?

5. What are the opportunities for government and non-government organisations to use the media for advocacy and reform?

Through this evidence-base, the study aims to contribute to strengthening counter-trafficking initiatives in the region.

Methodology

Given the complexity of TIP in the region, not to mention a highly fragmented media landscape, it is often difficult to draw a direct line from a news report or story to a response from the government. Similarly, issues such as self-censorship and application of ethics are difficult to assess through quantitative research. Therefore, rather than trying to quantify the number of reports, style and/or topic covered and how they correlate to the number of government responses, this study took a qualitative approach to ask journalists and TIP practitioners their perspectives on the role and impact of media and social media, and to better understand their challenges and opinions on how to optimise reporting on TIP in the current and evolving media landscape in Southeast Asia. With this in mind, the study draws on past research reports, grey-sector literature, news reports on TIP, and key informant interviews with journalists and TIP practitioners in the region.

Interviews were conducted with 21 journalists and TIP stakeholders who work in and/or have programs in Cambodia, Indonesia, Laos, Malaysia, the Philippines, Thailand and Vietnam. These interviews were conducted virtually and lasted between 45 and 60 minutes. A semi-structured discussion guide was used for the interviews. To protect the identities of the participants, all names and organisations have been withheld from the report and references to quotations have been anonymised as 'journalist' and 'TIP practitioner' along with their country of origin and/or coverage.

Recruitment of interviewees was highly dependent on the willingness and availability of participants. While a long list included multiple contacts working in each country, uptake was not as strong as anticipated, especially with some local journalists. This may partly be due to the sensitivity of the subject matter, and potential risk to journalists. While the study strived for representation, a journalist from Laos was not interviewed. The research team did however manage to speak to journalists who have extensively covered reports in Laos, but they were regionally and internationally based.
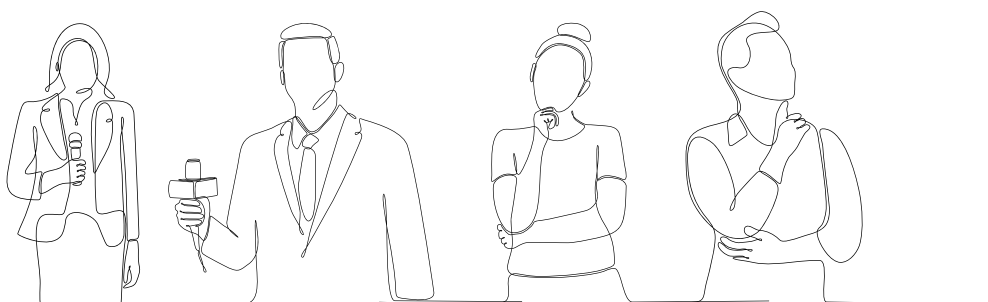
Section 1:
Unpacking the operating environment for trafficking in persons reporting in Southeast Asia

Media outlets and journalists operate in a challenging landscape in Southeast Asia. The region is recognised for its repressive free speech laws, threats of criminal defamation, and even attacks on journalists. Furthermore, media outlets in the region have various levels of state ownership while others are subjected to other influential factors such as political affiliations, corporate interests, and sponsorship pressures. Finally, the region is not immune to the changing landscape of journalism that is putting immense financial pressures on journalists and newsrooms globally. Considering these factors, journalists (and their editors) are constantly searching for the balance between cost of a story and consumer/ audience appetite (i.e. commercial viability) while ensuring they are protected from legal action and reputational damage initiated by governments and other powerful actors.

This landscape influences the extent to which TIP is covered in the region. Trafficking in persons is an immensely complex issue that involves a wide range of actors and industries, not to mention organised criminal activity, complicit government officials, and even large multinational corporations. For journalists who choose to report on TIP and expose these relationships, they risk arrest, having their licence revoked, and threats of criminal and civil defamation charges that can drag out for years. In an industry with limited and diminishing resources for investigative reporting, the risk-reward in pursuing TIP stories is often not perceived as worthwhile to journalists.

Challenging legal landscape

According to the Reporters Without Borders (RSF) 2021 World Press Freedom Index, all Southeast Asian countries of focus in this study ranked below the top 100, with the highest (Indonesia) ranking in 113th place. Factors such as the implementation of new imprecisely worded laws, state-controlled media, and government crackdowns on fake news scored Southeast Asian countries at the lower end of the Index [3]. Many new laws and approaches to misinformation and fake news have been borne out of the COVID-19 pandemic but their broad wording and interpretation extends far beyond their intended use, causing concerns for journalists, TIP practitioners and citizens, alike.

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3. Parameswaran, Prashanth, "Confronting Southeast Asia's Troubled Media Landscape." The Diplomat. 2021.

Freedom of expression, to a degree

Each of the seven countries explored in this study has some guarantees of freedom of expression and/or a free press in their constitutions or other laws and declarations.

For instance, Indonesia has some of the most progressive laws in the region for freedom of expressions and speech. The 1945 Constitution of the Republic of Indonesia, guarantees freedom of expression in several articles. The second amendment of the UUD 1945 and the Human Rights Law No 39/1999 guaranteed the right to information and media for citizens. Two policies in the post reformasi period constitute the main media regulatory framework (the Press Law No 40/1999 and the Broadcasting Law No 32/2002) have ensured the basic precondition for citizens to practice the freedom of expression and speech [4].

In Thailand, the 2007 Constitution of the Kingdom of Thailand includes a generic guarantee of freedom of expression. It also prohibits the closure or banning of media outlets and prior censorship, as well as state subsidies to private media [5].

In the Philippines, the 1987 Constitution of the Republic of the Philippines recognises "the vital role of communication and information in nation-building". It contains the general guarantee of freedom of expression, which is modelled on the Constitution of the United States, providing: "No law shall be passed abridging the freedom of speech [or] of expression".

Malaysia ostensibly has a vibrant and cosmopolitan media sector and press freedom is theoretically guaranteed by article 10 of the constitution, which provides for the freedom of expression.

Some countries have language already written into the laws and declarations that limits this notion of freedom of expression. Thailand's freedom of expression comes with restrictions as provided for by law for various purposes, including protection of security, the rights of others and maintaining public health and morals [6].

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4. Nugroho, Y., Siregar, M. F., & Laksmi, S. (2012). Mapping media policy in Indonesia. (Engaging Media, Empowering Society: Assessing media policy and governance in Indonesia through the lens of citizens' rights). CIPG and Hivos.
5. Mendel, Toby. 2010. "Audiovisual Media Policy, Regulation and Independence in Southeast Asia." Open Society Institute.
6. Ibid

The Constitution of the Kingdom of Cambodia states in Article 31 that the country shall recognise and respect human rights as stipulated in the United Nations Charter and the Universal Declaration including freedom of expression. However, the constitution stipulates that this right cannot be exercised in a manner that "impinge[s] on the dignity of others, to affect the good mores and custom of society, public order and national security" [7].

Similarly, in Vietnam, the 1992 Constitution of the Socialist Republic of Vietnam guarantees freedom of opinion and speech and of the press, and the right to be informed. It provides that the state shall promote "information work, the press, radio, television, cinema, publishing, libraries and other means of mass communication". It also states: "Shall be strictly banned all activities in the fields of culture and information that are detrimental to national interests, and destructive of the personality, morals, and fine lifeway of the Vietnamese."

And in Laos, the 1991 Constitution of the Lao People's Democratic Republic protects the right of citizens to freedom of speech and of the press. While there does not appear to be a clause authorising restrictions, Article 19 provides that the state "eliminates all negative phenomena in the ideological and cultural spheres".
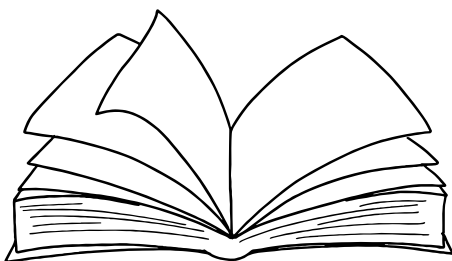
7. Constitution of the Kingdom of Cambodia, Article 41.

Non-media regulating laws are the most concerning, with criminal defamation laws the most troublesome for journalists

For journalists and media outlets, it is the non-media regulating laws that pose the largest potential problems. Even among the countries that ostensibly have a degree of media and press freedom, these imprecisely-worded and broadly-interpreted laws prove to be the most difficult to navigate.

For instance, in Malaysia, the Communications and Multimedia Act may influence the issuance of media licences, and legislation allows the authorities to jail journalists accused of violating the 1948 Sedition Act and 1972 Official Secrets Act [8]. And Thailand's Criminal Code and Computer Crimes Act can be concerning for journalists.

Indeed, some of these laws have been in place for years, if not decades; however, since the COVID-19 pandemic, governments have tightened some of these laws in response to misinformation and fake news. In April 2020, Vietnam began introducing fines for "fake news". In 2021, Thailand proposed new regulations under their Computer Crimes Act to tackle fake news. In Malaysia, the 2021 "anti-fake news" emergency ordinance gives the government the power to demand the removal of any report it regards as "false" [9]. And in the Philippines, bills addressing fake news have been proposed since 2017 with the latest seeking to classify fake news as a cybercrime [10].

The laws as written already pose challenges for journalists and media outlets who cover human trafficking stories, yet it is the ambiguity in the laws that is most difficult to manage. Among the many criticisms of the laws is the seemingly intentionally vague wording which results in their application being determined by subjective factors. One international journalist who covers TIP stories in the region stated that the loose wording of the laws opens their interpretation up to political and corporate influence. Without clear definitions and boundaries, navigating the environment is especially difficult. *"We don't know at what point you could be arrested then sentenced by some ludicrous judge if you can't plan around the law"*, they mentioned this referencing Cambodia and Laos in particular. A Malaysian journalist recalled he was "invited for questioning" by police over an investigative report. *"While it was friendly in nature, it was clear they were not happy with the reporting"*, they mentioned. The journalist went on to detail that in Malaysia the Ministry of Home Affairs controls all media licences. This Ministry also happens to have under its authority Policy and Enforcement (including Immigration Affairs Division and the Council for Anti-trafficking in Persons and Anti-Smuggling of Migrants through National Strategic Office to the Council) and Security (including the Police and Border Security Division).

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8. Reporters without Borders, Malaysia Country Profile (accessed 20 February 2023)
9. *Ibid*
10. Philippines Institute for Development Studies, "Why journalists, media literacy advocates oppose anti-fake news bills", 8 December 2022

Table 1: Overview of non-media regulating laws in the focus ASEAN countries

Cambodia	Article 305 of Criminal Code (Defamation)
Indonesia	Electronic Transaction and Information Law
Lao PDR	Article 65 "uses propaganda to slander the Lao PDR"
Malaysia	Sedition Act, Official Secrets Act, Communications and Multimedia Act
Philippines	Criminal libel law and 2012 Cybercrime Prevention Act
Thailand	Penal Code section 328 on defamation
Vietnam	Crimes Infringing upon Human Life, Health, Dignity and Honour

Research participants point to these laws as the most significant factor influencing the culture of self-censorship on TIP in the region. Indeed, the threat of criminal defamation is compounded by the fact that individuals steer well clear of the prohibited zone, which is itself often unduly broad, so as to avoid any risk of sanction [11].

"There is no incentive to talk about [TIP] issues seriously."

--Thai journalist

An international journalist added that the legal environment means *"critical journalism can be suppressed due to the overarching laws, which means self-censorship is prevalent"*, adding that any reporting on TIP issues "manifests itself as meeting a vague standard". They also highlighted a report on forced labour in Malaysia that *"was delayed as it needed to be 'approved' as the government did not want to accept that forced labour existed. Those hurdles turn journalists off of reporting on issues."*

A Thai TIP practitioner highlighted that charges and cases can take years to process; emotionally and financially draining those targeted. The concern of defamation also extends to civil society as non-governmental organisations (NGOs) in particular have different levels of registration and legitimacy depending on the country. *"NGOs can get into trouble for being too outspoken"*, remarked one TIP practitioner working in the region. These organisations can be threatened with having their registration revoked if they offend the authorities.

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11. Downman, Scott. 2013. "Victims of Exploitation or Victims of the Media: Rethinking Media Coverage of Human Trafficking." Ethical Space 10 (2/3): 63–71.

Case Study:
Researching migrant worker rights in Thailand

The widely reported cases of Andy Hall of Finnwatch and Ms. Chutima Sidasathian and Mr. Alan Morison of The Phuketwan had criminal defamation cases brought against them in 2015.

Hall conducted interviews with migrant workers of the Natural Fruit Co. Ltd. for the Finnwatch report Cheap Has a High Price, published in 2013. Worker interviewees' testimonies detailed allegations of violations of labour and human rights at the Natural Fruit plant in Southern Thailand.

Andy Hall was convicted of defamation in 2016, although this was overturned in 2020. Two civil defamation cases were also raised. Mr. Hall was acquitted of one charge while the other was dropped. The journalists from the Phuketwan were also acquitted, though the 30-month ordeal forced Mr. Morrison to close the news outlet and cost him his personal savings.

A quote by Andy Hall published by Finnwatch:

"I welcome today's final ruling in this case. But after years of ongoing judicial harassment that has taken a heavy toll on me, my family and my colleagues, the verdict does not feel like a victory. My activism for over a decade in Thailand was intended only to promote and uphold the fundamental rights of millions of migrant workers in the country. These workers continue to find themselves without a voice in high risk situations of forced labour and subject to systemic human and labour rights violations in global supply chains. I remain open to reconciliation to put an end once and for all to this continued irrational cycle of litigation against me and my colleagues that remain in Thailand."

https://finnwatch.org/en/news/743-thailand%E2%80%99s-supreme-court-rules-in-favour-of-andy-hall-in-criminal-defamation-and-computer-crimes-case

Lack of access to information inhibits reporting

Another factor important to journalists that is largely absent in the region, is access to free and reliable information and data. For journalists, the process of accessing official sources, data, and information for news reports is an extremely difficult task.

"We must substantiate interviews with data collection but that's hard to do in Malaysia as there is not a lot of data"

--Malaysian journalist.

Thai journalists interviewed mentioned that requests for access to government data are often rejected. An international journalist who covers TIP stressed the importance of "building an unbreakable case" saying they have relied on ethical hackers, open source intelligence, and satellite imagery in past stories. A journalist from Vietnam added to the importance of building a strong story with various data points and pieces of evidence. "*You must make sure the argument in your story is tight; if there is a way for (the government) to poke holes in it then that is a problem. It must have logical evidence.*" Access to information, including open data, technologies and development of data standards, is another fundamental element for such an enabling and conducive environment and impacts journalists' capacity to do investigations [12].

12. Transparency Experts' Working Group - APEC. 2022. "Panel Discussion on Empowering the Media's Inclusion in the Fight against Corruption." APEC.

Complexity of Trafficking in Persons

Trafficking in persons is an immensely complicated topic for journalists to cover. While most stories rightfully focus on victims and survivors of trafficking, the ecosystem in which trafficking exists is highly nuanced, spreading from high-ranking government officials to individual consumers. Deciding which stories to cover within this ecosystem is a challenging task for journalists, with a number of risks to consider.

Government complicity complicates TIP reporting

Human trafficking in the region operates in an elaborate structure that involves a range of actors, businesses, industries, and government officials. Trafficking-related corruption is committed by a range of government officials from junior law enforcement officers to senior officials at the highest level [13].

"Corruption occurs at every level of the trafficking journey", stated one international journalist, describing trafficking in persons as a *"superstructure"* involving *"market factors, geopolitical laws and corruption"*. From recruitment, to document falsification, to illegal movements across borders, to allowing illegal activities to persist, a large network of corruption facilitates trafficking in persons. Corruption by the police and the judiciary emboldens human traffickers to operate with impunity, contributes to the loss of public trust, and facilitates the further victimisation of the very individuals they are supposed to protect from crime [14].

Research by UNODC points out that TIP could not occur on a large scale without corruption. It notes that "TIP and corruption are closely linked criminal activities" [15]. Investigating these activities incurs a large amount of risk for journalists. *"Corruption in TIP is under-reported. No one wants to touch high-ranking people"*, explained a TIP practitioner working in Cambodia. Aside from exposing journalists to risk, ingrained corruption also discourages access to informants and whistleblowers. A Thai journalist noted that *"corruption in Thailand prohibits authorities to speak about the topic. There are cases of whistleblowers being bullied, even to the point that they have to flee the country."* Corruption continues to undermine anti-trafficking efforts in Thailand with government officials directly complicit in trafficking crimes, including through accepting bribes or loans from business owners and brothels that exploit victims. Immigration officials are also reported to be accepting bribes from brokers and smugglers along the Thai borders [16].

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13. US Department of State, Office to Monitor and Combat Trafficking in Persons, 2022 Trafficking in Persons Report.
14. *Ibid*
15. *Ibid*
16. US Department of State, Office to Monitor and Combat Trafficking in Persons, 2022 Trafficking in Persons Report: Thailand

A complicated topic for the audience to digest

In addition to the legal and security risks involved, the complexity of trafficking in persons makes reporting on the topic to the general public very challenging. Being able to distil a complicated issue in a way that is accessible and digestible for audiences is a challenge journalists continue to face.

"Whenever I start talking about [TIP and] people's eyes glaze over, cause it's so big."

--international TIP practitioner working in the region.

One major issue highlighted by the research participants that has fueled confusion, is the conflation of human trafficking with people smuggling. While human trafficking and migrant smuggling can intersect, this is lost on audiences not directly involved. By conflating smuggling and trafficking, the general population in the region do not recognise they are distinct crimes - with trafficking being a crime against a person for the purpose of exploitation and smuggling being a crime against the state for the purpose of crossing borders.

"We must be careful about terminology when referring to migrants."

-- Thai journalist

The concepts and nuances of TIP are also difficult for the general public to understand, especially in their own languages.

"Many NGOs and organisations use English (in their work) and use difficult, complicated terms that are not very accessible"

-- Malaysian TIP practitioner

A TIP practitioner based in Thailand added that *"journalists struggle to find a way to discuss the topic that is accessible but also accurate"* emphasising that detail is often needed to truly understand a story. In reference to reports on the scam centres in Cambodia and Myanmar, a TIP practitioner felt it was hard for audiences to understand how the victims could be tricked into the situation, which led to attitudes of victim-blaming.

TIP refers to all forms of exploitation for the benefit of a third party, such as debt bondage, child labour, forced labour, forced marriage, forced begging and the removal of organs [17]. Within these issues are countless nuances and stories, many of which have been reported on extensively in the past. However, journalists as well as civil society continue to grapple with how to make people understand and care about such a pervasive and abusive phenomenon.

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17. See Article 3 of Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, 15 November 2000.

Precarious State of Journalism

Journalists and media outlets in Southeast Asia are facing the same challenges that the industry faces globally. As audiences turn to social media for news, advertising revenues have fallen for traditional news outlets. This is certainly due in some part to strict media controls in the region, where citizens see social media as a more trustworthy and truthful source of news. The results of this changing economic landscape means there is less money available for newsrooms, particularly those who chase resource-intensive stories. This also means that media outlets must be more conscious of ties with ownership and sponsors to ensure reporting will not offend anyone who could adversely affect their bottom lines.

Financial challenges facing journalism

Many news organisations globally are facing severe economic challenges due largely to shrinking advertising revenues. Outlets have been forced to reduce staff or shut down altogether. The impact of the COVID-19 pandemic dealt a further blow to the economic viability of already-struggling news outlets [18].

Several news outlets in the region have had to cut salaries or even lay off journalists over the last five years. For instance, in 2019 thousands of workers were laid off when the paper Utusan Malaysia abruptly closed down while more than 1,000 workers were laid off by the owner of the New Strait Times, Berita Harian and Harian Metro as well as four television channels [19]. In the same year, more than 800 media workers were laid off in Thailand, including at least 100 affected by the stopping of publication of print-versions of The Nation and Post Today newspapers [20]. On 12 October 2020, The Jakarta Post, one of Indonesia's best-known independent newspapers, encouraged its employees to resign resulting in over 20 resignations [21]. Tempo, another leading independent outlet in Indonesia, also laid off some of their journalists in September 2020 [22]. In the Philippines, some were forced to close down after cutting pay and personnel [23].

These are only indicative examples of the economic struggles facing journalism in the region [24]. While some outlets are looking to new business models, such as direct-reader donations, or subscriptions, the reality is the industry is struggling to adequately fund journalism that needs substantial resources. Research participants were quick to point this out as a major reason why TIP stories in local media are so under covered. TIP is not a one-time event, such as other crimes and events that attract media attention. As such, TIP requires *"intense, beat-like reporting"* according to one international journalist. For investigative journalists, reporting often involves months-long processes of interviewing, data collection, and writing. In addition, investigative journalism has more procedures and importantly, clear repercussions for mistakes. Therefore, strong editorial and legal teams are needed to help navigate the scope of what investigative journalism can do in legal and regulatory terms in different contexts. In short, investigative journalism is a very expensive endeavour for journalists and media outlets.

18. UNESCO, World Trends in Freedom of Expression and Media Development, 2021/2022
19. International Federation of Journalists, Malaysia: Questions raised on media ownership after mass layoffs announced, 2019
20. The Nation Thailand, Unfairly laid-off media professionals get ready to fight back, Aug 2019.
21. Nurbaiti, A. (2020, October 28). Journalists face risk of COVID1-9 infection, pay cuts and job losses. The Jakarta Post.
22. Hutton, J. (2021, January 28). Indonesia news outlets start 2021 with layoffs, as Covid-19 pandemic saps ad spending. The Straits Times.
23. Elemia, C. (2020, August 15). Closure, job cuts: Why COVID-19 spells death for community journalism. Rappler.
24. See: UNESCO, World Trends in Freedom of Expression and Media Development, 2021/2022

"Deep-rooted, long-form, long-term journalism is extraordinarily expensive. Sometimes a story will take a year and will be incredibly powerful and nobody will pay attention. Very few organisations have the resources to invest in that."

--TIP practitioner who works closely with journalists in Southeast Asia

Without the resources to dedicate, the result is "*thinner, faster journalism, not deeper and longer*", an international journalist stated. The knock-on effect of the lack of investment is ad-hoc, haphazard reporting that does not tell the whole story. Under-resourced departments mean editors must apply quick deadlines to stories resulting in "*quick and dirty type of sensational article that sensitises people and they walk away more ambivalent and confused than informed*", stated a regional TIP practitioner. With no financial support from government institutions, independent media organisations need to look for other sources of funding to stay in business and maintain their editorial independence [25].

Media ownership another complicating factor

The complexity of ownership, sponsorship, and politics is another factor that journalists must navigate. Political influence and the high concentration of media ownership can have massive editorial effects on TIP reporting.

Over the 41 media outlets studied by the Media Ownership Monitor in Cambodia, at least 10 of them belong to politically affiliated owners representing about 43% of the print readership, 63% of the TV viewership, 8% of the radio listenership [26].   In the Philippines, despite a high number of existing media outlets and despite being described as one of the most freewheeling media systems in the region, the media continues to be owned by and to depend on the economic and political elite [27]. In Thailand, the government largely own television and radio channels, while print media are mostly independently run. In Indonesia, most analog media outlets, especially television stations, have become politically affiliated whose private interests often determine the topics they cover [28]. And in Malaysia there is a high concentration of media ownership. For example, Media Prima, a large conglomerate owns four television channels (TV3, 8TV, ntv7 and TV9), Malaysia's largest publisher (The New Straits Times Press Berhad) with three national news brands (News Straits Times, Berita Harian and Harian Metro) and four broadcasts (Hot FM, Buletin FM, Fly FM and 8FM). Additionally, the group's advertising and digital arm, Media Prima Omnia and REV media Group, has its services currently reaching 98% of Malaysian households [29].

25. Envisioning Media Freedom and Independence: Narratives from Southeast Asia Publication Year: 2021.
26. Media Ownership Monitor, Cambodia - 2018.
27. Media Ownership Monitor, Philippines - 2016.
28. Wongrujira, Monwipa. (2008). Stakeholder Analysis of Communication Policy Reform in Thailand. SSRN Electronic Journal. 10.2139/ssrn.1572280.
29. Centre for International Journalism, "Malaysian Media Landscape Brief 2021."

The effects of these ownership structures means reporting on human trafficking can be subject to a level of editorial censorship, especially if influential parties are implicated. Interviewees mentioned that senior management can quickly stop a story or refuse to report a story if high-ranking officials or sponsors may be involved. As most media outlets in Southeast Asia do not charge consumers for their content, they must rely on advertising and sponsorships giving significant influence to companies.

"Commercial interests carry a lot of weight. Who are the sponsors? Who is connected to the story? Even negative backlash on social media has affected coverage in the past."

-- Malaysian Journalist

The journalist also recalled an instance when a pitched story was not approved until they verified that the organisation subject to the investigation was not a sponsor. A TIP practitioner also commented that journalists in Indonesia are involved in fundraising and had placed ads from recruitment agencies in the newspaper. "This sponsorship can result in reports being stopped or censored by editors and senior management", they added.

Section 2:
How reporting on TIP manifests in Southeast Asia

The previous section attempted to address the major factors in the media landscape in Southeast Asia, and its direct and profound impact on TIP reporting. Uncertain and inconsistent application of laws combined with the sheer expense of thorough, investigative journalism makes this type of in-depth reporting the exception rather than the norm. Add-in public apathy towards human trafficking issues and the result is conventional reporting that is formulaic and surface-level. Not only does this manifest itself in the lack of in-depth coverage, but reporting on these issues (notably sexual exploitation) is liable to be sensationalised in an attempt to attract a larger audience. That said, research participants suggest that there has been an overall improvement in the quality of reporting as well as the application of ethical standards in recent years, crediting training programs for journalists on TIP issues.

Types of TIP reporting in the region

Coverage of TIP stories falls broadly into two categories: investigative journalism, and conventional reporting. Investigative journalism is a resource intensive, in-depth form of reporting that involves a long-term process of data collection, interviewing, and editorial review. Conventional pieces on the other hand, simply inform the public of events. They are typically one-off stories that describe an event or reprint a story from an official source without providing additional commentary or verification. It is important to highlight these types of reporting with respect to TIP as they manifest slightly differently.

Notably, investigative pieces are typically aimed at English-speaking and international audiences. Conventional pieces are conversely aimed at local audiences and produced in local languages (though English versions are produced where English-language media outlets exist). Conventional TIP reporting far outweighs investigative reporting, which is certainly not different from other regions; however, those interviewed for this study reported a particular level of lethargy in conventional reporting in Southeast Asia attributable to the landscapes in which they operate.

Investigative reporting on TIP is aimed at international audiences

There are many excellent examples of investigative reports in Southeast Asia that have undoubtedly helped raise the seriousness of human trafficking and led directly to government responses. Prominent examples include the Associated Press/Guardian/New York Times investigations into the Thai fishing industry in 2014-2015 and the 2022 Cambodia Scam Centre reporting by Al Jazeera and VOD Cambodia. In 2022, Rappler in the Philippines uncovered instances of widespread wage theft and other forms of exploitation of Filipino truckers working for companies in Eastern Europe.

These and other investigative reports are at minimum, months-long pieces that detail the problem and follow the response of the government. In some instances, funding for the efforts have come from NGOs or other organisations who have interest in the subject.

In cases where a real groundswell of support and interest develops, boutique websites or series are made dedicated to the stories as in the case of the AP investigation into Thai fisheries and the Cambodian Scam Centers by VOD Cambodia. This provides a stand-alone resource that is updated as the story develops to provide audiences with a platform to follow the story.
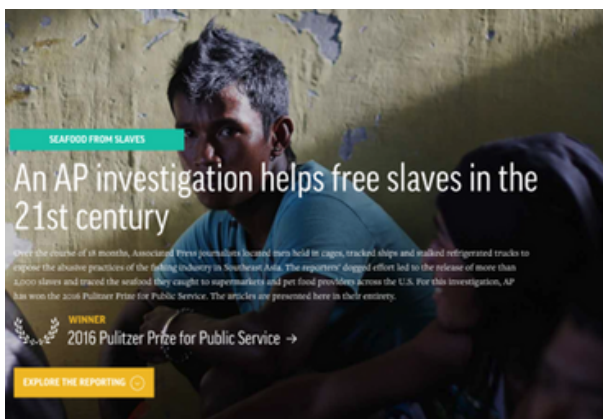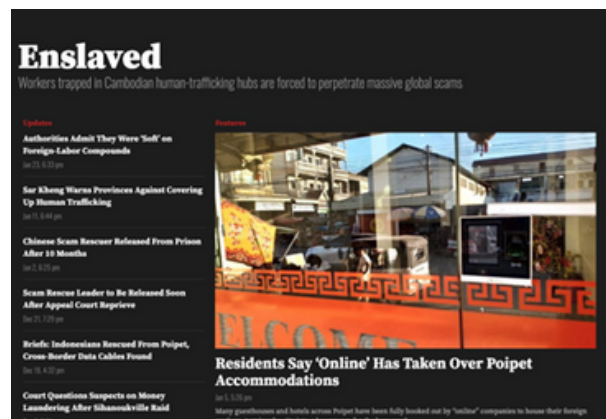

Image: https://www.ap.org/explore/seafood-from-slaves/

Image: https://vodenglish.news/enslaved/

Despite this impressive work, a common trend highlighted by research participants and noticeable in the research is that most investigative reports are primarily aimed at an English-speaking audience. This trend can be attributed to a few reasons; namely, the high cost to produce these stories, limited interest from domestic audiences, the desire to draw international attention, and increase pressure on governments to react.

"Our partners say they need the international press. The local press is important but there is a disconnect between local language papers and English language papers with interest levels and audiences you're reaching."

--TIP practitioner who works with journalists

A TIP practitioner working in Cambodia also highlighted that the local Cambodian audience (and media) is not very interested in the scam centre story as it's primarily aimed at an international audience. Indeed, interviewees generally feel that English reporting lessens the potential impact for local audiences. "Investigative journalism has a barrier that they circulate on short runways for narrow audiences typically in English for a highly literate and often wealthy audience", one international journalist highlighted. An Indonesian journalist remarked that the "international media does not create local awareness of the topic."

"Local language reporting is important to legitimise stories and give people access to stories about their communities".

--TIP Practitioner

Table 3:
Differences between conventional and investigative reporting [30]

Conventional	Investigative
• Conventional reporters simply report based on what information is published.	• Information cannot be published until its coherence and completeness are assured that it is an actual fact.
• Research is completed swiftly without additional verification.	• Investigative journalism will look deeper at an issue and verify. Research can continue even after the story is confirmed for additional investigations.
• Story is based on a necessary minimum of information and can be very short.	• Can be a long process, from up to three to six months.
• Declarations of sources can substitute for documentation.	• The reportage requires documentation to support or deny the declaration of sources. Verification must be done, quite often with multiple resources, before publishing a story.
• The good faith of sources is presumed, often without verification. Day-to-day reporters would simply quote whatever a person said in an interview.	• The good faith of sources cannot be presumed. The sources may provide false information and none of the information provided by sources can be used without additional verification.
• Official sources are reported, accepted and printed without additional commentary.	• Investigative journalists can challenge the investigation and the official version of a story based on information from different sources.
• Sources are nearly always identified.	• Sources often cannot be identified for security reasons.
• Errors may be committed, but they are usually without importance and can be corrected on the next day.	• The risks are very different with investigation and publication of a story. Investigative reporter must continuously challenge and verify through independent sources. In case of a mistake, the reporter will be liable both personally and also for the organisation. Errors expose the reporter to sanctions and can destroy the credibility of the media organisation.

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30. Hunter, Mark Lee, "Story-based inquiry: a manual for investigative journalists", 2011.

Having a story elevated to an international audience is generally impactful and many journalists and NGOs strive for this attention. However, a number of interviewees also commented that garnering international attention and partnerships does not follow a tried and true formula. Many point to the impactful and excellent TIP coverage by local media in Southeast Asia that goes largely unnoticed by the international community. However, it is not always clear why stories suddenly get picked up by international news outlets or attract international attention:

"There's a lot of news that exists at the local level related to (TIP) that we don't really know how it eventually pops into the international realm...I wish I understood the formula that would allow us to identify how to take some of these issues and get it to a level where people are like 'wow, this is a terrible thing'."

<div align="right">--Regional TIP practitioner</div>

Another TIP practitioner suggested the tough nature in which local reporters operate in Southeast Asia is a major barrier to garnering international attention more regularly. They argue that there must be an environment where "local journalists are able to tell the stories and what they're seeing around them". By not being able to conduct proper investigative stories, including accessing information to substantiate a story, it is hard to have a credible story that attracts attention. A journalist from the region felt that there is local interest in TIP stories, but the quality of both mainstream and social media is not strong enough to effectively raise awareness.

But even the most high-profile stories eventually fade, with waning interest and high costs of reporting the main factors. "Some international outlets have people who regularly follow trafficking in various forms and cover it year over year, but not intensely", mentioned one international journalist. Even with these large stories, "the storm eventually rolls over as there is no sustained reporting", they added.

A Malaysian journalist commented that "newsrooms generally don't give you a lot of support when it comes to investigative work". They added that there are editorial priorities such as packaging the deliverables, word choice (for sensitivities), and legal clearance. Even at this stage, upper management who are concerned with the bottom line will change priorities once public interest in the story wanes. Another TIP practitioner supported this notion highlighting that "a lot of the decisions of what is covered is made by editors. There are smart, dedicated reporters who would be really interested in covering a topic for two years but resources are at a premium." This poses a major challenge to TIP reporting since it is such a long-term and complex situation.

"It has been periodic interest followed by long periods of neglect".

<div align="right">--TIP Practitioner</div>

Conventional reporting on TIP is general and formulaic

Interviewees stated that media coverage of human trafficking in Southeast Asia is overly simplified with many news outlets simply reprinting press releases from the government. Oftentimes these releases depict law enforcement responses (e.g. arrests or raids).

These news reports follow a similar script: a headline describing the event; photos including the perpetrators or victims alongside police or authorities; descriptions of the number of victims and/or arrests; and charges against perpetrators.

A. photos including the perpetrators or victims alongside police or authorities

B. headline describing the event

C. descriptions of the number of victims and/or arrests

D. charges against perpetrators
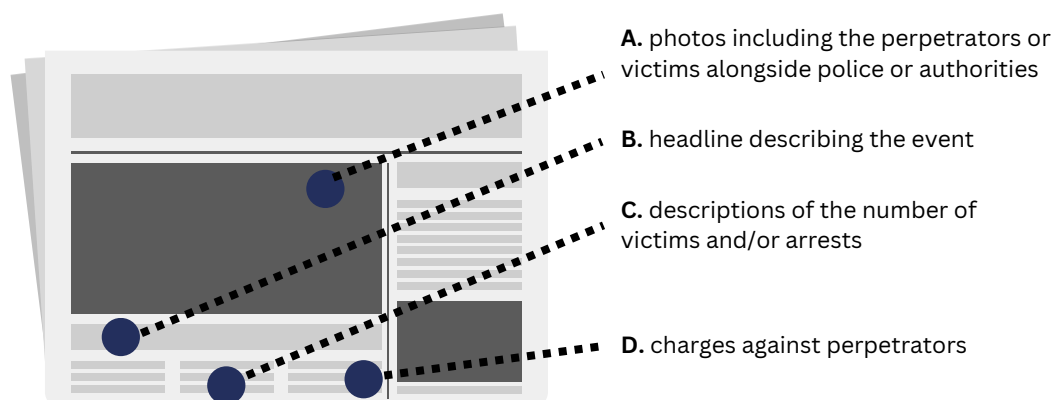
News and media reports on programs, interventions, and special occasions also follow a similar template. A photo of a panel of officials or police officers in front of a large banner typically leads the story. Reports on the story talk about the event or program and include quotations from the officials, whether from government officials, international NGOs, or donors. These reports are purely intended to inform the public on progress towards countering-trafficking in persons. There is little engagement or input from anyone who is receiving assistance or benefitting from the programs, nor background on why the program is being initiated. Governments in Southeast Asia will use their own social media accounts to post information about these events, but there is little engagement on the posts. Research participants implore that this type of reporting does little to increase interest from audiences on TIP issues.

"Reporting is very topline. This happened, these people were involved, this many victims. There is no context explaining why it happened or illustrate any nuances"

-- media member in Malaysia

"Media coverage mainly focuses on the government's actions towards TIP, for example raiding. Most of the time, the media will just disseminate the government's news without doing any investigative pieces",

-- journalist from Thailand

In essence, conventional reporting treats human trafficking as a one-off event like any other crime. Reporting lacks understanding of the issue that led to the event and what happens after the event.

"The media doesn't follow up on the news piece that they have reported. There is a lack of continuous effort in following the situation. For example, they would report a raid but never follow up on what happens next with the victims or whether there are any actions from the authorities"

<div align="right">-- TIP practitioner</div>

This type of reporting can also reinforce stereotypes of perpetrators and trafficked victims. Interviewees mentioned that arrests of perpetrators are often 'low-level' employees. "The world sees bad people, but there are structural forces that incentivize and facilitate this behaviour", remarked an international journalist. Conversely, people who are trafficked are referred to as "victims" who need to be "rescued", "saved" or "set free".

A Cambodian TIP practitioner felt the quality of local journalism in terms of narrative and word choice needed improvement. "They use the term victim erroneously and blame the victim. They have no training on how to write about trafficking and often say that people move illegally", they added. This narrative perpetuates an idea that people trafficked are helpless at best and even partially at fault in some cases, especially in regards to cases involving border crossing and forced labour. This is highly influential in the regional context where there is prevailing negative sentiment towards migrants.

As mentioned in the previous section, the issue of human trafficking is incredibly difficult to communicate in both a nuanced and accessible way. One practitioner argues that the language and terminology is too difficult for audiences to comprehend and thus, reporting defaults to simplified reporting that will be easier to understand. This consumer feedback contributes to journalists simplifying stories, yet has also made journalists turn to sensationalism in order to get the story traction.

Sensationalist reporting on TIP - trending in the right direction?

Journalists, media outlets and even NGOs have traditionally turned to sensationalised stories of TIP to elicit emotion from their audiences and garner more attention. While their intentions may be good, this can cause harm by exploiting victims, reinforcing stereotypes, and may influence rights-violating responses from governments in the forms of arrests or raids. This is an issue that has drawn the ire of TIP practitioners for years. "Many journalists have good intentions but don't understand the danger of sensationalism," one anti-trafficking campaigner said as part of a 2016 Thomson Reuters article that polled experts on the subject [31].

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31. Large, 2016

In particular, stories involving sexual exploitation have historically been subjected to sensationalised reporting. There have been a number of studies [32] that have pointed to the disproportionate emphasis on sex trafficking in the media over the past 20 years. Indeed, reporting on the issue remains popular which, in the opinion of many research participants of the study, is largely driven by consumer demand. An international journalist interviewed remarked that "journalists tend to lean towards sensationalism as a response to the consumer." This may perversely skew counter-trafficking responses as it shapes the conception of trafficking in persons as primarily for sexual exploitation.

A Thai journalist added that "there is a perception the TIP situation in Thailand is improving. So journalists turn to extreme cases such as the Rohingya and child sex workers as these can be sensationalised and get more demand from the consumer."

A TIP practitioner in Thailand feels that stories are sensationalised in an attempt to go viral on social media, while questioning the degree to which some journalists conduct field work before sharing the stories.

The reality is that journalists, editors, and even NGOs working on TIP are incentivised to sensationalise their reports for the commercial aspect.

A sensationalised report that garners a lot of attention can simultaneously achieve business as well as advocacy goals. The apathy in audiences towards trafficking in persons, migration, and labour exploitation more generally in Southeast Asia is a major hurdle for journalists and TIP practitioners seeking to help people caught in trafficking. Uncovering abuses in trafficking cases such as sexual assault or violence can help move the needle with the general public. One TIP practitioner in Thailand highlights that "public opinion can shift (on an issue) if exploitation in the sex industry or torture is uncovered".

Interviewees emphasised that public outcry plays an important role in how governments respond to TIP reports. For example, a journalist working in Vietnam highlighted that "public opinion is very influential in Vietnam, so the government likes to respond". Another international journalist who covers stories in the Golden Triangle remarked that "national shame is real" when it comes to triggering a response from the government. Without that 'hook', stories are met with apathy from audiences and as a result, unlikely to draw the attention of the government.

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32. See Marchionni 2012; Feingold 2005; Denton 2010; Downman 2013

Overfocus on sex trafficking

According to the Global Estimates of Modern Slavery 2021, there are nearly 50 million people in modern slavery of which 27.6 million are in forced labour and 22 million in forced marriage. Asia-Pacific is host to more than half of the global total [33]. It is estimated 6.3 million globally are in forced commercial sexual exploitation. While these statistics are significant, sexual exploitation represents a fraction of the total of those who are being exploited.

Government responses to trafficking in Southeast Asia focus on cases of sexual exploitation which in turn influences media representation of trafficking. This contributes to a specific trafficking victim profile, and to the perception that labour and other forms of exploitation may be less severe and less damaging [34].

This does not mean that labour abuse and exploitation is completely absent from media reporting, however, when these issues are raised they are typically framed as labour or immigration disputes. A TIP practitioner in Malaysia mentioned that through social media listening on discussions about labour migrants, they discovered the *"discussions were actually human trafficking situations"*.

Many research participants felt that sensationalism in TIP reporting in the region has reduced in recent years crediting awareness raising of the harms and training programs from civil society, which has resulted in better informed journalists. *"I feel the quality is better than 5-10 years ago. Seems like stories are more informed and less sensationalised"*, remarked one TIP practitioner. A journalist in Vietnam mentioned there have been many workshops on definitions and investigative reporting that has helped upskill journalists to produce better content. Research participants mentioned similar programs in Thailand, Malaysia, Indonesia, and Philippines that are training journalists on TIP issues and ethical reporting approaches.

Image: story by Benar News on 7 January 2023
https://www.benarnews.org/english/news/thai/forced-prostitution-01062023152630.html

Thai women tell of being trafficked, caught up in prostitution inside Myanmar
Two sisters and friend say they were forced into sex work in Kokang Self-Administered Zone near China.

Benar News / Jan 6, 2023

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33. Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, September 2022
34. Gauci and Magugliani. 2022. "Determinants of Anti-Trafficking Efforts." BIICL.

Journalism Ethics and Reporting on TIP

There are many different instances and situations in which ethical considerations must be applied when reporting on human trafficking in Southeast Asia. It is natural to immediately consider the ethics of interviewing victims/survivors of trafficking. Indeed, there are many resources and guidelines available to help journalists navigate these incredibly sensitive situations from initial contact, to interviewing, to final reporting ensuring protection of the source at every stage. Yet journalists must also work closely with civil society organisations to help them better understand the issue and often grant access to sources for interviews. This presents another relationship that must be managed ethically to ensure not only accurate reporting, but a sustainable partnership for future stories. Finally, when stories receive attention from abroad, international outlets must ensure they are considering ethics when working with local journalists who are in a far riskier position.
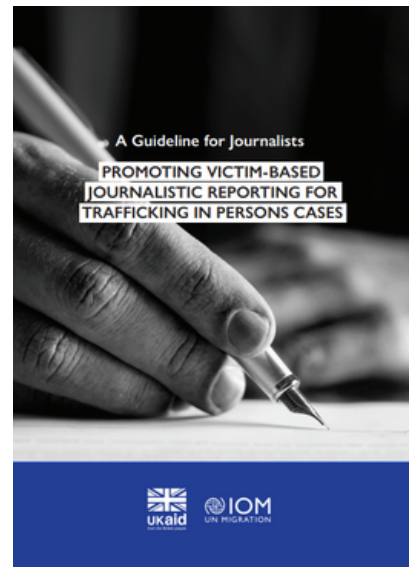
Table 4: Example guideline from IOM [35]

A Guideline for Journalists - Promoting Victim-Based Journalistic Reporting for Trafficking in Persons Cases

In 2021, the International Organisation for Migration (IOM) produced a guideline for journalists that details how to promote victim-based reporting on TIP cases. This resource helps journalists understand some terminology relevant to TIP but also their responsibilities with a delicate topic.

Their key principles include:

1. Fair description of women and men through the elimination of stereotypes and stigmatisation

2. Avoiding generalisation, each individual and case is unique

3. Adhering to journalistic ethics

4. Upholding ethic and principles on data collection and reporting mechanism

5. Safeguarding protection principles and considering the risk of security and safety of informant/victims

6. Recognizing the vulnerability of the victim and other sources

7. Promoting victim's rights and adhering the specific needs and protection of child victims

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35. International Organization for Migration (IOM), A Guideline for Journalists: Promoting Victim-Based Journalistic Reporting for Trafficking in Persons Cases, 2021

Managing expectations an ethical challenge for journalists

Victims/survivors are key sources in investigative journalism. Their stories often help convey the importance of the issue, providing a relatability to the audience to increase understanding and prevalance of human trafficking. Through contact and interviews with these sources a relationship inevitably develops, one which journalists admit they must balance delicately. Research participants stressed that victim protection is imperative when conducting interviews with victims and survivors. Principles of 'do no harm' and protection of sources are part of journalism ethics. Interviewees felt that these are largely applied in the field, though they are difficult to apply in practice. *"We are careful to not re-victimize a source when conducting an interview, but this is difficult,"* highlighted one Vietnamese journalist. An international journalist highlighted that "*(Sources) often don't realise they are taking a risk*".

A number of journalists interviewed for this study highlighted the importance of managing the expectations of the victims and/or informants as best as possible. Journalists commented that survivors in the past have had expectations such as financial assistance, being provided a new job (after the story), or being rescued and/or repatriated.

"I can't promise a certain kind of outcome will come from a story because it probably won't happen. It's just trying to not make people feel used and being super upfront about the fact that all you're doing here is trying to stop other people getting into the same situations."

--international journalist

Managing expectations extends to NGOs who play an integral role in providing access to victims/survivors who are willing to tell their stories. There is a desire for some collaboration that is not always realised as detailed by a journalist covering Malaysia and Thailand:

"CSOs can feel journalists are a little bit extractive. There is a bit of distrust. But CSOs must also respect journalistic integrity that they may not be able to provide details of a story until it is corroborated"

A Malaysian journalist highlighted how journalists and CSOs often have competing interests, and that journalists must manage the expectations of their partners. They mention that journalists must "act in good faith" ensuring that partners get the recognition they deserve. Indeed, TIP practitioners interviewed conveyed some concerns about reporting in the past. A Malaysian-based practitioner says she is approached frequently by journalists for interviews, but in the articles "*a lot of the context and explanation get left out*". An international practitioner added that they have had to call the journalists after stories have been published to clarify the story and provide more context.

Another layer of ethics for international media

International news outlets have famously helped lift stories of human trafficking to larger, international audiences. In doing so, they have worked with local journalists and civil society to help them with their access, data collection, interviewing and reporting. Research participants remarked that this relationship has developed positively over the years, though there is room for improvement. *"Local journalists take on all the risk,"* highlighted one international journalist. A feeling expressed by local and international journalists as well as CSOs interviewed mentioned how managing expectations between these stakeholders is very challenging. *"My previous outlet did not want me to maintain relationships with any local sources which I thought was incredibly wrong"*, mentioned one international journalist. Another practitioner highlighted that while there is a certain level of justification when a report goes international, there is a level of frustration as there has been extensive reporting on a topic then *"someone swoops in from the outside"* and gets all the credit.

One international journalist argued that this model perpetuates a negative impression of local journalists:

"There's a few really brilliant journalists...people reference their work in international [media] but don't ever link up or quote them. This perpetuates the idea that people from these countries are helpless and have no role in fixing the problem which is completely untrue."

Working closely with local journalists is a vitally important step for international media outlets for their own credibility and reputations. However, international media may have a certain feeling of immunity or protection from laws and policies that silence local journalists in various Southeast Asian markets. In an effort to protect local sources, international outlets may have processes that raise ethical concerns and can damage local relationships in these countries, whether intended or not.

Editorial teams as ethical gatekeepers to final reports

While journalists must abide by ethical guidance while collecting data for a story, editorial teams play an important ethics role as a report is developed for publication. Editorial teams are tasked with ensuring the story will be read. A large part of this is using the correct terminology, ensuring a story is properly framed, and ultimately, that victims and survivors are protected.

Miscategorising victims could have long lasting effects. A Thai journalist felt that some outlets in Thailand have teams that are doing a good job at this level. A Malaysian journalist mentioned that editorial teams must *"make sure all the sensitivities are taken care of"*. While editorial teams have many, often competing interests to manage in developing a story, they are the final gatekeepers to ensure a story reported adheres to ethical considerations.

Research participants generally agree that there have been large improvements in framing, terminology, and protection of victims in reporting though there is work to be done. Indeed, portraying the victim as likeable and relatable is still a strategy employed by news outlets to reach audiences. However, traffickers (or those arrested on suspicion) are often only portrayed as the perpetrators without any regard for their situation. *"These 'bad guys' still have rights"*, reinforced one TIP practitioner. In addition, police raids that may be used as a public relation tactic, often arrest victims and traffickers at the same time. These situations afford no presumption of innocence and suddenly *"people are branded as traffickers when they have been working the same family business for years"* added the TIP practitioner.

Section 3:
The role of media in government responses to trafficking in persons in Southeast Asia

Media can play a vital and significant role in influencing government responses to trafficking in persons in Southeast Asia. Research participants unanimously agreed that journalism and media are a key resource to help pressure governments to respond to TIP issues in their countries. *"I don't think you can really understate how critical the media is to counter trafficking"*, said a TIP practitioner. However, those interviewed were also quick to highlight that journalists and media cannot work alone. Indeed, recent success stories show that journalism in conjunction with international and domestic pressure can create the perfect storm to force positive government responses to TIP. However, identifying the conditions in which these storms develop continue to elude journalists and TIP practitioners.

Media's vital role in pressuring governments to acknowledge the issue

In the 2022 "Determinants of Anti-Trafficking Laws" global report, the authors highlight the complexity of how governments acknowledge and frame the issue of TIP and how this influences their responses. The framing of trafficking determines: the extent to which combatting trafficking is prioritised, what aspects of trafficking are focused on, which kinds of responses are engaged, how the responses are designed and how they are implemented - which in turn impacts the way in which trafficking is framed, understood, legislated and addressed [36]. The authors further highlight the integral role that the media plays in shaping the debate and soliciting public opinion on various policies and interventions.

All ASEAN member state countries have acknowledged the occurrence and affects of human trafficking, and have formalised their acknowledgement and commitment to address it through the ASEAN Convention against Trafficking in Persons, especially Women and Children. However, degrees exist when it comes to acknowledging certain types of trafficking. In late 2022, Cambodia acknowledged the existence of human trafficking into the scam centres after significant international and local reporting, combined with pressure from other countries and international organisations. In Thailand, the media was praised for helping governments initiate or scale up measures against human trafficking. *"Actions from the government come when the news affects the country's image and economy...they are worried about the perception of the international community"*, remarked a Thai journalist. In the Philippines, Senator Loren Legarda referred to media-documented human trafficking cases to argue the need to amend the Anti-Trafficking in Persons Act of 2003 [37].

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36. Gauci and Magugliani. 2022
37. Ibid

Case Study:
Reframing issues in Cambodia

In 2022, a local news outlet, which has subsequently been closed down, led initial reporting on the cybercrimes from scam centres in Cambodia. Officials were deployed nationwide to check hotels, casinos, and other establishments for potential trafficking victims with some suspected traffickers arrested.

Initially official reports labelled the industry broadly as "online gambling" with some references to foreign businesses. However, local and international media documented the links between trafficking and the scam operations.

A TIP practitioner working in Cambodia credits local media for its coverage of the issue, praising the "significant skills in reporting and good understanding of the issue". This consistent reporting by media helped to influence the framing of the issue as one of human trafficking.

Media's influence on government responses to an issue

Once the issues are acknowledged, the media can also play a vital role in influencing how the issues are framed by the governments. Unfortunately, often manifested in more harmful ways that have allowed governments to de-prioritise or even ignore TIP cases. As touched upon in the previous section, reporting on only a few forms of exploitation (traditionally sexual exploitation) produces a narrative that other forms of trafficking are less severe and less prevalent. For example, a Thai TIP practitioner noted how the public does not take the issue of labour exploitation seriously. There is a prevailing sentiment that people willingly accepted the jobs or opportunities and had all the information before making their decision. Most significantly, conflation of TIP and smuggling has resulted in more securitised approaches to countering TIP that tend to criminalise irregular or undocumented border movements and deprioritised TIP victim identification. In Malaysia, a country where the issue of migration is extremely sensitive politically and among the general public, trafficking has been framed as a criminal activity for both perpetrators and victims. "*(Migrant workers) are the subject of harassment from the authorities. This resonates with the public more*", stated a journalist working in Malaysia.

Research participants highlighted that they have seen an improvement in how stories are addressed with less concentration on sensationalised, sexual exploitation and more coverage on larger labour exploitation. Prominent examples include reporting on the Thai and Indonesian fishing industries, Cambodian scam centres, and palm oil industries in Malaysia and Indonesia. These reports tell the stories of men and boys as victims of trafficking who have typically been overshadowed by stories of sexual exploitation of women and girls. This is a vital first step in attempting to reframe TIP issues in these countries, with an understanding of the gendered dimensions of trafficking.

Role of media in influencing CTIP responses

Media does play a role in influencing the government's response to trafficking, influencing short term action and to a lesser degree longer-term responses. These could include for example: law enforcement responses, awareness raising campaigns, victim protection and policy/ legislative initiatives. Journalists and the media play an important and influential role in eliciting the response from the government, communicating the actions to the public, and sustaining the reporting to hold governments accountable.

Media can quickly elicit law enforcement responses

The most common response for governments to report on human trafficking is law enforcement or a security approach. This response allows the government to demonstrate to the general public that they are responding to the issue. This manifests in arrests, raids, convictions, or crackdowns on illicit activities. Increasing security at borders is a common tactic in countries such as Thailand. However, one TIP practitioner believes these types of responses do not get to the root of the problem:

"The law enforcement angle tends to be less people centred or survivor centred. A lot of it has to do with a specific raid or how a brothel was broken up; not centring on the survivors or the community."

Raids and arrests conducted in association with human trafficking are typically reactive. With limited resources to properly address the issues of TIP, these types of law enforcement reactions can help appease pressures from many stakeholders. *"(Law enforcement) comes to a point where they have no choice but to make a large splash"*, mentioned a TIP practitioner. The practitioner added that some law enforcement have invited journalists to raids in order to ensure that there will be coverage of the operation. In general, law enforcement is the main focus of conventional reporting on TIP as it is inexpensive to produce and appealing to the public.

Table 5: Some related government responses

Law enforcement (arrests, raids and 'crackdowns')

Responding to a local report or public reporting, police will conduct raids or crackdowns on small scale operations. The ethics of these raids may not have an impact on the overall problem. Media outlets have been invited to accompany police on raids to document that action has been taken.

Awareness raising campaigns

Governments that have acknowledged that trafficking is a problem have enacted campaigns at various levels of government to both raise awareness of their citizens of the signs of trafficking and also protect them from potentially becoming victims. Police officials in Laos, Thailand, and Indonesia have made campaigns through local media and social media to bring awareness to the issue of human trafficking in their local regions.
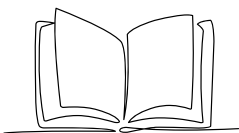
Programs and policies

International attention has brought more large-scale changes to some countries.

Some examples include:
- The Thai government responded by updating fishing laws and issuing a new ordinance to regulate the fishing industry.

- Malaysia's Ministry of Home Affairs stepped up efforts to curb the human trafficking and forced and amended the Anti-Trafficking in Persons and Anti-Smuggling Act 2007 and launching National Anti-Trafficking in Persons 3.0 (NAPTIP 3.0 for short).

Awareness raising campaigns, a larger role for mainstream media

In a more proactive response to TIP, governments in Southeast Asia have initiated awareness raising campaigns to help citizens recognise the risk of trafficking and identify early warning signs.

For instance, Indonesian officials produced a short film, "A Dream of a Misty Land," which follows the story of a few teenagers from rural Indonesia who were lured to work in other countries by job recruiters, but ended up being exploited. In another example, the local government of Lebak Regency asked the public to be wary of human trafficking under the guise of offering jobs outside the region with the lure of big salaries [38].

In 2021, the Philippines expanded the already-observed July 30 World Day Against Trafficking, and declared July as Anti-Trafficking in Persons Awareness Month.

In 2021 in Laos, efforts to increase awareness of trafficking through the Department of Media and the Ministry of Information, Culture, and Tourism (MICT) were initiated with support by USAID.

And in Vietnam, a local journalist explained that *rural and remote communities (in Vietnam) receive a lot of awareness raising campaigns from NGOs and the government*.

CTIP practitioners often rely on the media to disseminate messages, in reality however, awareness raising materials appear infrequently in the media. Conventional reporting that provides informative pieces about initiatives or campaigns are common, yet they do not include any details that could be useful to the public in recognising and protecting them from TIP. Investigative stories have done a better job of including awareness raising elements in their story-telling. This includes interviews with victims and survivors who detail their journey. Coverage of the Cambodia scam centres in 2022 effectively detailed the approach used in the so-called 'pig butcher' scandals, including screenshots of advertisements and messages sent between recruiter and victim [39].

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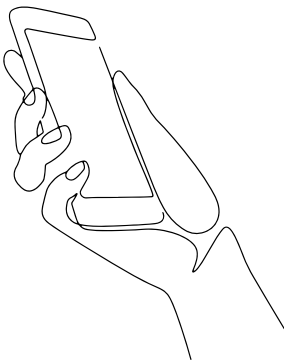
38. Antara Banten, "Pemkab Lebak minta warga untuk mewaspadai perdagangan manusia
39. Podkul and Liu, "Human Trafficking's Newest Abuse: Forcing Victims Into Cyberscamming", ProPublica, September 2022

Policy and legislative changes need sustained coverage to be effective

Southeast Asian countries included in this study have forms of policy, legislation or committees that directly address trafficking in persons. In addition, governments are taking steps to counter TIP through 5-6 year national action plans which are finalised and being implemented in all states [40].

One international journalist felt that after the Thai fisheries scandal in 2015, *"many players didn't want substantial change, but wanted to be part of the team that was seen to be exerting change"*.

In Malaysia, *"changing or amending policies has a lot of support in government"* a practitioner mentioned referencing that this represents the illusion of taking action and resonates with constituencies. In reference to the scam centre stories in Cambodia, a TIP practitioner quipped that the stories, *"at least forced the appearance of government action"*.

The perceived ineffectiveness of the various initiatives can be partially attributed to a lack of accountability for officials. This is where the role of journalists and media should be emphasised to sustain pressure on government to ensure actions are implemented.

"There is not sustained 'beat-like' reporting on the issues to truly hold governments accountable", declared an international journalist, acknowledging the changing landscape of journalism as a major factor.

Journalists working in Malaysia and Vietnam suggested that governments and journalists should have closer relationships. The Malaysian journalists felt governments needed to see journalists as *"a resource to inform the public who can unravel the complexity of an issue for the public."*

40. See US State Department TIP report for more details on National Action Plans

Media as a vital component of international pressure

While the role of the media in TIP reporting is undeniable, it represents a single cog in a larger wheel that can lead to meaningful change. Many research participants noted that public perceptions influence priority issues for governments. However, those interviewed for this study also highlighted that international pressure can quickly shift the priority of the issue as this pressure brings the threats of serious economic and reputational consequences. Indeed, recent high-profile cases where there were significant economic repercussions were reacted to swiftly by governments. A Thai TIP practitioner stated that the government *"would only address the topics that affect the country's economy. Aspects of TIP that do not involve international trade receive less attention"*.

"Actions from the (Thai) government are more likely when the news affects the country's image and economy. They would take quick action on this. Especially when the pieces are in English, as they are especially worried about the perception of the international community."

--Thai Journalist

After the fisheries report in Thailand in 2015, a combined threat of sanctions with the EU's yellow card, downgrading in the US TIP Report and public outcry elicited a response from the government. This public outcry was felt internationally as the supply chain for fish products was exposed in markets in the EU and US. *"The threat of consumer action was the main lever"*, remarked a TIP practitioner. They added that they had worked with partners on programs about the fishing industry for years, and once the international media reports came out *"a huge window opened to allow us to support other partners"*.

Images: media coverage by The New York Times and The Guardian exposing human trafficking in Thailand's fishing industry.
https://www.nytimes.com/2014/06/22/opinion/sunday/thai-seafood-is-contaminated-by-human-trafficking.html
https://www.theguardian.com/global-development/2015/jul/20/thai-fishing-industry-implicated-enslavement-deaths-rohingya

Revealed: how the Thai fishing industry trafficks, imprisons and enslaves

Guardian investigation uncovers extensive role of authorities, fishermen and traffickers in enslaving thousands of Rohingya, who were held in deadly jungle camps

Case Study:
Thailand's fishing industry and the power of international pressure

The reporting into the Thai fishing industry in 2014-2015 is among the most high-profile and impactful stories on TIP in the region. The reporting helped draw the attention of an international audience, from governments down to individual consumers, that resulted in significant pressure on the Thai government. While the government did implement swift changes to the industry (the significance of which are debatable), the reporting also helped shine the spotlight on the issue of modern slavery in the region which attracted more funding for advocacy and programs to counter trafficking in persons.

A Human Rights Watch report (2018) titled 'Hidden Chains' described the sequence of events as:

In June 2014, the Guardian newspaper reported that fish caught by victims of trafficking working aboard Thai fishing boats were being used to feed shrimp grown and exported for sale in the freezers of the world's top four retailers. Ten days later, the United States Department of State downgraded Thailand in its annual Trafficking in Persons (TIP) report to Tier 3, the lowest possible status. In early 2015, media exposés from international outlets such as the New York Times and Associated Press revealed the atrocities being committed on the ships. In April 2015, the European Commission issued a "yellow card" warning to Thailand, identifying it as a possible non-cooperating country in fighting illegal, unreported, and unregulated (IUU) fishing. A subsequent "red card" would lead to European Union sanctions [41].

According to the Human Rights Watch report (2018), the Thai government responded by scrapping antiquated fishing laws and issuing a new ordinance to regulate the fishing industry. The government extended application of the key provisions of the labour law regulating wages and conditions of work to fishing vessels, and established in law some International Labour Organization (ILO) treaty provisions through adoption of the 2014 Ministerial Regulation concerning Labour Protection in Sea Fishery Work. Migrant fishers were required to have legal documents and be accounted for on crew lists as boats departed and returned to port, helping to end some of the worst abuses, such as captains killing crew members. Thailand also created the Port-in, Port-out (PIPO) system to require boats to report for inspections as they departed and returned to port, and established procedures for inspection of fishing vessels at sea. Despite these responses, human rights abuses on fishing boats remains a significant issue.

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41. Murphy, Daniel, "Hidden Chains: Rights Abuses and Forced Labor in Thailand's Fishing Industry", Human Rights Watch, 2018.

Section 4:
Opportunities to strengthen use of media for advocacy and reform in TIP

Given the importance of media in eliciting a government response and holding governments to account, there are a number of opportunities available to help journalists, media, and TIP practitioners better navigate the media landscape in the region. There are opportunities to strengthen existing initiatives, such as supporting local journalism, providing media and TIP training to fledgling journalists, and building networks that create environments for stakeholders to share knowledge and experiences. Yet this should be complemented by new solutions to help reach new audiences, reframe TIP issues in each context, and provide for strategic and sustainable reporting and communications that achieve advocacy and policy goals.

Workshops and knowledge sharing between journalists and CSOs

Civil society has the knowledge to help journalists understand the complex issue of human trafficking. Journalists have the knowledge on how to get this information to the public. Together, more strategic and impactful communication can occur. *We need to create forums for mutual learning"*, one journalist suggested, adding that *"journalists will be trained on how to report (on the issue) better, but also CSOs on how to use strategic communications and journalists better"*. Research participants mentioned that such workshops are occurring, with examples in Cambodia, Laos, Vietnam, Malaysia, and Thailand specifically. These workshops have been helpful in informing journalists about the nuances of TIP issues, correct terminology, and ultimately better access to sources of information that can help their stories. Conversely, these workshops can help CSOs achieve their own advocacy and programmatic goals as a well told story will bring needed attention to TIP issues. Journalists interviewed feel they are in a position to help practitioners get their message out.

"Journalists can unravel the complexity behind an issue for the public."

-- international journalist

"Telling stories that connect realities to the audience is important. This is a skillset that journalists have that CSOs do not necessarily."

-- TIP practitioner based in Thailand

Relationship building through positive reporting

Negatively framed reporting on TIP in the media affects the audience, journalists themselves, and the response from governments. In the Reuters Institute for the Study of Journalism's (RISJ) 2019 Digital News Report, 58% of people surveyed said they avoid news because it has a negative effect on their mood, while 40% said they felt powerless to change the event. Journalists too are burdened and stressed by investigating cases of abuses, not to mention potential legal concerns in Southeast Asian markets. Governments also feel journalists simply "wag their finger" at them, always focusing on the problems and never solutions. One journalist mentioned that *"acknowledging a problem is seen as a failure of the government, not that you have recognized a problem and are trying to fix it."* Governments in the region tend to see journalists as the enemy, however they should be viewed as a resource trying to work with the government to fix a problem.

"The press can play a role as a mediator between the problem and solutions, not just pointing out the problems."

-- Malaysian journalist

"What the governments really want is for their actions and activities to be lauded and supported, and we should do more of that", added a TIP practitioner. In their experience, governments who had good news published were "thrilled" and *"motivated them to move forward and to be part of putting even more activities and actions into place"*.

The Thomson Reuters Foundation (TRF) has a global initiative focusing on 'solutions journalism' with programs currently in Malaysia and Thailand. The approach to solutions journalism involves learning about in-depth knowledge of causes of human trafficking and modern slavery and understanding the structural roles (e.g. big-business, supply chains, market forces, etc.). It encourages journalists to take a critical look at some programs and initiatives that have been implemented to combat TIP. This involves working directly with NGOs and other experts at the policy level and those working closely with victims.

Solutions journalism allow "journalists and NGOs to work jointly to identify a development challenge and report on it in a way that empowers the audience to enact change, without compromising editorial independence," said a Thomson Reuter Foundation Journalism Trainer in a 2021 article. While not seen as a panacea, this approach could help increase exposure of TIP issues with audiences and develop stronger and more effective relationships with governments.

More strategic approach to media

A common issue raised by research participants was the lack of strategy and commitment to TIP reporting. This is due to a myriad of factors already discussed with high costs being arguably the main barrier. However, the changing media landscape has also revealed some opportunities to be more targeted with communications approaches. While reporting in English language has some benefits to reaching an international audience, research participants stressed the importance of having stories in local languages and through local platforms in order to help TIP issues resonate in communities. This goes beyond traditional media to creating content that is accessible to audiences and reaches a younger generation. Documentaries, soap operas, music, stage, theatre (all in local languages and multiple platforms) are examples of ways that TIP practitioners have tried to reach a wider audience.
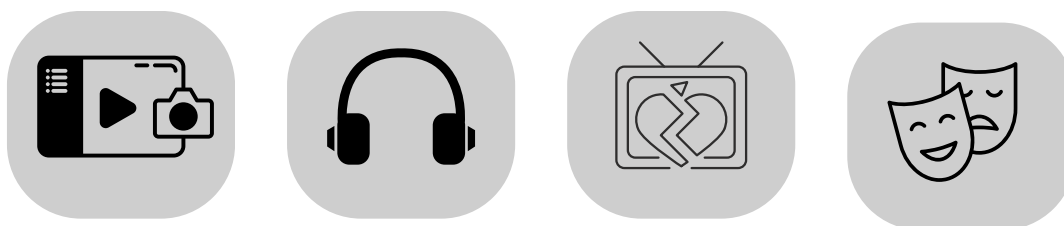
Another practitioner pointed to the power of online influencers who can become "ambassadors of the issue". These people are highly influential among their followers and can help increase awareness and support on an issue. *"Influencers have the ability to get people to do things, whereas general articles just raise awareness"*, they added. Including a 'call to action' is a vital component to move past awareness raising into advocacy for an audience. And in Malaysia, journalists and CSOs have partnered with Members of Parliament to advocate on TIP issues through media such as Facebook and radio which include clear calls to action for their audiences.

There are many opportunities to help journalists, media, and TIP practitioners to increase appeal to audiences. By strengthening existing initiatives and developing innovative solutions to help reach new audiences, the media can be a vital tool to combat human trafficking.

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