



## RESEARCH ARTICLE

## Legal Analysis of Forced Labour under the Anti-Trafficking In Persons and Anti-Smuggling of Migrants Act 2007 in Malaysia

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ARTICLE INFO	ABSTRACT
Received: Oct 17, 2024 Accepted: Dec 25, 2024	Forced labour in Malaysia has become a critical issue with increasing concerns over the exploitation and mistreatment of migrant workers in various industries. It is a form of human trafficking closely linked to human right violation. This article aims to analyse the provisions of the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 related to labour exploitation and specific indicators for identifying victims exploited as forced labour across various employment sectors. The study uses doctrinal methodology and an analysis of several cases decided in court. This study aims to understand how interpretation of force labour related to human trafficking under the law. Malaysia has formulated the Anti-Trafficking law; however, legal shortcomings hinder its effectiveness and make it more challenging for authorities to prosecute offenders.. This study present four points of finding: (1) To address the unclear interpretation of labour exploitation in the context of the Anti-Trafficking law typically include several main suggestions aimed at clarifying and strengthening the legal interpretation and improving enforcement effectiveness. (2) To provide more detailed guidelines regarding what constitutes labour exploitation under the law. (3) Education and training for Enforcement Officers. and (4) To examine the importance of empowerment victims and safe guarding human rights with a particular emphasis on raising awareness about the rights of migrant workers. This is especially crucial for those who may be afraid to report exploitation due to fears of deportation or legal consequences. A comprehensive study could also contribute to improving the existing system. Clearly, effective enforcement of criminal law can prevent forced labour practices. The list of indicators should be updated and tailored to the specific situations faced by authorities during their assignments, ensuring that anti-trafficking efforts remain relevant to current trafficking practices.
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### INTRODUCTION

Malaysia is working towards combating the issue of forced labour. Since the drafting of the Malaysian Constitution, the law has prohibited all forms of slavery and forced labour. Millions of people are trapped in modern-day slavery with many forced into labour (UNODC, 2016). The Southeast Asian region, including Malaysia, also faces the issue of human trafficking. Economic instability, social development, political instability, and poverty are key factors that drive forced labour in rural areas of Southeast Asia (Firdaus & Zarina, 2015). The majority of migrants to Malaysia come from vulnerable groups and are employed in industries like manufacturing, farming, construction, and household services.

According to the International Labour Organization's Forced Labour Convention, forced labour or services refer to any work or service that a person is compelled to perform under the threat of penalties, without their voluntary consent. (Hwok Aun & Pereira Adrian, 2023). The term threat encompasses both physical and psychological pressure from the employer, such as withholding

opportunities for advancement, relocation, new job prospects, or housing. Individuals subjected to forced labour come from diverse backgrounds. These include vulnerable groups such as children, women from impoverished backgrounds, and individuals with low levels of education who desperately need work to survive. Another group includes those who are vulnerable due to language barriers, including foreign workers, whether they enter Malaysia legally or illegally, and are in need of employment. This group also includes individuals employed in the informal economy or involved in illegal activities, as well as those working in remote area , where they are overseen and restricted by authorities, allowing employers to take advantage of them. Additionally, forced labour victims also include domestic workers who are forced to perform tasks beyond their original duties, subjected to physical or sexual abuse, denied adequate rest and food, and provided with unsafe or inadequate housing.

### **Modus Operandi**

Human trafficking syndicates in Malaysia use varying modus operandi to deceive authorities. According to police investigations, these syndicates typically operate by going to rural areas in Cambodia to find victims among the impoverished population. Victims have disclosed that syndicate agents seize their passports, rendering them susceptible to exploitation as forced labour. If they take leave, they forfeit their wages, remain trapped by debt, and are misled into covering the expenses of their entry into Malaysia. (Nur Ain et al. 2021). Consequently, migration involving at-risk groups, such as migrant women, has created opportunities for smuggling syndicates to broaden their operations at border areas, including involvement in forced marriage activities.

### **International Labour Standards**

The International Labour Organization (ILO) characterizes forced labour using three main criteria it entails any type of work or service performed under the menace of penalty and without free will. Human trafficking is deemed to have taken place if any of the following conditions are met based on this definition: the recruitment of individuals, their transportation or transfer, or their receipt through methods involving coercion, threats, abduction, deception, fraud, or other forms of exploitation.

## **2.0 LITERATURE REVIEW**

According to Fakhru Islam (2024), There are many problems in tackling human trafficking issue. It is unclear whether victims' rights are adequately protected. Police investigations typically prioritize the gravity of the crime and its corresponding penalties, adhering to a standardized legal framework. However, the implementation of protective measures for victims by stakeholders remains inadequate. Analysis reveals significant gaps in addressing human trafficking, particularly in the enforcement agencies' provision of victim protection.

Rachel Leach (2022) emphasizes the growing issue of human trafficking and recommends actions that governments should take to eliminate the demand for exploitation. The paper focuses on sex and labour. Human trafficking in Western Hemisphere and Asia, with the United States and China serving as it suggests exploring criminal punishment theories, particularly deterrence theory, as a strategy to prevent future trafficking offences.

Anthony Lloyd (2020) cited Amy Farrell et al, stated how police officers, service providers and victims view the response to labour trafficking. It shows that tackling labour trafficking is difficult for several reasons, especially to identified the victim. This analysis indicated the ambiguity and insufficient definition of labour trafficking result in challenges in enforcement and prosecution.

Deirdre Coghlan and Gillian Wylie (2011) stipulated that workers in Ireland are highly vulnerable to exploitation. The formal definition of trafficking fails to capture the full scope of exploitation, leaving many unprotected. Research shows that attention should be given to the broader issue of migrant worker exploitation, not just trafficking. From the analysis, the government needs to establish a more comprehensive and detailed policy with clear guidelines to address labour issues effectively.

## **3.0 RESEARCH METHODOLOGY**

This research adopts doctrinal legal research, involving a detailed analysis of the legal provisions and legislation related to labour trafficking and case law as primary sources. In addition to that, this

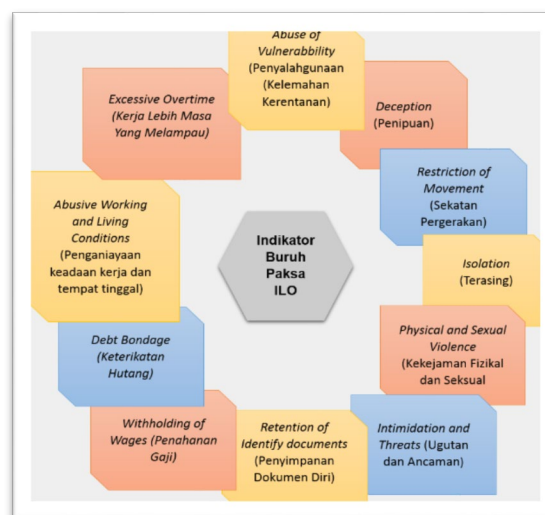
research refers to secondary sources such as textbooks, journal articles and scholarly writings related to this area. Qualitative data analysis, involving doctrinal and content analysis, was conducted on both primary and secondary legal sources. The data collected were examined analytically and critically to assess the admissibility of human trafficking evidence as stipulated under Section 12 and 13 of the Act.

## 4.0 RESULT AND DISCUSSION

### 4.1 Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act, 2007

In a legal context, the trafficking of foreign labour constitutes a form of human trafficking due to violations of human rights. One aspect often ignored by some employers is the protection of workers' rights, with little regard for their circumstances, leading to exploitation. Labour trafficking victims are often low-wage workers in sectors like agriculture, manufacturing, domestic work, construction, entertainment, and food services, typically employed illegally. The United Nations Protocol on Human Trafficking (2000) outlines that exploitation and coercion are key components in defining forced labour (ILO, 2014). This includes any form of coercion and exploitation against an individual. In employment situations, this is tied to instances where a worker's rights are violated unlawfully, involving both coercion and exploitation. Hence, labour trafficking refers to the employer-employee relationship, which continues until the worker is exploited through actions such as the employer confiscating their documents or work permits, withholding wages, subjecting them to abuse or mistreatment, and threatening to report them to authorities or deport them.

Forced labour can occur in all forms of employment or economic activities, including the recruitment process. The most important aspect in determining whether a person is categorized as a victim of forced labour is the relationship between the employer and the worker, as well as the hazardous working conditions that may threaten the safety and life of the worker. Therefore, Various systemic weaknesses create an imbalance of power between employers and workers, frequently resulting in exploitation through forced labour. The ILO has outlined eleven (11) indicators to assist in identifying the elements of forced labour. These indicators are designed to aid law enforcement, trade unions, non-governmental organizations (NGOs), and other relevant parties in effectively enforcing human trafficking laws.



**Table 1: Force Labour Indicator**

**Source: ILO's Special Action Programme to Combat Forced Labour, 2013.**

As demonstrated in Table 1, the indicators are derived from the components of forced labor outlined in the ILO Forced Labour Convention, 1930 (No. 29). These indicators act as a tool for identifying potential cases of forced labour by helping to understand how it manifests. In each case or situation, the indicators of forced labour may differ. In some instances, a single indicator may be enough to demonstrate the presence of forced labour elements, while in other situations, multiple indicators

may be required to establish that an individual is a victim of forced labour. The enforcement of human trafficking laws also relies on the ability to identify victims and their immigration status. Geographic location and legal frameworks are closely linked in border-related situations, which can lead to the entry of undocumented foreign workers into a country. The demand for labour in the economic context creates opportunities for some employers to exploit forced labour for financial gain. Therefore, legal understanding of trafficking crimes involving cases of forced labour needs to be improved.

Section 2 of the Act defines coercion as: (a) threats of serious harm or physical restraint; (b) schemes that cause belief that failure to act will lead to harm or restraint; or (c) the abuse or threat of abusing legal processes.

**Table 2 Elements of Human Trafficking**

<b>(Acts)</b>	<b>(Methods)</b>	<b>(Purpose)</b>
Acquisition, retention of labour, recruitment, transportation, transfer, protection, provision or receipt	Force	Exploitation through sexual means, compelled labor or services, enslavement or activities resembling slavery, subjugation, or the extraction of organs.

Source: Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007

Exploitation can manifest in different ways, such as sexual abuse, compelled labor, enslavement or activities akin to slavery, and unlawful practices. To elaborate further, human trafficking involves three critical components, as outlined in Table 2. To substantiate these elements, several key factors must be demonstrated. First, the presence of actions such as recruitment, transportation, transfer, harbouring, accommodation, or receipt of individuals must be evident. These actions establish the movement or control over the trafficked persons. Secondly, the underlying intent must be proven, including the use of threats, coercion, physical violence, abduction, document forgery, fraud, or the abuse of power to manipulate the trafficked individual's consent. This reflects the means by which the individuals are trafficked. Lastly, there must be undeniable evidence of exploitation, which can take the form of forced participation in prostitution or sexual activities, coerced labor or services, enslavement or practices akin to slavery, servitude, or the involuntary removal of human organs. These elements together define the crime of human trafficking, emphasizing both the actions taken, the intent behind those actions, and the exploitation of victims.

Based on these three elements, the most crucial element to prove is the presence of coercion. Without this element, enforcement agencies will face difficulties in their investigations, and the prosecution will face challenges in proving the case in court. In cases involving children, the element of coercion does not need to be proven in accordance with the provisions of this Act to meet international requirements and Malaysia's commitment under ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP). A person who is rescued and categorized as a potential victim is entitled to legal protection under Section 25 of Act 670 from any criminal prosecution resulting from the human trafficking offense, for example offence, under the Immigration Act.

#### **4.2 Cases Decided in Court**

In the proceeding case of *Tai Guo Quan & Tan Siew Geok v Public Prosecutor 1 LNS [2021]*, the defendants were charged with trafficking victims of forced labour, which resulted in injuries. During the trial, evidence revealed that the defendants restricted and monitored the movements of each victim, denying them even a single day off per week. This confirmed that the victims' testimonies regarding their trafficking experiences were pertinent. Consequently, the defendants were found to have violated Section 13 of the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007, in conjunction with Section 34 of the Penal Code, leading to their conviction for offences.

In the case of, *PP v Caryn Lim Bak Hiang* 1 LNS 756 [2020], the defendant faced charges for trafficking 27 Indonesian nationals and 11 Cambodian nationals under Section 12 of the Act. Based on the facts and evidence presented in this case, The Court ruled that while the prosecution proved the defendant was involved in exploiting the labour of 27 victims, it failed to prove that the defendant used coercion against them. As a result, the element of human trafficking was not proven. The Court found that the prosecution had failed to prove that the defendant had acted coercively, as defined under Section 2 of the same Act.

**In the case of, *Siti Rashidah Razali & Others v Public Prosecutor* [2011] MLJU 687**, the Judge explained, by referring to Sections 2, 13, and 14 of the Act, that in future cases, the prosecution must specify in the charges the type. The nature of 'exploitation' must be explicitly identified, whether it involves sexual exploitation such as prostitution, slavery, forced labor, or other criminal activities. As Section 2 broadly defines 'exploitation' to include a range of actions, it is essential for the charges to specify if they pertain to forced labor, slavery, servitude, illegal activities, or organ trafficking. By clearly detailing the charges in this manner, it would ensure alignment with the provisions outlined in Sections 2, 13, and 14 of the Act, facilitating a more precise legal framework for prosecution.

**In an appeal case, *Chin Chiew Sem v Public Prosecutor* [2019] MLJU 1851**, the appellant was charged under Section 12 of Act 670 and sentenced to six years in prison and fined for trafficking an Indonesian worker at an oil palm plantation. However, the High Court Judge dismissed the appellant's appeal and even increased the prison sentence from six years to seven years. The appellant subsequently appealed and the case was brought before the Court of Appeal, where the judge affirmed the decision, ruling that there was no error in judgment at the Sessions Court. This was because the prosecution successfully established the element of exploitation as required under the law. The issue raised in this case concerned various forms of work exploitation by the employer against the victim, with wages not being paid as they should have been. According to the Judge, although the worker entered the country without valid documentation, the payslips provided by the employer indicated a legitimate employer-employee relationship. The issues raised also included the lack of electricity, clean water, sanitation, and toilets at the accommodation provided. The investigation team in this case argued that the evidence demonstrated elements of exploitation, which led to the commission of the crime of human trafficking.

The Judge also raised the issue of exploitation in this case, as the victims were not given freedom of movement, and the appellant had never made an effort to regularize the victim's status as a legal worker under their employment. As a result, the victim was in a vulnerable position due to the lack of valid travel documents and work permits. The success of the conviction for forced labour in this case was due to the presence of several indicators of forced labour, which the prosecution successfully proved beyond a reasonable doubt. Numerous human trafficking cases brought to court fail to convictions due to factors like insufficient evidence, lack of victim cooperation, or limited understanding of human trafficking issues among those in the justice system.

In the case of *Public Prosecutor v Hang Siew Heok & Hor Kean Weng* [2023] 1 LNS 361, The Cambodian victim was employed as a maid at the home of the 1st accused, where the alleged acts of coercion and exploitation took place. The prosecution also presented evidence showing that the two accused shared a business relationship, as the 1st accused had paid the 2nd accused agency fees for his role in securing the victim's services for the 1st accused.

In conclusion, the High Court Judge noted that these issues relate to determining whether the prosecution effectively proved the essential elements of the trafficking offence and the application of Section 34, which holds individuals criminally liable for actions conducted jointly by multiple parties. Section 12 of the Act states that trafficking in persons for exploitation is an offence, punishable by up to fifteen years in prison and a possible fine. Children are excluded from this provision. In addition, Section 2 of the Act defines trafficking in persons as any activity involving the coercion of a person's

labour or services, including recruitment, transportation, transfer, housing, provision, or receipt for exploitative purposes.

Based on this definition, it is the responsibility of the prosecution to prove that the 1st accused acquired or maintained the victim's labour or services through coercion. In the final analysis, the High Court found that the Sessions Judge made an error in her assessment of coercion. To prove human trafficking, the prosecution must establish the element of coercion. In this case, the prosecution failed to do so, which meant they also failed to prove the crime of trafficking in persons. Additionally, the Court emphasized that proving coercion alone is not enough to establish the offence under Section 12. The prosecution must also demonstrate that the trafficking was for the purpose of exploitation of the victim. In this situation, the mere failure to pay wages or salary, without establishing the element of coercion, cannot be considered an act of exploitation under the Act. Had there been an element of coercion, the non-payment of wages or salary would have amounted to the imposition of forced labour or services upon the victim by the 1st accused. Only in such a scenario would the Court recognize the act of exploitation by the 1st accused as being proven. Therefore, both coercion and exploitation must be proven for a conviction under Section 12.

In *PP v. Latif Sabang* [2016] 1 LNS 1018, the accused was acquitted because there was no reliable evidence showing that the accused controlled the movements of the four Indonesian women. A recent study by Farrell et al (2010) discovered that only a small number of cases resulted in actual human trafficking charges, as the legal criteria necessary to define trafficking were not fulfilled. The one-third of cases that did result in charges, offenders were typically charged with offenses related to prostitution or transporting individuals for prostitution, rather than trafficking charges. The study highlights the challenge of prosecuting human trafficking, due to inadequate legal frameworks, with many cases resulting in charges related to prostitution rather than trafficking.

An examination of case rulings shows that establishing the element of coercion is key to initiating a human trafficking or forced labour case. The movement of victims is not a necessary condition to prove trafficking under the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act. The court's decisions also reveal that there are varying opinions among judges regarding the interpretation of human trafficking and forced labour definitions. Although Section 2 of the Act provides a definition, it does not automatically designate individuals who do not receive wages as trafficking victims based solely on their employer's actions. This highlights the complexity and subtle differences in applying the legal definitions in trafficking and forced labour cases. The lack of clarity surrounding labour trafficking poses significant challenges in enforcing the law and prosecuting perpetrators..

### **4.3 Challenges for Enforcement Agencies.**

The challenges faced by enforcement agencies in Malaysia is the lack of training and understanding to identify victims of human trafficking. This cause the victim not receiving any protection. Furthermore, these agencies face the problem of a shortage of interpreters, making it difficult to obtain testimony from victims, which hampers investigations and prosecutions.

Several issues arising among enforcement agencies include a lack of understanding in enforcing the law due to the absence of clear guidelines. (Anthony Lloyd, 2020). The lack of clarity in defining forced labour has resulted in difficulties in prosecuting and enforcing laws aimed at combating human trafficking. The difficulty of proving the element of coercion in human trafficking cases which results some of accused person not being prosecuted.

Furthermore, there is no coordination among these agencies, which causes human trafficking cases to remain unprosecuted due to insufficient evidence. Enforcement agencies do not play a primary role in providing protection to human trafficking victims. All enforcement agencies conducting investigations must identify indicators of labour exploitation and forced services in order to detect cases related to human trafficking activities. The Department of Labour has taken proactive steps in

providing indicators to detect and investigate human trafficking cases, identify victims of human trafficking, and take prosecution actions against suspects.

#### **4.4 Enhancing Malaysia's Legal Framework and Strengthening Enforcement Mechanisms**

According to (Winterdyk J, 2018), the challenge of prosecuting human trafficking lies in inadequate legal frameworks, often leading to charges related to prostitution instead of trafficking. The Malaysian government has made efforts to address the lack of clarity and definition in the Act by implementing various legal and policy reforms over time. Although there have been challenges in the clear interpretation of certain terms and elements of human trafficking, Malaysia has taken steps to strengthen its legal framework and improve its enforcement mechanisms. One potential solution is to amend the legal interpretation of ATIPSOM 2007 to more closely align with the definition outlined in the UNTIP Protocol, thus expanding the definition of trafficking in persons and strengthening efforts to combat human trafficking (NSO MAPO, 2024).

#### **4.5 Collaboration with International Bodies**

Malaysia has been involved in international efforts to combat human trafficking, such as signing the Palermo Protocol and being a member of the ASEAN Convention Against Trafficking in Persons. These international frameworks provide clearer definitions and guidelines that help the Malaysian legal system refine and update its domestic laws. Regionally, Malaysia collaborates closely with neighbouring countries, particularly within the ASEAN region, to exchange information, align definitions, and coordinate efforts to combat trafficking. This collaboration helps bridge gaps in domestic legislation and ensures the protection of trafficking victims across borders.

#### **4.6 Victim Protection and Support**

Malaysia has also taken steps to ensure that trafficking victims are provided with adequate protection and assistance, even when legal definitions might be challenging. The government has established shelters, counselling services, and legal assistance for victims. This is essential in supporting victims to testify in court and ensuring they are not further harmed by the legal proceedings.

### **5.0 CONCLUSION**

Forced labour and human trafficking are serious problems around the world. They exploit vulnerable people, denying them their basic rights and freedom. While the effectiveness of the Anti-Trafficking law has improved, it still requires thorough examination. The term forced labour is not defined in any Malaysian legislation, leading to ambiguity in the application and enforcement of the law. To address the gaps in the definition and understanding of forced labour and labour exploitation, this study discusses the issue from the perspective of human trafficking law by reviewing cases decided in court. The study also considers the standards set by international instruments and the forced labour indicators provided by the ILO as guidelines in determining prosecutions for such cases. Therefore, it is important to understand the terms used in the law to measure the level of labour exploitation and forced labour in Malaysia. A comprehensive study could also contribute to improving the existing system. Clearly, effective enforcement of criminal law can prevent forced labour practices. The list of indicators should be updated and tailored to the specific situations faced by authorities during their assignments, ensuring that anti-trafficking efforts remain relevant to current trafficking practices.

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## REFERENCE

- Anthony Lloyd, G. A. (2020). *Illegal labour practices, trafficking and exploitation: Trends in Organized Crime (2020) 23:1–6*, 1-6.
- Danailova Trainor, G. (2021). *Global And U.S. Trends And Patterns In Human Trafficking: A Synthesis Of The Evidence*. ILSA.Journal of international & Comparative Law Vol. 18.1, 1-43.
- Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants. Interview, MAPO), Ministry of Department.
- Deirdre Coghlan and Gillian Wylie (2011). Defining Trafficking/Denying Justice? Forced Labour in Ireland and the Consequences of Trafficking Discourse *Journal of Ethnic and Migration Studies* Vol. 37, No. 9.
- Fakhrul Islam (2024). Human Trafficking Law Enforcement Over the Victims and Offenders: The Perspective of Anti-Trafficking Stakeholders Vol. 19, NO. 8, 1512–1540
- Farrell, A. et al. (2010). Review of Existing Estimates of Victims of Human Trafficking in the United States and Recommendations for Improving Research and Measurement of Human Trafficking [online]. Available from:
- Firdaus & Zarina. (2015). Human Security Migration: A Case Study of Children in Thailand. *Social Science and Political Studies Journal*, 1-23.
- Gallagher, A.T (2010). *The International Law of Human Trafficking*. Cambridge University Press, 2010).
- ILO (2012) Questions and Answers on Forced Labour (1 June 2012) [https://www.ilo.org/global/aboutthe-ilo/newsroom/news/WCMS\\_181922/lang--en/index](https://www.ilo.org/global/aboutthe-ilo/newsroom/news/WCMS_181922/lang-en/index).
- ILO (2013). ILO Indicators of Forced Labour. Special Action Programme to Combat Forced Labour (SAP-FL). [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_203832.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf)
- ILO (2016). ILO Standards on Forced Labour: The New Protocol and Recommendation at a Glance. ILO, Geneva.
- ILO (2014) Text Protocol to the Forced Labour Convention, 1930, Record of Proceedings 9A, 103rd Session, Geneva, 2014, Art. 1(3).
- Immigration Act 1959/1963 (Act 155) and Regulations of the Law Research Board. Kuala Lumpur, International Law Book Services.
- Muhamad Helmi Md Said, Grace Emmanuel Kaka, Muhammad Amrullah Bin Drs Nasrul & Tinuk Dwi Cahyani. (2022). Syndicate Marriage or Trafficking? The Travails of Asian Migran Woman. *Journal of Educational and Social Research*, 106 - 118.
- Nur Ain et al. (2021). **Debt Bondage in Human Trafficking in Malaysia**. Selangor: UKM Bangi.
- Rachel Leach (2022). Ending Demand for Modern-Day Slavery: An Analysis of Human Trafficking in the Global Market placediana *Journal of Global Legal Studies* Vol. 29
- Strauss, K. (2017). Sorting victims from workers: force labour, traffocking and the process of jurisdiction. *Progress in Human Geography*, Vol. 41(2) )140–158.
- Trafficking in Persons Report (2021), *Office to Monitor and Combat Trafficking in Persons*, US Department of State. Diakses pada 12 Jun 2022 di <https://www.state.gov/reports/2021-trafficking-in-persons-report/>
- Text of the Protocol to the Forced Labour Convention, 1930, Record of Proceedings 9A, 103rd Session, Geneva, 2014, Art. 1(3).
- UNODC (2016) Global report on trafficking in persons 2016, United Nations Publication.
- Winterdyk, J (2018). Combating (child) human trafficking: building capacity. Oriati Socio legal Series [online], 8 (1), 106-129. Available from: <https://doi.org/10.35295/osls.iisl/0000-0000-0000-0921>



## Law

Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act 2007 (ATIPSOM) Act 260

### Cases:

*Chang Kar Fei lwn. PP [2018] 1 LNS 1777*

*Chin Chiew Sem v Public Prosecutor [2019] MLJU 1851*

*Public Prosecutor v Hang Siew Heok & Hor Kean Weng [2023] 1 LNS 361*

*PP v. Latif Sabang [2016] 1 LNS 1018*

*PP v Caryn Lim Bak Hiang 1 LNS 756 [2020]*

*Siti Rashidah Razali & lain-lain v Pendakwa Raya [2011] MLJU 687*

*Tai Guo Quan & Tan Siew Geok v Pendakwa Raya 1 LNS [2021]*