

SIREN human trafficking data sheet

STRATEGIC INFORMATION RESPONSE NETWORK

United Nations Inter-Agency Project on Human Trafficking (UNIAP): Phase III

HANOI, VIETNAM

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Country information



VIETNAM

Population¹: 86.5 million; Annual growth rate 1.29%; 74% rural; 40% below the age of 20.²

Economy³: GDP per capita (2007): \$835; Annual average GDP growth rate (1994-2007): 7.04%; Unemployment: 5.3%; Poverty

(percentage poor, national poverty line, 2007): 15.5%; Food Poverty Line (percentage poor households, 2006 est.): 6.7%; HDI⁴: Ranked 105 out of a total of 177 countries.

Education: Adult literacy rate: 9.3%, but lower among ethnic minority groups and females.

Neighboring Countries: Cambodia, China, and Lao PDR.

What is human trafficking and why is it a problem?

Human trafficking is a serious violation of human rights. It involves the illegal trading of women, children and men for the purpose of sexual and labor exploitation.⁵

Human trafficking and migration in Vietnam

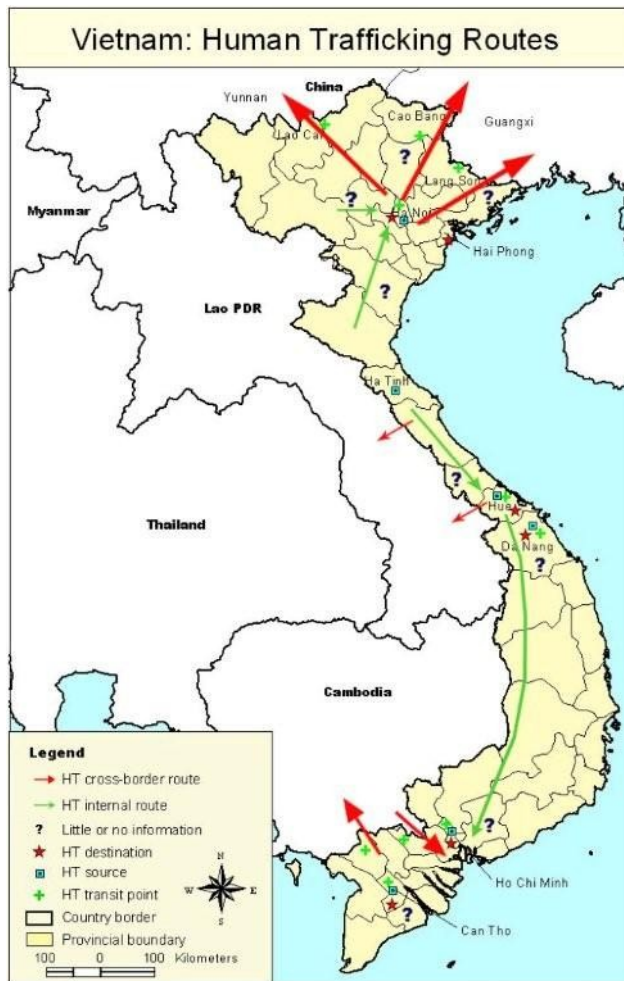
- Migration in the Greater Mekong Sub-region (GMS), including Vietnam, is increasing⁶ due to various factors such as uneven economic development, more open borders, demographic imbalances etc. Shared history, social relationships and ethnicity are also relevant migration factors particularly in border areas. Also, there has been a 'feminization' of migration particularly for domestic, agricultural and factory work, as well as for marriages.⁶
- Important aspects of the internal migration situation in Vietnam are: (1) the strong rural-to-urban migration⁹, which will see 45% of the country's population live in cities by 2020; (2) the major flow towards the South; and (3) the existence of the *Ho Khau* residence registration system¹⁰, which is slowing down the migration to cities but has had a negative impact on migrants' lives. *Doi Moi*¹¹ has played a key role in shaping Vietnam since its introduction in the 1980s.
- Vietnam is also a major source country of formally recruited laborers and by 2010 the Government expects to send approximately one million Vietnamese workers abroad. As of November 2007, there were an estimated 477,000 Vietnamese migrant workers working globally¹² and the main destination countries are: Taiwan, Malaysia, South Korea and Japan. Despite a growing body of laws and regulations concerning the recruitment and sending of workers abroad, many still end up in exploitative situations¹³.
- Research and experience to date in South-East Asia suggest that human trafficking can best be understood as "a fall-out from irregular migration"¹⁴, although elements of transnational organized crime are also present.

Who is being trafficked in Vietnam, where and what are some of the vulnerability factors?

Human trafficking affects women, men and children in Vietnam. Trafficked persons experience various difficulties ranging from physical and mental health issues, to economic and social reintegration issues. There are various vulnerability factors to human trafficking and usually no single factor brings about the vulnerability of a person. Women and girls are considered more vulnerable to trafficking than men due to unequal gender relations and social and economic power¹⁵, but it is important to recognize the agency both women and men exert in the migration process and the special needs of children in making that decision¹⁶. There is an increasing demand for virgins and children in prostitution¹⁷, due to such factors as the threat of HIV/AIDS. Vietnam is also increasingly a destination for child sex tourism with perpetrators coming from various countries¹⁸. Trafficking in newborn babies, fetuses, viscera and counterfeit adoption documents for the trade of children¹⁹ has also been identified.

The main routes of human trafficking in Vietnam²⁰

Vietnam is primarily a source country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor, but also marriages. The main destination countries are China and Cambodia, but there are other destination countries within and GMS as well. Vietnam is also a recipient country for trafficked persons from Cambodia and serves as a transit country for Chinese children to Cambodia²¹. In addition, internal trafficking of women and children has become apparent, mainly from rural areas to urban areas.



Main Routes of Human Trafficking in Vietnam	
From Vietnam to China	From Vietnam to Cambodia
<p>Women, children and newborn babies²² are trafficked for marriage, labor exploitation, sex work and adoption.²³ Wives from Vietnam are in demand, due to both demographic and economic factors, such as China's "female deficit" and bride prices. Social pressure for marriage and to have children are risk factors for rural women.²⁴ The use of violence, abduction and anesthetic²⁵ seems on the rise by increasingly organized networks. The majority of the trafficked women and children come from Vietnam's northern provinces through unofficial paths or border gates in Lang Son, Quang Ninh and Lao Cai, but also Cao Bang, Ha Giang and Lai Chau. Across the border, Bang Tuong, Dong Hung, Quang Xi, Nam Ninh, Ha Khau are receiving communities. But, destinations for trafficking now extend beyond the border provinces of Yunnan and Guangxi to inland provinces such as Henan, Hebei, Anhui, Jiangsu and Guangdong.²⁶ According to official estimates, trafficked women into China account for 70% of the total number of trafficked women abroad, but the nature and numbers remain difficult to determine²⁷.</p>	<p>Due to Vietnam's recent history, large numbers of Vietnamese have migrated to Cambodia, whose children remain largely stateless and more vulnerable to exploitation. Vietnamese are often perceived as more diligent²⁸ and beautiful²⁹ by Cambodian society, fuelling the demand for Vietnamese migrants and, more specifically Vietnamese prostitutes. Studies indicate that 15–32% of sex workers in Cambodia are of Vietnamese origin.³⁰ Individuals enter prostitution either voluntarily or by force, however, debt bondage is particularly prominent among Vietnamese sex workers in Cambodia.³¹ Around 50% of the trafficked persons of Vietnamese origin identified in Cambodia come from An Giang province.³² They come through three main routes: the border checkpoints at Toanlaop, Bavet, or Kansang in Cambodia; by plane to Phnom Penh; and, by river via three river checkpoints: Chery Thom and K'om Samnor in Kandal province, and Bak Dey in Takeo province in Cambodia.</p>
From Vietnam to other GMS countries	From Vietnam to beyond the GMS
<p>In addition to trafficking to Cambodia and China, Lao PDR and Thailand are also reportedly destination and transit countries for trafficked Vietnamese from central and southern part of the country.³³ Limited research and interventions to date provide some indications of trafficking into the commercial sex industry in Lao PDR mainly to serve the male Vietnamese workers there. Findings to date, however, indicate that: (1) the vast majority are more than 18 years old and entered voluntarily; and (2) exploitation is not widespread.³⁴ The East-West Economic Corridor³⁵ linking Vietnam (Lao Bao border gate), Lao PDR and Thailand, may also increase both migration and human trafficking vulnerability of Vietnamese migrants.</p>	<p>Vietnamese women and children, especially from the southern provinces, are sold into the sex trade in other countries. From Cambodia and Thailand, the women and children are reportedly transferred to third countries such as Macao, Taiwan-China, Hong Kong-China, Malaysia and even to European countries³⁶. In addition, an increasing number of young Vietnamese women are trafficked for marriage purposes particularly to Taiwan and South Korea.³⁷ The lure of marriage to a man in a comparatively rich country, coupled with a promised payment of anything up to \$5,000 (or ten times the average annual wage), is often too much of a temptation for rural women and their families. Disguised under the form of arranged marriages, many women become domestic slaves rather than honored wives.</p>
From Cambodia to Vietnam	Internal trafficking in Vietnam
<p>Trafficking is mostly into begging in Ho Chi Minh City (HCMC) and elsewhere in southern Vietnam, involving young or handicapped children, women with babies and elderly people. Cambodian children are also trafficked for sexual exploitation and forced labor³⁸ to sell various articles on the street. Difficult climate and poverty in Svay Rieng province are key push factors. Family debt, lack of opportunities, the acceptance of child work, and the myth of "big money" are other vulnerability factors. Traffickers are often local women who recruit children of poor families in financial difficulties, and disabled children.³⁹</p>	<p>Internal trafficking is thought to be closely linked to the rural-urban migration flows. Prostitution is prevalent in Hanoi, HCMC, Quang Ninh, Hue, Da Nang, Khanh Hoa, Ba Ria-Vung Tau, Hai Phong and Da Lat, which are said to be major destinations of internal trafficking.⁴⁰ Trafficking in the form of labor exploitation also takes place in the domestic, agricultural and construction sectors, as well as in factories, sweatshops, karaoke bars etc. Poverty and indebtedness, lack of awareness/education, family breakdown and problems, individual nature, influence of friends are frequently cited vulnerability factors.⁴¹ Similarly, the vulnerability factors for children in prostitution⁴², are largely listed and not analyzed (family poverty, indebtedness, social exclusion, low education, dysfunctional families and external influences, i.e., consumer values, peer pressure, and filial piety). Children in prostitution, enter either voluntarily or by force, sometimes under pressure from family members. Boys in prostitution appear to be rare, but vulnerabilities in relation to ethnicity are still debated.⁴³</p>

What is being done in Vietnam and by whom?

- **Government of Vietnam, mass organizations, and socio-political organizations including:** Ministry of Public Security (MPS), Ministry of Justice (MOJ), Ministry of Foreign Affairs (MOFA), Ministry of Labor, Invalids and Social Affairs (MOLISA), Border Guard Command (BGC), Ministry of Culture, Sport and Tourism, Vietnam Women's Union (VWU), National Assembly, Vietnam Lawyer Association (VLA).
- **UN agencies and projects:** ILO-IPEC/TICW, UNFPA, UNICEF, UNIFEM, UNODC and UNIAP.
- **International organizations:** IOM.
- **INGOs:** ActionAid (AAV), AFESIP, Oxfam-Québec, Save the Children UK (SCUK), The Asia Foundation (TAF), World Vision (WVF), Norwegian Assistance to Vietnam (NAV).
- **Local NGOs:** Blue Dragon, Coordination of Action Research on AIDS and Mobility (CARAM Asia), Child Sexual Abuse Prevention Programme (CSAP), Center for Studies and Applied Sciences in Gender, Family, Women and Adolescents (CSAGA), Research Center for Gender, Family and Environment in Development (CGFED), Committee on Population, Family and Children of Vietnam (CPCC), Research Center for Gender and Development (RCGAD), Pacific Links (PALS), Terre des Hommes Foundation.

The four main areas of counter-trafficking work in Vietnam

Prevention	Policy
<p>The main target groups are young people in rural areas, mostly in southern and northern Vietnam, but also authorities at various levels and the general public. Many stakeholders carry out this work which involves: awareness-raising campaigns, education and training, vocational and job opportunity provision, life-skills and technical training, and poverty alleviation projects through micro-credit schemes. The export of Vietnamese laborers abroad is considered a pro-poor development strategy, however the laws and regulations are also part of the Government's strategy to prevent exploitation and protect migrant workers.⁴⁴</p>	<p>The Ministry of Public Security in cooperation with other ministries, mass organizations, NGOs and international agencies oversees the implementation of the <i>National Action Plan on Combating Trafficking in Women and Children 2004-2010</i>. The Government of Vietnam is also an active member in regional forums such as the <i>Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)</i>, which brings together the six GMS countries in the fight against human trafficking; and the <i>AIPO Forum on Legal Cooperation to Combat Human Trafficking and the Association of Southeast Asian Nations (ASEAN)</i>.</p>
Protection	Prosecution
<p>This work consists of identification, rescue, legal proceedings, repatriation, recovery, reception and reintegration of trafficked women and children particularly from abroad. The local-level sub-committee and international organizations provide medical care, counseling and initial support. In northern Vietnam, there is one shelter in Mong Cai border-gate with support from UNICEF, and a supporting center for victims of trafficking in Quang Ninh province, supported by Oxfam-Québec. In addition, there is another center for trafficked victims run by the VWU's Center for Women and Development in Hanoi. These shelters provide food, accommodation, medical care, counseling and vocational training. In southern Vietnam, AFESIP run two rehabilitation centers in HCMC and Can Tho City in collaboration with VWU and UNICEF respectively. The agencies involved in the Reintegration Network to Support Returned Victims of Trafficking in Vietnam and others try to strengthen referral systems, as well as capacity-building for social workers, police, hotline operators and others. The recent protection guidelines (see Decision and Inter-Ministerial Circulars below) are important policy documents in this context. From 2005 – 2007 (June) 1491 trafficked persons were officially repatriated to Vietnam mainly from China and Cambodia. Others were repatriated from Thailand, Malaysia, Korea and Russia.⁴⁵</p>	<p>Prosecution involves police investigations, the criminal justice system and other governmental institutions in Vietnam and abroad. There is a specialized counter-trafficking police unit under the Criminal Police Department (MPS). In addition, UNODC, the French Embassy, SCUK, UNIAP, IOM and other international agencies are involved in providing training and capacity-building of law and enforcement agencies. During 2004-2006 Vietnam's legislation was assessed against the Palermo Protocol, the <i>UN Convention on Transnational Organized Crime</i> and the <i>UN Protocol against Smuggling of Migrants</i>. The Vietnam Government has submitted a proposal to the National Assembly to ratify these as soon as possible. Recommendations included a revision of the <i>Criminal Code</i> and the enactment of a specific comprehensive anti-human trafficking law. This work is underway in line with Directive No. 16/2007/CT-TTg. In 2008, there have been 315 cases, with 600 criminals, 820 victims. Officials have discovered 250 cases, arrested 510 criminals, rescued 260 victims and 450 trafficked victims were repatriated to Vietnam, as a result of law enforcement responses. 170 cases have gone to trial and 350 criminals have been convicted of trafficking in women and children⁴⁶. The majority of traffickers are prosecuted⁴⁷ under Articles 119, 120 and 275 of the <i>Criminal Code</i>, dealing with trafficking for commercial sexual exploitation.</p>

What are the guiding principles behind counter-trafficking efforts in Vietnam?

National: 1992 Constitution; Penal Code; Labor Laws; Decree No. 38 on the Administrative Sanctions Against Violations of Labor Legislation (1996); Decree No. 49 on Sanctions against Administrative Violation in the Domain of Security and Order (1996); Law on Marriage and Family (2000); National Action Plan on Combating Trafficking in Women and Children 2004-2010 (2004); Law on Protection, Care and Education of Children (2005), Law on Gender Equality (2006); Law on Vocational Training (2006); Law on Vietnamese Guest Workers (2006); Law on Donation and Transplantation of Human Tissues and Organs, Donation of Corpse/Body (2006); Decree No. 69 (2007) to amend the previous Decree No. 68 on International Child Adoption and Marriage, Decision 17 on Reception and Reintegration Support of Trafficked Women and Children returned from Abroad (2007, Decision 16 on Strengthening Implementation of National Plan of Action to Combat Trafficking in Women and Children (2007), Inter-Ministerial Circular 03 on Victim Identification and Reception (2008), National Circular on Policy Application for Victims of Trafficking (2008).

Bilateral: Agreement with Cambodia on Cooperation to Combat Trafficking in Women and Children (2005); Agreement with Thailand on Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking (2008). Several meetings were held regarding the need to develop an MOU with China to combat Trafficking in Persons. The first draft of this MOU was prepared by MPS in October 2008.

Multilateral: ASEAN Declaration against Trafficking in Persons, Particularly Women and Children (2004); Treaty on Mutual Legal Assistance on Criminal Matters (2004); COMMIT MOU on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region (2005); ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (2007).

What else needs to be done to combat human trafficking in Vietnam, and why is it so important?

- There should be a clear definition of human trafficking in line with the Palermo Protocol and the mechanisms for effective implementation of the *Law on Vietnamese Guest Workers* should be established.
- Counter-trafficking interventions should move beyond trafficking for sexual exploitation and address all relevant aspects of trafficking in the country, both the 'demand' and the 'supply' side.
- In terms of research, there is a need for more: (1) in-depth research on the dynamics in the migration and human trafficking process; (2) large-scale studies that go beyond any particular project area and focus on trafficking in persons into labor exploitation, transnational marriages, and internal trafficking.



www.no-trafficking.org



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¹ http://www.un.org.vn/index.php?option=com_content&task=blogcategory&id=117&Itemid=218.

² General Statistics Office 2005, 2006; Ministry of Education and Training 2006; Ministry of Labour, Invalids and Social Affairs: 2007.

³ http://www.un.org.vn/index.php?option=com_content&task=blogcategory&id=117&Itemid=218.

⁴ The Human Development Index (HDI) is based on three equally weighted variables: life expectancy at birth, a combined measure of literacy and education enrolment, and per capita income in purchasing power parity (PPP).

⁴ UN, 2000. *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*.

⁶ World Bank, 2006. *Labour Migration in the Greater Mekong Sub-region. Synthesis Report: Phase I: 7*.

⁷ Anh, Dang Nguyen & Cecilia Tacoli, 2003. *Migration in Vietnam. A review of information on current trends and patterns, and their policy implications: 3*.

⁸ Duong, Le Bach, D. Belanger & T.H. Khuat, 2008. *Female Migration and Trafficking from Vietnam*. 193.

⁹ Parliamentary Committee for Social Affairs, 2005. *Assessment on Urban Migration Policy: 89*.

¹⁰ SCUJ, 2007. *Summary Report. A Rapid Assessment of the Situation of Migrant Children in Vietnam: 27*.

¹¹ According to the Vietnam Ministry of Foreign Affairs *doi moi* is the name given to the economic reforms initiated in the country in the mid-1980s.

¹² ActionAid, 2008. *"Migration and Policies of the Asia-Pacific on migration-situation and impacts on poverty reduction in Southern Countries": 54*.

¹³ United States Department of State, 2008. *Trafficking in Persons Report..*

¹⁴ Marshall, Phil, 2001. *Globalization, Migration and Trafficking: Some Thoughts from the Southeast Asian Region: 10*.

¹⁵ Anh, Dang Nguyen, 2006. *A Review of Literature and Information on the Current Situation of Human Trafficking in Vietnam: 31*.

¹⁶ Action Aid, 2005. *Synthesis Report: the Trafficking of Vietnamese Women and Children: 47*.

¹⁷ Anh, Dang Nguyen, 2004. *Forced Migration in Vietnam: Historical and Contemporary Perspectives: 10*.

¹⁸ United States Department of State, 2008. *Trafficking in Persons Report*.

¹⁹ Vietnam Country Report, SOM6, Vientiane Lao PDR, Nov 2008.

²⁰ Anh, Dang Nguyen, 2006. *A Review of Literature and Information on the Current Situation of Human Trafficking in Vietnam*.

²¹ Anh, Dang Nguyen, 2006. *A Review of Literature and Information on the Current Situation of Human Trafficking in Vietnam: 13*.

²² Thanh Nien News, 2008. *Six arrested for baby-trafficking on China-Vietnam border (8 May, 2008)*.

²³ Report from Ha Giang Border Guard Command: Review Workshop on Anti-Trafficking in Women and Children, Oct 2008.

²⁴ Le Bach, Duong & Institute for Social Development Studies, 2005. *Cross-Border Migration and Trafficking in Females: A Study in Ha Long City, Mong Cai Town, and Yen Hung District in Quang Ninh Province: 7-11*.

²⁵ Oxfam-Québec, 2005. *Anti-Human Trafficking Program in Vietnam. Trafficking in Women and children from Vietnam to China: Legal Framework and Government Responses: 7*.

²⁶ Oxfam-Québec, 2005. *Anti-Human Trafficking Program in Vietnam. Trafficking in Women and children from Vietnam to China: Legal Framework and Government Responses: 7*.

²⁷ National Anti-Trafficking Programme Steering Committee (130/CP) & SCUJ, 2008. *Report on Assessing the Return and Reintegration of Victims of Cross-Border Trafficking: 4*.

²⁸ Cambodia Development Review, 2002. "Labour Migration in the Transitional Economies of South-East Asia: Evidences on its impact on poverty from Cambodia, Laos and Vietnam" in *Cambodia Development Review*, Vol. 6. Issue 1, January/March, 2002.

²⁹ Derks, Annuska, 1996. 'Diversity in Ethnicity: A Picture of Vietnamese in Cambodia', in *Interdisciplinary Research on Ethnic Groups in Cambodia*, Final Draft Reports, Center for Advanced Study: 263.

³⁰ Derks, Annuska, Roger Henke & Vanna Ly, 2006. *Review of a Decade of Research On Trafficking in Persons, Cambodia: 22-23*.

³¹ Steinfatt, Thomas, University of Miami, RUPP, AusAid, 2003. *Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study*, Part-III of a Series: 17.

³² According to the Ministry of Social Affairs, Veterans and Youth Rehabilitation in Cambodia.

³³ Anh, Dang Nguyen, 2006. *A Review of Literature and Information on the Current Situation of Human Trafficking in Vietnam*.

³⁴ According to information from partner agencies working on prevention and protection issues in Lao PDR and Vietnam.

³⁵ ADB, 2006. *Country Strategy and Program. Lao People's Democratic Republic 2007 – 2011: 91*.

³⁶ (SC-UK, 1999).

³⁷ (Wang, 2005; Tran, 2006).

³⁸ United States Department of State, 2008. *Trafficking in Persons Report*.

³⁹ IOM, 2002. *Study on the Situation of Cambodian Victims of Trafficking in Vietnam and Returned Victims of Trafficking from Vietnam to Cambodia: 60*.

⁴⁰ IBID.

⁴¹ Anh, Dang Nguyen, 2006. *A Review of Literature and Information on the Current Situation of Human Trafficking in Vietnam*.

⁴² Le Bach Duong, 2002. *Viet Nam: Children in Prostitution in Hanoi, Hai Phong, Ho Chi Minh City and Can Tho: A Rapid Assessment: xvii*.

⁴³ Institute of Sociology, Oxfam-Québec, SCUJ, 2002. *Community-based Initiatives against Child Trafficking in Vietnam. A Rapid Assessment in Bac Giang, Lang Son and Quang Ninh: 5*.

⁴⁴ ActionAid, 2008. *"Migration and Policies of the Asia-Pacific on migration-situation and impacts on poverty reduction in Southern Countries": 58*.

⁴⁵ The COMMIT Sub-Regional Plan of Action (2005-2007), 2007. *Progress Report. Achievements in Combating Human Trafficking in the Greater Mekong Sub-Region*.

⁴⁶ Vietnam Country Report, SOM 6, Vientiane Lao PDR, Nov 2008.

⁴⁷ United States Department of State, 2008. *Trafficking in Persons Report*.