HUMAN TRAFFICKING IN VIETNAM: PREVENTING CRIME AND PROTECTING VICTIMS THROUGH INTER-AGENCY COOPERATION

TIEN HOANG LE
LL.B and LL.M (PPU - Vietnam)

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Faculty of Law
Queensland University of Technology

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ABSTRACT

Human trafficking in Vietnam is now recognised as an established practice. The number of trafficking cases identified has increased recently, with 4,224 cases and 9,142 victims identified in the last decade. Although the problem of human trafficking has been the subject of increasing national attention, a lack of clear progress in trafficking prevention, prosecution, and victim protection remain. The quality and extent of collaboration between authorised agencies are key factors in anti-trafficking activities. However, to date there has been no systematic research on inter-agency cooperation in human trafficking prevention and victim support in Vietnam.

This study is an exploratory investigation into the problem of human trafficking in Vietnam. It examines inter-agency cooperation in anti-trafficking activities, including strategies to prevent trafficking and protect victims. To achieve these aims I conducted 25 semi-structured interviews with five different cohorts (police officers, border guards, women’s union staff, social welfare staff, and staff from the Ministry of Information and Communication). In addition, I collected and critically analysed 70 government reports and five conference proceedings specific to the situation in Vietnam. These documents were used to triangulate the findings from the semi-structured interviews.

This study reveals multifaceted counter-trafficking activities in Vietnam, including information about current inter-agency collaborative activities undertaken to implement the primary prevention and protection strategies, their successes, and challenges. Although Vietnamese trafficking prevention and victim protection strategies have achieved several notable victories, the efficacy of anti-trafficking programmes is currently limited by a lack of effective inter-agency collaboration. Primary challenges to awareness-raising campaigns include: limited cooperation due to uneven uptake of collaboration activities, lack of communication down the chain of command to share up-to-date and accurate information, inflation of estimates of participation in anti-trafficking activities due to data collection by multiple agencies at the same event, and limited access to electronic media to access information. This study also identifies challenges involved in providing protection and services to victims, including: a lack of information exchange between the authorities around victim identification, difficulty determining what exactly happened in trafficking cases that occurred overseas, delays in government identification and processing of trafficking victims, limited services to support victims’ physical safety and privacy post-
trafficking, and limited access to physical and mental health assistance. Other problems were identified concerning economic empowerment programmes. These include: a lack of effective collaboration to provide financial support to trafficking victims, and an inability to supply vocational training that meets job market requirements and arrange suitable jobs for survivors of trafficking. Finally, this thesis offers three sets of solutions to improve inter-agency cooperation in the future in Vietnam, including overall recommendations, recommendations for trafficking prevention, and recommendations for trafficking victim protection.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>1</td>
</tr>
<tr>
<td>TABLE OF CONTENTS</td>
<td>3</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td>7</td>
</tr>
<tr>
<td>ABBREVIATIONS AND ACRONYMS</td>
<td>8</td>
</tr>
<tr>
<td>STATEMENT OF ORIGINAL AUTHORSHIP</td>
<td>10</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>11</td>
</tr>
<tr>
<td>CHAPTER 1: INTRODUCTION</td>
<td>12</td>
</tr>
<tr>
<td>1.1 Overview of Human Trafficking</td>
<td>12</td>
</tr>
<tr>
<td>1.2 Responses to Human Trafficking</td>
<td>16</td>
</tr>
<tr>
<td>1.3 Statement of the Problem</td>
<td>19</td>
</tr>
<tr>
<td>1.4 Research Questions and Objectives</td>
<td>21</td>
</tr>
<tr>
<td>1.5 Thesis Outline</td>
<td>22</td>
</tr>
<tr>
<td>CHAPTER 2: HUMAN TRAFFICKING IN THE GLOBAL CONTEXT</td>
<td>25</td>
</tr>
<tr>
<td>2.1 Introduction</td>
<td>25</td>
</tr>
<tr>
<td>2.2 International Definition of Trafficking in Persons</td>
<td>25</td>
</tr>
<tr>
<td>2.3 The Global Human Trafficking Situation</td>
<td>30</td>
</tr>
<tr>
<td>2.4 Types of Trafficking-Related Exploitation</td>
<td>33</td>
</tr>
<tr>
<td>2.4.1 Sexual Exploitation</td>
<td>34</td>
</tr>
<tr>
<td>2.4.2 Forced Labour</td>
<td>35</td>
</tr>
<tr>
<td>2.5 Global Responses to Human Trafficking</td>
<td>37</td>
</tr>
<tr>
<td>2.5.1 Trafficking Prevention</td>
<td>37</td>
</tr>
<tr>
<td>2.5.2 Victim Protection</td>
<td>40</td>
</tr>
<tr>
<td>2.6 Inter-agency Cooperation in Trafficking Prevention and Victim</td>
<td>42</td>
</tr>
<tr>
<td>Protection</td>
<td>42</td>
</tr>
<tr>
<td>2.6.1 Understanding of Inter-agency Cooperation</td>
<td>42</td>
</tr>
<tr>
<td>2.6.2 The Context of Inter-agency Cooperation</td>
<td>44</td>
</tr>
<tr>
<td>2.7 Conclusion</td>
<td>49</td>
</tr>
<tr>
<td>CHAPTER 3: HUMAN TRAFFICKING IN THE VIETNAMESE CONTEXT</td>
<td>51</td>
</tr>
<tr>
<td>Section</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>5.2.2 Community-based Campaigns</td>
<td>104</td>
</tr>
<tr>
<td>5.2.3 School-based Education</td>
<td>110</td>
</tr>
<tr>
<td>5.2.4 Mass Media Campaigns</td>
<td>112</td>
</tr>
<tr>
<td>5.2.5 Economic Empowerment Programmes</td>
<td>115</td>
</tr>
<tr>
<td>5.2.6 Counselling in Human Trafficking Prevention</td>
<td>119</td>
</tr>
<tr>
<td>5.2.7 Anti-trafficking Club Models</td>
<td>122</td>
</tr>
<tr>
<td>5.2.8 Managing Borders, Conditional Business Services, and People</td>
<td>123</td>
</tr>
<tr>
<td>with Criminal Records in Trafficking</td>
<td></td>
</tr>
<tr>
<td>5.2.9 Organising Professional Training Courses for Staff and Collaborators</td>
<td>125</td>
</tr>
<tr>
<td>5.3 Effects of Prevention Strategies</td>
<td>129</td>
</tr>
<tr>
<td>5.4 Discussion</td>
<td>132</td>
</tr>
<tr>
<td>5.5 Conclusion</td>
<td>135</td>
</tr>
<tr>
<td><strong>CHAPTER 6: RESEARCH FINDINGS – INTER-AGENCY COOPERATION IN THE PROTECTION OF VICTIMS</strong></td>
<td>137</td>
</tr>
<tr>
<td>6.1 Introduction</td>
<td>137</td>
</tr>
<tr>
<td>6.2 Strategies to Protect Victims</td>
<td>137</td>
</tr>
<tr>
<td>6.2.1 Receipt and Verification of Victims</td>
<td>138</td>
</tr>
<tr>
<td>6.2.2 Protection of Victims’ Physical Safety and Privacy</td>
<td>142</td>
</tr>
<tr>
<td>6.2.3 Support for Essential Needs and Travelling Expenses</td>
<td>146</td>
</tr>
<tr>
<td>6.2.4 Medical and Psychological Support</td>
<td>149</td>
</tr>
<tr>
<td>6.2.5 Legal Aid</td>
<td>152</td>
</tr>
<tr>
<td>6.2.6 Training and Financial Support</td>
<td>156</td>
</tr>
<tr>
<td>6.3 Effects of Victim Protection Strategies</td>
<td>161</td>
</tr>
<tr>
<td>6.4 Successful Reintegration Models</td>
<td>165</td>
</tr>
<tr>
<td>6.5 Discussion</td>
<td>168</td>
</tr>
<tr>
<td>6.6 Conclusion</td>
<td>171</td>
</tr>
<tr>
<td><strong>CHAPTER 7: RECOMMENDATIONS</strong></td>
<td>173</td>
</tr>
<tr>
<td>7.1 Introduction</td>
<td>173</td>
</tr>
<tr>
<td>7.2 Overall Recommendations</td>
<td>173</td>
</tr>
<tr>
<td>7.2.1 Re-establishing the Network for Information Exchange</td>
<td>173</td>
</tr>
<tr>
<td>7.2.2 Enhancing the Morale and Professional Skills of Staff and Collaborators</td>
<td>174</td>
</tr>
</tbody>
</table>
7.2.3 Mobilising and Allocating Financial Resources for Anti-trafficking Strategies 177
7.2.4 Improving Economic Empowerment Strategies 180
7.3 Recommendations for Trafficking Prevention 182
  7.3.1 Strengthening Awareness of Trafficking Issues through Community-based and Mass Media Campaigns 182
  7.3.2 Strengthening School-based Anti-trafficking Awareness 186
  7.3.3 Applying Successful Prevention Models to Different Localities 188
7.4 Recommendations for Trafficking Victims’ Protection 189
  7.4.1 Protecting Victims’ Physical Safety and Privacy 189
  7.4.2 Providing Medical and Psychological Support 190
  7.4.3 Developing a Network of Victim Support Centres/Shelters and Community Support Groups 193
7.5 Conclusion 195

CHAPTER 8: CONCLUSION 197
  8.1 Summary 197
  8.2 Areas for Future Research 204

APPENDICES 206
  APPENDIX A: Interview List 206
  APPENDIX B: Penal Code 1999 208
  APPENDIX C: Law on Human trafficking prevention and combat 210
  APPENDIX D: National Plan of Action Against Human Trafficking, PERIOD 2011-2015 229

REFERENCE LIST 244
## LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 2.1</td>
<td>Number of human trafficking cases and victims in the world</td>
<td>31</td>
</tr>
<tr>
<td>Table 3.1</td>
<td>Number of human trafficking cases and victims in Vietnam</td>
<td>58</td>
</tr>
<tr>
<td>Table 4.1</td>
<td>Interview questions and prompts</td>
<td>89</td>
</tr>
</tbody>
</table>
## ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASEAN</td>
<td>Association of South East Asian Nations</td>
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<td>CBSS</td>
<td>Council of the Baltic Sea States</td>
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<tr>
<td>COMMIT</td>
<td>Coordinated Mekong Ministerial Initiatives on Trafficking</td>
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<tr>
<td>DIC</td>
<td>Department of Information and Communications</td>
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<td>DND</td>
<td>Department of National Defence</td>
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<td>DOF</td>
<td>Department of Finance</td>
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<td>DOJ</td>
<td>Department of Justice</td>
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<td>DOLISA</td>
<td>Divisions on Labour, Invalids and Social Affairs</td>
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<td>DPS</td>
<td>Department of Public Security</td>
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<td>IGOs</td>
<td>Intergovernmental organisations</td>
</tr>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
</tr>
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<td>LEED</td>
<td>Local Economic and Employment Development</td>
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<td>MIC</td>
<td>Ministry of Information and Communications</td>
</tr>
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<td>MND</td>
<td>Ministry of National Defence</td>
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<td>MOLISA</td>
<td>Ministry of Labour, Invalids and Social Affairs</td>
</tr>
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<td>MPS</td>
<td>Ministry of Public Security</td>
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<tr>
<td>NGOs</td>
<td>Non-governmental organisations</td>
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<td>NPA</td>
<td>National Plan of Action</td>
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<tr>
<td>OECD</td>
<td>The Organisation for Economic Co-operation and Development</td>
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<td>SC</td>
<td>Steering Committee (Steering Committee 138/CP)</td>
</tr>
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<td>UN</td>
<td>United Nations</td>
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<td>UNIAP</td>
<td>United Nations Inter-Agency Project on Human Trafficking in the Mekong Sub-region</td>
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<td>Abbreviation</td>
<td>Description</td>
</tr>
<tr>
<td>--------------</td>
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</tr>
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<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
</tr>
<tr>
<td>USD</td>
<td>United States Dollar</td>
</tr>
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<td>USDOS</td>
<td>U.S Department of State</td>
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<tr>
<td>VBSP</td>
<td>The Vietnam Bank for Social Policies</td>
</tr>
<tr>
<td>VNA</td>
<td>The Vietnamese National Assembly</td>
</tr>
<tr>
<td>VND</td>
<td>Vietnamese Dong (The Vietnamese National Currency)</td>
</tr>
<tr>
<td>VWU</td>
<td>The Vietnam Women’s Union</td>
</tr>
</tbody>
</table>
STATEMENT OF ORIGINAL AUTHORSHIP

The work contained in this thesis has not been previously submitted to meet requirements for an award at this or any other higher education institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made.

Signature: 

QUT Verified Signature

Date: 27 July 2017
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1.1 OVERVIEW OF HUMAN TRAFFICKING

Human trafficking has become increasingly important in both politics and academia (Aromaa 2007; Kangaspunta 2007; Piper 2005). Hoang (2013: 1) argues that “it remains a ‘hot’ issue, and its ‘heat’ does not seem to be decreasing”. A large and growing body of literature has investigated human trafficking, broadly defined as the criminal exploitation of labour in a wide range of industries and settings (Duong 2014; Samarasinghe and Burton 2007; Shelley 2010). There are a growing number of criminologists who have begun to investigate the nature of the problem and responses to it (Laczko and Gozdziak 2005; Shelley 2010). However, there is an inadequate understanding of the trafficking problem due to a lack of empirical research on trafficking and responses to it (Hoang 2013; Macy and Graham 2012; Vanderhoof 2015).

In 2000, a meeting of representatives from more than 80 countries led to a detailed agreement to address trafficking in persons: The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (also referred to as the Trafficking Protocol 2000 or Palermo Protocol). During the Protocol deliberations, the most controversial aspect of the Trafficking Protocol 2000 was the definition of trafficking. Gallagher (2010) and Kneebone and Debeljak (2012) describe the formulation of the trafficking definition as an extremely significant development of the Trafficking Protocol 2000. It defines human trafficking as:

[...] the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (Trafficking Protocol 2000: Article 3)
As has been reported by the United Nations Office on Drugs and Crime (UNODC), International Labour Organization (ILO), International Organization for Migration (IOM), governments, and international organisations, hundreds of thousands to millions of persons are thought to be trafficked every year around the world. The ILO (2012), for example, estimates that there are 20.9 million trafficking victims globally. Meanwhile, The United States (US) *Trafficking in Persons Report* claims that there has been a significant increase from 5,212 trafficking prosecution cases and 30,961 victims identified in 2008 to 18,930 cases and 77,823 victims identified in 2015 (US Department of State [USDOS] 2016). It also reports that there are an estimated 1.8 trafficking victims per every 1,000 people around the world (USDOS 2010). According to Kangaspunta (2007), most countries worldwide have some evidence of trafficking in persons. However, Rankin and Kinsella (2011) and O’Brien (2010) argue that accurate data on trafficking in persons cannot be obtained due to the hidden nature of the crime, noting that the “dark figure” of human trafficking that is not reported may be significant, and that estimates of trafficking may also be inflated due to a lack of clear and consistent operational definitions of the crime.

Human trafficking is thought to affect an increased number of victims in different “markets”. Various types of human trafficking have been identified in scholarly research and agency reports (ILO 2012; Kneebone and Debeljak 2012; USDOS 2010–2016; Zimmerman and Borland 2009). The *Trafficking in Persons Report*, for example, uses a number of different terms to refer to different types of trafficking, including “sex trafficking”, “child sex trafficking”, “forced labour”, “bonded labour or debt bondage”, “involuntary domestic servitude” and “forced child labour” (USDOS 2015: 7, 8).


Trafficking victims are transported internationally, regionally and, in many cases, within national borders. Kangaspunta (2007: 33) finds that trafficking victims “are typically recruited from poor or politically and economically unstable countries, transported through countries that provide geographically expedient routes and exploited in more affluent parts of the world”. Many trafficking victims are thought to be economically disadvantaged, drug users, or the under-educated (McClain and Garrity 2011; Zimmerman and Borland
2009). According to Pearce (2011), some children and young people end up as human trafficking victims after fleeing abusive relatives. Moreover, Laczko (2007), Lehti and Aromaa (2006), and Winterdyk and Reichel (2010) claim that valid statistics on trafficking are scarce and unreliable. Many reports and research overemphasize trafficking victims of sexual exploitation, while neglecting other types of exploitation that represent critical markets for traffickers (O’Brien et al. 2013; Savona 2008). Research on trafficked men for sexual exploitation or trafficked boys is also scarce (David 2009; Gozdziak 2015). There are several reasons for the difficulties in quantifying trafficking. The first reason is victims are often hidden from public view. Victims are reluctant or unable to contact authorities because of intimidation and fear of reprisals. The subtle means used by traffickers also make the crime hard to identify (Aromaa 2007; Goodey 2012). Definitional disparities make trafficking difficult to qualify, as different sources operationalise trafficking in a range of ways. Some definitions focus on international movements across borders, while others conflate child sexual exploitation or sex work with trafficking (Dragiewicz, 2015).

Most reports and research on trafficking have focused on international trafficking rather than internal trafficking inside particular countries (Laczko and Gozdziak 2005; Piper 2005). It is also noted that much of the “data” in international, regional, and country reports and research is based on estimates or “guesstimates”. Different stakeholders give different numbers due to their estimation methods. As a result, empirically-based data about characteristics and legal status of victims are rarely available (Aromaa 2007; Hoang 2013; Piper 2005). For this reason, this thesis provides published estimates only as an indication of claims about trafficking and reported trafficking cases.

Similar to many countries worldwide, “Vietnam is not immune to human trafficking” (Duong 2014: 2). Vietnam is a member of the Association of South East Asian Nations (ASEAN) where the issue of trafficking in persons has been on the agenda since the early 1990s. Shelly (2010: 158) considers this area to be “a hub of human trafficking, particularly sexual trafficking”. In this region many people are also trafficked into a wide variety of industries and settings, for example forced marriages and labour situations. Moreover, trafficking for the purposes of organ removal is another problem that has been identified in the region (David et al. 2011; Shelly 2011).

In Vietnam official statistics indicate that human trafficking is now an established practice. The number of trafficking cases and victims identified has increased recently, with 4,224
cases and 9,142 victims reported in the last decade.¹

People are subjected to forced labour and trafficked for sexual exploitation. Many children are victims of forced and bonded labour, including begging, domestic service, work in factories or brick kilns and gold mines. Babies are also thought to be trafficked for private adoption (Duong 2014; Hoang 2013; USDOS 2015). Many researchers claim that reported data do not depict the whole picture of human trafficking in Vietnam because of the absence of regular and complete data collection. The actual number of trafficking cases and victims is thought to be considerably higher than the cases officially recognised (Kneebone and Debeljak 2012; Hoang 2013; Vu 2007).

So far, little information is available about some basic characteristics of human trafficking in Vietnam, including victims’ profiles, and trafficking sources and destinations (Le 2014; Kneebone and Debeljak 2012). Hoang (2013) finds that traffickers may be professionals in some cases or they may be close to victims and therefore easily earn their trust. In many cases, the traffickers are the victims’ relatives, friends, or people from the same village. Specifically, parents or boyfriends are thought to sell their children or girlfriends to satisfy material needs. Most Vietnamese victims are thought to be young, impoverished, uneducated, and unemployed (Hoang 2013; Houck 2003; Tucker et al. 2009). Vietnamese victims are trafficked for sexual and labour exploitation across the globe (Hoang 2013; USDOS 2015). Furthermore, some Vietnamese women are recruited through international marriages (between Vietnamese women/girls and foreign men) to move to China, Taiwan, Hong Kong, Macau, and South Korea. Many women in these marriages are sold and subsequently subjected to conditions of forced labour (including as domestic servants), forced prostitution, or both (Hoang 2013; Shelley 2010). Furthermore, the vast majority (70 per cent) of trafficking cases are thought to occur at the Vietnam–China border, while a further 10 per cent occur at the Vietnam–Cambodia border, with a smaller 6 per cent taking place at the Vietnam–Laos border (SC 2015).

Trafficking in Vietnam is understood to be shaped by a wide variety of influences, including economic, political, and socio-cultural influences. Primary contributing factors include: poverty, limited opportunities for women in troubled families, unemployment, political transitions, political control of border areas, urbanisation, culture change, and racial and ethnic discrimination (Hoang 2013; Houck 2003; Le 2014; Tucker et al. 2009).

¹ See Section 3.3.2 (Chapter 3) for more information.
Consequences of human trafficking include physical, psychological, and social effects on victims. These are significant problems related to the trafficking situation in Vietnam (Tucker et al. 2009). For example, women who are victims of sexual exploitation face the probability of being affected by social stigma on their return to their place of origin, exposure to sexually transmitted diseases such as HIV/AIDS, and unwanted pregnancies. Future opportunities for victims are often very limited in this context. The lack opportunity to marry, acquire vocational training, and find stable jobs are all challenges for trafficking victims (Tucker et al. 2009).

1.2 RESPONSES TO HUMAN TRAFFICKING

Anti-trafficking responses have become “an important priority for many governments around the world” (Laczko and Gozdziak 2005: 6). Various strategies have been applied to combat human trafficking in different countries, including: adopting new laws or amending existing anti-trafficking legislation, building the political will and capacity to better combat the crime, and efforts to address trafficking “push and pull” factors (Duong 2014; Kranrattanasuit 2014). The establishment of the Trafficking Protocol 2000 can be seen as “a breakthrough amongst previous international legal responses to human trafficking” (Hoang 2013: 2). The Trafficking Protocol 2000 introduces three important counter-trafficking objectives, known as the “3P paradigm”, including prevention of human trafficking, prosecution of offenders, and protection of victims (Trafficking Protocol 2000: Article 4).

Any effective anti-trafficking activities have to start with prevention. Prevention is a “necessary core of counter-trafficking strategy” (Chuang 2006: 156). Preventing the recruitment of people is thought to be an ideal method to reduce the number of trafficking victims (Shelley 2010: 132). Prevention activities include: awareness raising campaigns, providing educational and vocational training to reduce economic vulnerability, assisting individuals with microcredit, strengthening law enforcement, and strengthening partnerships between organisations to improve trafficking prevention. Prosecution, the second principle, is an indispensable element for governments to eradicate the crime (USDOS 2011). As Overbaugh explains, prosecution “deters further trafficking, incapacitates current traffickers, and removes the powerful financial incentive to traffic through both asset forfeiture and mandatory restitution” (2009: 642). States need to apply a
broad range of prosecution-related activities for them to be effective. The techniques that have been tried are: implementing specific anti-trafficking laws; establishing relevant institutions, such as special anti-trafficking police units; training law enforcement; protecting witness rights; developing proactive investigative techniques and other activities (UNODC 2009: 10). Regarding the last principle-protection-the Trafficking Protocol 2000 requires states to protect the privacy and identity of victims, as well as their physical safety. Other assistance includes: supplying trafficking victims with information on legal proceedings; providing the opportunity to present their views and concerns; and offering assistance for victims' physical, psychological, and social recovery (such as appropriate housing; counselling; medical, psychological, and material assistance; and employment, educational, and training opportunities) (Trafficking Protocol 2000: Article 6).

It is estimated that USD 31.8 million were spent to combat human trafficking around the world in 2001, and the amount of money had increased exponentially to USD 185.5 million in 2010 (Gozdziak 2014: 23). There seem to have been some positive developments in response to the crime according to monitoring bodies. The level of compliance with the three counter-trafficking principles (prevention, prosecution, and protection) improved over the 2000-2010 period (Cho et al. 2014: 436). Cho and colleagues (2014: 439) also indicate that the developed world, such as European and OECD (Organisation for Economic Co-operation and Development) countries, performs better in regards to responses to human trafficking than the rest of the world. In contrast, sub-Saharan Africa had the lowest level of compliance with anti-trafficking policies in 2010.

However, there are many signs that trafficking is increasing, not diminishing, and counter-trafficking activities face some challenges (Overholt 2013; Samarasinghe and Burton 2007; Shelly 2010). Prevention of trafficking, for example, is hindered by a lack of effective awareness-raising campaigns and other anti-trafficking components, such as economic empowerment programmes or skills training courses (Overholt 2013; Shinkle 2007; Friesendorf 2007). Regarding prosecution, Shelly finds that “no region of the world has many prosecuted cases” and “most human trafficking investigations target only the lowest level of criminal participants” (Shelly 2010: 321). In terms of victim protection, although financial resources are earmarked for victim support, “governmental efforts to protect victims of human trafficking remain weaker than their efforts to criminalize traffickers and to prevent the crime of human trafficking” (Cho et al. 2014: 451). Furthermore, the
statistics on trafficking cases and victims are widely viewed as unreliable and hindered by non-comparable terminology and inconsistent recordkeeping (Gozdziak 2015; Laczko 2007; Lehti and Aromaa 2006; Winterdyk and Reichel 2010).

In Vietnam, trafficking of humans has been the subject of increasing national attention, which can be observed in several ways, such as formulating legal initiatives, entering into bilateral agreements with other countries, ratifying and implementing various international treaties, and implementing anti-trafficking activities. Under the Vietnamese legal framework anti-trafficking strategies are mainly introduced in the Anti-Trafficking Law 2011, the Penal Code, the National Plan of Action (NPA), and agreements between Vietnam and neighbouring countries. These national efforts help Vietnam to strengthen human trafficking prevention, prosecution, and victim protection. Anti-trafficking activities in Vietnam have achieved some successful results (Duong 2014; Tucker et al. 2009; USDOS 2011–2016). However, understanding of trafficking in Vietnam is still limited (Hoang 2013; Kneebone and Debeljak 2012; Kranrattanasuit 2014). For example, in comparison with the Trafficking Protocol 2000, regulations related to anti-trafficking measures are vague (Hoang 2013; Kranrattanasuit 2014). Additionally, some policies for victim protection are not tailored to the needs of the trafficking context (Duong 2014; Hoang 2013).

In practice, a lack of clear progress in trafficking prevention, prosecution, and victim protection remains. For example, the effectiveness of awareness-raising campaigns and educational programmes is thought to be limited in Vietnam; the most at-risk populations cannot access awareness resources. Therefore, there is an uneven understanding of trafficking across communities and regions in Vietnam (ActionAid International Vietnam 2005; Duong 2014; Tucker et al. 2009). Regarding victim protection services, it is thought that the majority of trafficking victims return to communities without reporting their trafficking experiences to authorities or even telling their families and friends (Trees et al. 2012: 19). Furthermore, government agencies lack health care equipment, technical training, vocational training centres, and funding. Support, therefore, is limited and does not satisfy victims’ needs or expectations (Duong 2014; Hoang 2013; Surtees 2013).

Another challenge examined by Hoang (2013) and David (2006) is that data on trafficking,

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2 See Section 3.4 (Chapter 3) for more information.
especially internal trafficking, is unreliable. As such, the real incidence of human trafficking is not accurately reflected in recorded crime statistics.

1.3 STATEMENT OF THE PROBLEM

International and inter-agency cooperation is required in order to offer comprehensive prevention activities, conduct thorough criminal investigations, and provide victim protection in order to produce the most successful and satisfactory anti-trafficking results possible (Adepoju 2005; Aronowitz 2009; David et al. 2011; Lee 2005). In practice, many programmes handle cooperation at various levels between countries and agencies to counter the trafficking problem. Many countries around the world have introduced national programmes or national action plans on human trafficking, which include international and national cooperation policies (Friesendorf 2007; Kranrattanasuit 2014; Sidoti 2010). However, while a large body of literature of international cooperation has been published, inter-agency cooperation is only discussed in a few studies (Aronowitz 2009; David 2006; Sidoti 2010).

Much of the current literature on inter-agency cooperation pays particular attention to its effect on improving policy and legal frameworks, strengthening information exchange, providing support services, and developing the capacity of law enforcement institutions (David 2006; Rankin and Kinsella 2011; Sidoti 2010; Surtees 2013). Some objective and subjective factors which affect cooperation have also been identified by David (2006), Hoffmann (2013), Sun-Suon (2014), and Surtees (2013). Another debate about cooperation highlights the weakness of networks between different agencies involved in reintegration assistance activities (Aronowitz 2009; Gallagher and Surtees 2012; Sidoti 2010; Surtees 2013).

In Vietnam the quality and extent of collaboration between authorised agencies are key issues in anti-trafficking activities. There is a need to establish strong government partnerships to counter human trafficking crimes (Duong 2014). National regulations, for example the Anti-Trafficking Law 2011 and the NPA, have clarified the primary responsibilities of anti-trafficking agencies, including their cooperation with other organisations to respond to trafficking. As discussed later in Chapter 3, while government reports provide general data on inter-agency cooperation, academic research is needed to better understand collaboration activities, their successes, and limitations.
However, most of the research on human trafficking in Vietnam so far focuses on the background of the crime, existing legal frameworks, demand factors, vulnerabilities of victims, consequences of trafficking, and anti-trafficking recommendations (Le 2014; Tucker et al. 2009; Vijeyarasa 2010, 2013). For instance, while Tucker and colleagues (2009) focus on legal frameworks, international cooperation, and policy when examining sex trafficking in Vietnam, Vijeyarasa (2010, 2013) mainly explores the stigma attached to victims after being repatriated to their home communities. Meanwhile, some projects run by international organisations produce general data related to trafficking in Vietnam. This information is derived from general reports and a limited number of case studies so that key information is likely missing or unable to be located. In addition, in some studies in Vietnam information “was not sought or obtained from some important stakeholders such as victims, victim support agencies or embassy officials who might be involved in engaging in preliminary identification of the situation” (David et al. 2011: 5). Hoang (2013) argues that the available studies have not been up-to-date with the modern-day actions of traffickers. Overall, little empirical, scholarly research has been published on trafficking in Vietnam.

Furthermore, much of the current literature has described international or regional coordination of anti-trafficking activities (David et al. 2011; Kneebone and Debeljak 2012). There is limited available information about partnerships between key anti-trafficking actors within Vietnam, for example police officers, border guards, and social welfare staff. Inter-agency cooperation and its limitations in responding to human trafficking are addressed in a small body of research, for example that of Duong (2014), Hoang (2013), and Phan (2008). Hoang (2013) investigates weaknesses of inter-governmental agency collaboration and finds that they contribute to a lack of awareness on the part of officials about the needs of trafficked persons. Meanwhile, Duong (2014) describes the limitations of information sharing between anti-trafficking agencies. Phan (2008) identifies similar problems, noting that the Ministry of Information and Communications (MIC) and the Vietnam Women’s Union (VWU) were deficient in disseminating human trafficking information from the Ministry of Public Security (MPS). As a result, awareness campaigns could not be organised efficiently.

Accordingly, there are still significant gaps in the research on inter-agency collaboration to counter human trafficking. There have been no systematic and in-depth studies of governmental cooperation in counter-trafficking activities in Vietnam. This current study
focuses primarily on inter-agency cooperation for trafficking prevention and victim protection. This is because these anti-trafficking activities have a close connection. While crime prevention is an outreach measure to stop crime (Worrall 2006), “providing a safety net of support for returning victims acts as a means of preventing re-trafficking” (USAID 2009: 17). David (2009) also argues that limited information about practices in the crime prevention and victim support sectors leads to difficulties in assessing the impact and effectiveness of responses. Furthermore, in an Asian country like Vietnam, where governments “consider crime-related data to be politically sensitive and are reluctant to disclose them to researchers” (Liu 2009: 6), researchers have limited access to official data on trafficking prosecutions.

In light of what has been posed above, this study on *Human trafficking in Vietnam: Preventing crime and protecting victims through inter-agency cooperation* addresses a critical gap in the academic literature by collecting information about the cooperative activities among Vietnamese agencies and investigating how the collaborative activities are delivered. This study is essential for providing information about the potential benefits and challenges of collaboration. In addition, this information will be critical to offering feasible recommendations for improving cooperation and promoting a unified approach among Vietnamese agencies for preventing human trafficking and protecting victims.

### 1.4 RESEARCH QUESTIONS AND OBJECTIVES

The overall aim of this study is to examine Vietnamese inter-agency cooperation to prevent human trafficking and protect trafficking victims. Furthermore, by identifying challenges to practice, the thesis suggests appropriate solutions to improve inter-agency cooperation to assist in curtailling the crime and protecting victims. The thesis is guided by the following research questions:

1. What is working well and what is not working in cooperation between Vietnamese Government agencies to prevent human trafficking and protect trafficking victims?

2. How can inter-agency collaboration to prevent human trafficking and protect trafficking victims be improved?

This research project examines which cooperative activities between Vietnamese agencies work and which need to work better. Primary prevention activities may include
cooperation to: exchange operational information, educate the public, strengthen the operational capability of staff, and implement economic empowerment programmes. Meanwhile, protection activities include: support for essential needs, legal aid, protection of victims’ physical safety and privacy, and financial support. Through examining anti-trafficking measures, this study assesses how the cooperative activities are delivered. Finally, the research identifies obstacles to inter-agency cooperation and makes recommendations about how to enhance the effectiveness of collaboration moving forward.

To answer the research questions, this thesis focuses on the perceptions and experiences of Vietnamese Government staff engaged in trafficking prevention and victim protection activities. The thesis combines two qualitative methods: critical policy analysis and semi-structured interviews. Information from each method is compared with the other method and the extant research literature. The use of multiple information sources helped to answer the research questions from different angles. Semi-structured interviews were conducted in four provinces selected as research sites. The researcher interviewed 25 staff from five key agencies which respond to human trafficking, including 20 working and five retired persons. The researcher attempted to interview a variety of informants with regard to their qualifications and working experience.

1.5 THESIS OUTLINE

The thesis comprises eight chapters.

Chapter 1 introduces the background and history of counter-trafficking activities in Vietnam, including inter-agency cooperation to prevent crime and support victims. The introduction also discusses the research questions for this study and outlines the overall structure of the thesis.

Chapter 2 examines human trafficking in the global context. The first part of this chapter investigates the development of human trafficking definitions in key international legal agreements. The chapter then draws from the extant research in order to provide an overview of current debates about trafficking, and discusses international regimes for trafficking prevention and victim protection. Finally, the chapter discusses what is meant
by the term “inter-agency cooperation”, the need and importance of cooperation, and the challenges to effective cooperation for preventing crime and protecting victims.

Chapter 3 focuses on human trafficking in the Vietnamese context. The first part discusses the definition of human trafficking under Vietnamese anti-trafficking policies. Following that, the overall situation and the nature of trafficking in persons in Vietnam are investigated. The next part of the chapter discusses Vietnamese policies on and efforts aimed at trafficking prevention and victim protection, as well as the context of inter-agency cooperation.

Chapter 4 outlines the methodological approaches utilised in this empirical research. Firstly, this chapter describes the research design. Secondly, it explains the sampling strategy, including the selection of fieldwork locations and participant cohorts. The next section then discusses data collection techniques. Finally, ethical issues and the limitations of the research methods are addressed.

Chapters 5 and 6 report on the findings from the semi-structured interviews. These chapters analyse interviewees’ perspectives on Vietnam’s prevention measures (Chapter 5) and protection approaches (Chapter 6), including inter-agency collaboration to implement the main strategies, as well as the successes and limitations. Discussions of the findings are included in these chapters. The findings outlined in these chapters are linked back to the literature originally discussed in previous chapters of the thesis.

Chapter 7 suggests some solutions to tackle the root causes of the cooperation problem, and therefore improve the inter-agency collaboration in anti-trafficking activities in the context of Vietnam. Three types of solution are identified and explained: overall recommendations, recommendations for trafficking prevention, and recommendations for victims’ protection.

Chapter 8, the conclusion, sums up the information presented in this research and the primary contributions to knowledge that have emerged from this study. Finally, the chapter discusses future directions for research on human trafficking.

This research contributes, theoretically and practically, to the understanding of the collaboration between authorised agencies in the fight against human trafficking. It also explores the effects of inter-agency cooperation on the ability of Vietnamese authorities to prevent human trafficking and protect victims. The research also identifies how
government agencies could better implement effective cooperation. The thesis makes a unique contribution to the development of Asian criminology by pointing out directions for Vietnam-specific trafficking interventions that leverage communitarian values; they are collective, community-based group activities, and local performance and arts-based education campaigns that are culturally and socio-economically appropriate. The research also promotes the development of southern criminology by showing how collectivist societies have different solutions to social problems than the individualised and formal criminal justice and welfare system-based approaches of northern countries.
Chapter 2: Human Trafficking in the Global Context

2.1 INTRODUCTION

Human trafficking has become a highly visible issue in both politics and academia. As a result, a growing number of criminologists have begun to investigate the nature of the problem and responses to it (Laczko and Gozdziak 2005; Shelley 2010). However, our understanding of the trafficking problem is still inadequate and responses to the problem are inefficient (Hoang 2013; Macy and Graham 2012; Vanderhoof 2015).

This chapter firstly investigates the developments of human trafficking definitions in key international legal agreements. The chapter then draws from the extant research in order to provide an overview of current debates about trafficking and international responses to human trafficking. Finally, the chapter reviews inter-agency cooperation in preventing crime and supporting victims, including the understanding of the term “inter-agency cooperation”, the need for and importance of cooperation, and the challenges of inter-agency collaboration.

2.2 INTERNATIONAL DEFINITION OF TRAFFICKING IN PERSONS

Definitions of human trafficking have a contentious history and have shifted over time. In the early twentieth century, international legal agreements laid out understandings of trafficking at that time (Gallagher 2010: 13; Gozdziak and Collett 2005: 100). The 1904 International Agreement for the Suppression of the White Slave Traffic, the 1910 International Convention for the Suppression of the White Slave Traffic, the 1921 International Convention for the Suppression of the Traffic in Women and Children and the 1933 International Convention for the Suppression of the Traffic in Women of Full Age were all focused on prostitution. The 1904 and 1910 conventions referred to “white slave traffic” (understood as prostitution of white women and girls), the 1921 and 1933 conventions explicitly address the “traffic in women and/or children”. These are the first instruments which use the term “trafficking” (Gallagher 2010: 57; Hoang 2013: 27). These early international agreements focus on the procurement of women and girls for
prostitution and do not address other forms of exploitation such as forced labour, debt
bondage, or slavery-like practices (Emerton et al. 2007; Gallagher 2010: 55).

The United Nations Convention for the Suppression of Traffic in Persons and the
Exploitation of the Prostitution of Others was adopted in 1949. The Convention requires its
state parties to punish:

Any person who, to gratify the passions of another: (1) Procures, entices or leads
away, for purposes of prostitution, another person, even with the consent of that
person; (2) Exploits the prostitution of another person, even with the consent of that
person. (UN 1949: Article 1)

Although the 1949 Convention addresses the procurement and exploitation of prostitution
of others it does not provide any definition of these crimes (Hoang 2013: 29). Moreover,
the Convention does not differentiate between forced and consensual prostitution or
address other forms of human trafficking other than for the purposes of prostitution
(Emerton et al. 2007; Gallagher 2010). It also seems to be a weak mechanism for
protecting human rights and fails to account for the trafficking of men and boys for slave
labour, as Coomaraswamy points out:

The 1949 Convention has proved ineffective in protecting the rights of trafficked
women and combating trafficking. The Convention does not take a human rights
approach. It does not regard women as independent actors endowed with rights and
reason; rather, the Convention views them as vulnerable beings in need of protection
from the ‘evils of prostitution’. As such, the 1949 Convention does very little to
protect women from and provide remedies for the human rights violations committed
in the course of trafficking, thereby increasing trafficked women’s marginalization
and vulnerability to human rights violations. (Coomaraswamy 2000: 22)

In 2000, more than 80 countries signed The United Nations Protocol to Prevent, Suppress
and Punish Trafficking in Persons, Especially Women and Children. The Trafficking
Protocol 2000 is one of the protocols supplementing the United Nations Convention
against Transnational Organised Crime. The Trafficking Protocol 2000 aims are: (1) to
prevent and combat trafficking in persons, paying particular attention to women and
children; (2) to protect and assist the victims of such trafficking, with full respect for their
human rights; and (3) to promote cooperation among State Parties in order to meet those
As described by Gallagher (2010) and Kneebone and Debeljak (2012), the most significant development of the Trafficking Protocol 2000 was the formulation of the trafficking definition. As noted in Chapter 1, human trafficking is defined as:

[...] the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. (Trafficking Protocol 2000: Article 3)

This international definition of “trafficking in persons” provides some parameters that can help to operationalise trafficking for research purposes. This protocol offers the following basic information about human trafficking:

- **Types of action:** There must be an action by the traffickers, in the form of recruitment, transportation, transfer, harbouring, or receipt of persons. The term “recruitment” is often believed to be the first stage leading to exploitation, while the ends of the process are the actions of “harbouring or receipt”. Sometimes the victims are deceived by their friends, neighbours, or their own families. In those cases recruitment is not necessarily the beginning of the trafficking process (Kneebone and Debeljak 2012). Moreover, the “action” element usually involves movement or a migration process to “transport” and “transfer” victims (Gallagher 2010: 30; Kneebone and Debeljak 2012: 108).

- **Means of trafficking:** The action must be undertaken by one or more of the following means: force or the threat of force; other forms of coercion, abduction, fraud, deception, abuse of power, abuse of a position of vulnerability; and/or giving or receiving of payments or benefits to achieve the consent of a person having control over another person. Although the means may be direct or indirect actions, their purposes are to succeed in exercising control over another person (Gallagher 2010: 56; Kneebone and Debeljak 2012: 110). As Kneebone and Debeljak (2012: 110) point out, the abuse of power and abuse of a position of vulnerability are not
only the most popular forms of various means outlined in the definition but are also
difficult concepts to apply.

- **Types of trafficking-related exploitation:** The action of trafficking must be for
  the purpose of exploitation. Exploitation shall include, at a minimum: the
  exploitation of the prostitution of others or other forms of sexual exploitation,
  forced labour or services, slavery or practices similar to slavery, servitude, or the
  removal of organs. These forms of exploitation tend to transcend borders and
  industries. For example, with respect to labour exploitation, victims may be forced
to work in various industries such as manufacturing, agriculture, construction, or
  textile (Kneebone and Debeljak 2012: 114-126; Zimmerman and Borland 2009: 8-9).

While earlier international treaties mainly focus on trafficking for the purposes of
prostitution the *Trafficking Protocol 2000* includes the first comprehensive international
definition of “trafficking in persons”. The definition represents a notable advancement,
which includes a broader range of trafficking activities. It recognises other purposes of
trafficking, including forced labour, slavery, servitude, and the removal of organs.
Meanwhile, a comprehensive coverage of trafficking means is provided, including not only
explicit means (force, coercion, abduction, deception, and so on) but also less explicit
means (e.g. abuse of a victim’s vulnerability) (Emerton et al. 2007: 42). Other advantages
of the *Trafficking Protocol 2000* are that trafficked persons are viewed as victims, no
longer as criminals; all victims, including domestically trafficked persons within their own
countries, are protected and the exploitation is the key actionable element in the trafficking
process (Raymond 2002: 495).

The *Trafficking Protocol 2000* can also be seen as a measure requiring states to take
various law enforcement actions, including criminalising trafficking and providing victims
with reception, protection, and assistance. Cooperative programmes and information
sharing are also other important requirements of the Convention in fighting trafficking
(Potts 2003: 239). However, it is argued that there may be some limitations of the
*Trafficking Protocol 2000* in general and its definition of trafficking in particular.

Firstly, the trafficking definition is both broad and limited (Aiesi 2010; Hoang 2013). The
broad descriptions of the “acts” or “exploitation purposes” make it difficult to correctly
conceptualise trafficking and apply the definition. For instance, the definition includes both
“slavery” and “forced labour” but does not define these terms (Hoang 2013: 74). Similarly, the broad trafficking definition, which includes a list of the types of exploitation but does not define “exploitation” may be too “expansive, or complicated for all domestic systems to incorporate into their legislation requiring a more refined version commonly utilized by law enforcement and others to detect human trafficking” (Aiesi 2010: 24).

Secondly, the Trafficking Protocol 2000’s protection provisions are discretionary, rather than mandatory. The protective provisions are also extremely weak and not adequate to protect and assist trafficked persons’ human rights (Aiesi 2010; Emerton et al. 2007; Gallagher 2001). For example, the Trafficking Protocol 2000 only requires a state: to protect victims’ privacy and identity “in appropriate cases and to the extent possible under its domestic law”; to “consider” implementing measures to provide for the physical, psychological and social recovery of victims; and to “endeavour to provide” for the physical safety of victims whilst they are within its territory (Trafficking Protocol 2000: Article 6).

Thirdly, trafficking problems are often conflated with the problem of organised crime (Potts 2003; Shelley 2010). This is partly because the Trafficking Protocol 2000 is a supplement to the 2000 United Nations Convention on Transnational Organized Crime. Moreover, trafficking is often reported to be the third largest source of profit for organised crime and a rapidly growing component of transnational crime (Potts 2003). Although much of the trafficking takes place within individual countries, there is an increase in victims who are trafficked across vast distances to reach their destinations. International logistics networks have been established to move victims across long distances. Gozdziak (2011) and Shelley (2010) argue that trafficking networks have also become more professional, entrepreneurial, and less visible. The structure of criminal trafficking organisations varies and is diverse, with the means to constantly recruit, transport, and maintain control over victims to avoid detection. However, while it is commonly believed that large profits and historically low risk of prosecution have attracted criminal organisations to trafficking in humans, the extent to which organised crime is involved in trafficking is questionable. In some regions and countries, where short distances from source to destination country do not require a sophisticated crime network, trafficking appears to resemble more of a cottage industry rather than organised crime, or the involvement of organised crime networks is minimal (Piper 2005: 212).
An essential requirement of any criminal legal framework is to define key elements of the crime. While the Trafficking Protocol 2000 has been signed by 117 states and ratified by 157 states (USDOS 2013), individual countries, states, and organisations have adopted the Protocol’s definition of trafficking to varying extents. Some have adopted the definition directly, while others have provided alternative definitions. Other countries, states, and organisations have no identifiable definition of human trafficking.

For example, the Council of Europe Convention on Action against Trafficking in Human Beings uses exactly the same definition as the Trafficking Protocol 2000 in legal documents (Council of Europe 2005). On the other hand, the state of California has drafted its own definition of human trafficking as:

 [...] all acts involved in the recruitment, abduction, transport, harbouring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labour or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labour, or other debt bondage. (State of California Department of Justice 2014)

In summary, the Trafficking Protocol 2000 offers “a wide-ranging international agreement to address the crime of trafficking in persons, especially women and children, on a transnational level” (Raymond 2002: 491). It develops a global language and provides a legislative framework to define human trafficking in persons, prevent, and investigate the crime, assist trafficking victims, establish national and international collaboration, and facilitates the exchange of information between states. However, adoption of the definition offered by the Protocol has been uneven and is far from universal.

2.3 THE GLOBAL HUMAN TRAFFICKING SITUATION

It is acknowledged that human trafficking is a dark side of globalisation (Samarasinghe and Burton 2007; Shelley 2010). While globalisation brings a dramatic change to many aspects of life it has also created opportunities for the expansion of human trafficking. The existence of human trafficking is argued to influence an increased number of victims in different markets. O’Brien, Hayes, and Carpenter (2013) and Shelley (2010) argue that the most significant number of trafficked persons are victims of sexual and labour exploitation.
Annually, cases and victims of human trafficking are reported by UNODC, ILO, IOM, governments, as well as other international and national organisations. For example, the ILO (2012) estimates that 20.9 million people are victims of human trafficking globally, including human trafficking for labour and sexual exploitation. While the number of trafficked victims is unknown, the estimate implies that millions of victims have been trafficked recently in the world. The annual statistics on trafficking investigations, prosecutions, convictions, and victims are also provided in the Trafficking in Persons Report, published by the US since 2001. There was a significant increase globally to 18,930 trafficking prosecution cases and 77,823 identified victims in 2015.³ There are also estimations of 1.8 victims per every 1,000 inhabitants globally and three victims per every 1,000 inhabitants in the Asia and Pacific region (USDOS 2010). The “dark figure” of human trafficking that is not reported in those documents is also significant (O’Brien 2010: 11).

Victims may be transported internationally, regionally and, in many cases, within their own national borders. Kangaspunta finds that trafficking victims “are typically recruited from poor or politically and economically unstable countries, transported through countries that provide geographically expedient routes and exploited in more affluent parts of the world” (2007: 33). Moreover, almost every country worldwide is somewhat/more or less involved in the trafficking in persons (Kangaspunta 2007; Shelley 2010). Specifically, the UNODC report on “Trafficking in Persons: Global Patterns” in 2006 provided evidence that 127 countries were origin countries, 98 were transit countries, and 137 were destination countries. At the regional level, the most reported regions of origin belong to the Commonwealth of Independent States, Central Europe, South Eastern Europe, West Africa, and South-Eastern Asia. The highly-reported transit regions include countries within: Central, South Eastern and Western Europe; South-Eastern Asia; Central America, and Western Africa. Countries in Western Europe, North America, and Asia are depicted

³ Table 2.1: Number of human trafficking cases and victims in the world

Sources: Trafficking in Persons Report (USDOS 2012–2016)

<table>
<thead>
<tr>
<th>Year</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prosecutions</td>
<td>7,909</td>
<td>7,705</td>
<td>9,460</td>
<td>10,051</td>
<td>18,930</td>
</tr>
<tr>
<td>Convictions</td>
<td>3,969</td>
<td>4,746</td>
<td>5,776</td>
<td>4,443</td>
<td>6,609</td>
</tr>
<tr>
<td>Victims Identified</td>
<td>42,291</td>
<td>46,570</td>
<td>44,758</td>
<td>44,462</td>
<td>77,823</td>
</tr>
</tbody>
</table>
more frequently as destination countries. The following 11 countries appear to have very high scores as countries of origin (listed in alphabetical order): Albania, Belarus, Bulgaria, China, Lithuania, Nigeria, the Republic of Moldova, Romania, the Russian Federation, Thailand, and Ukraine. The report then continues with six countries with very high scores as transit countries (in alphabetical order): Albania, Bulgaria, Hungary, Italy, Poland, and Thailand. Finally, there are ten countries with very high scores as destinations for trafficked victims (in alphabetical order): Belgium, Germany, Greece, Israel, Italy, Japan, the Netherlands, Thailand, Turkey, and the US (UNODC 2006).

Overall, trafficking in persons has been recognised as a prominent global issue. It is now at the top of the agenda and there is significant knowledge about this crime (Cameron and Newman 2008a; Chew 2006). However, previous research has indicated some challenges to understanding the trafficking problem.

Firstly, despite annual reports from governments and organisations, researchers frequently complain about “the dearth of reliable data on trafficking”, “the lack of comparable regional data”, and “the lack of sharing existing data between states” (Laczko and Gozdzia 2005: 11, 13). The statistics on trafficking cases and victims are scarce, unreliable, and non-comparable (Laczko 2007; Lehti and Aromaa 2006; Winteryk and Reichel 2010). Other limitations of the reports and research are the overemphasis of data on trafficking for sexual exploitation, while neglecting other types of exploitation that represent critical “markets” for traffickers (O’Brien et al. 2013; Savona 2008). Moreover, research on trafficked men for sexual exploitation or trafficked boys is “virtually non-existent” (David 2009; Gozdzia 2015). There are several reasons for the difficulties in detecting this global crime. The first reason is accurate data on trafficking in persons cannot be obtained due to the hidden nature of the crime (Rankin and Kinsella 2011). For example, victims are often hidden from public view. Victims are reluctant or unable to contact authorities because of intimidation and fear of reprisals. The subtle means used by traffickers also make the crime hard to identify. Additionally, different countries use different definitions of trafficking and legal definitions vary widely from country to country. Many countries do not keep official records of trafficking cases, which may be prosecuted under a variety of criminal laws or specialised trafficking statutes (Aromaa 2007; Goodey 2012). Consequently, large numbers of studies are not able to convey a realistic picture of the trafficking problem as a whole or recommend effective solutions for this phenomenon (Andrees and Van der Linden 2005; Savona 2008).
Another issue that dominates discussion is the difficulty in capturing data on internal trafficking. It is estimated that “domestic trafficking accounts for 27 per cent of all detected cases of trafficking in persons worldwide” (UNODC 2012: 12). Moreover, the number of detected cases and victims of domestic trafficking has been increasing in recent years. The percentage of domestic trafficking cases rose “from 19 per cent in 2007 to 31 per cent in 2010” (UNODC 2012: 13). However, most research on trafficking has focused on international trafficking rather than internal trafficking inside particular countries. Within the literature, internal and international trafficking are treated as being complete, distinct, and separate from one another, and the linkages between the two forms of trafficking have been investigated in very few studies (Laczko and Gozdziak 2005; Piper 2005).

It is also noted that much “produced data” in international, regional, country reports and research is estimate or “guesstimate” (Goodey 2012; Hoang 2013; Piper 2005). The lack of specific legislation on human trafficking in some countries and the differences in trafficking definitions between countries are major reasons for this situation. Meanwhile, the collected qualitative data and information are “based on a very small number of cases and victims and covers only short periods of time” (Aromaa 2007: 23). Therefore, different stakeholders give different estimates and guesstimates due to their estimation methods. Empirically-based data about characteristics of traffickers, legal status of victims and so on are rarely available in legal documents and research (Aromaa 2007; Hoang 2013; Piper 2005).

### 2.4 TYPES OF TRAFFICKING-RELATED EXPLOITATION

There are various types of human trafficking that have been identified in different research and reports. The *Trafficking in Persons Report*, for example, uses a number of different terms, including sex trafficking, child sex trafficking, forced labour, bonded labour or debt bondage, involuntary domestic servitude, and forced child labour (USDOS 2015). Meanwhile, Bosco and colleagues (2009) focus on forced labour, sexual exploitation, begging and involvement in criminal activities, organ removal, exploitation in Armed Forces and conflict, forced marriage and illicit adoption. Adepoju (2005) identifies three main types of trafficking in Sub-Saharan Africa, namely: “trafficking in children primarily for farm labour and domestic work within and across countries”; “trafficking in women
and young persons for sexual exploitation, mainly outside the region”; and “trafficking in women from outside the region for the sex industry of South Africa”.

There is an agreement that sexual exploitation and forced labour comprise a large portion of the overall trafficking situation (Belser et al. 2005; Bosco et al. 2009; Lee 2007; O’Brien 2010; Shelly 2010). The following literature examines the available-albeit limited-statistics on sexual exploitation and forced labour, which are the main types of human trafficking.

2.4.1 Sexual Exploitation

Trafficking for sexual exploitation or sex trafficking encompasses the range of activities-recruiting, harbouring, transporting, providing, or obtaining-involved when a person is “coerced, forced, or deceived into prostitution or maintained in prostitution” (USDOS 2013: 29). Despite a lack of empirical data on the scope of trafficking for sexual exploitation this subject is perhaps the most politically popular area of trafficking. Accordingly, most of the publications on human trafficking have focused on this form of trafficking, contributing to knowledge about legal frameworks, trafficking vulnerability factors, trafficking consequences, and recommendations to solve the problem (Andrees and van der Linden 2005; Gozdziak 2015).

More trafficking victims of sexual exploitation than other types of victims were detected from 2007 to 2011 (UNODC 2012). In this period the proportion of detected victims who were trafficked for sexual exploitation accounted for 52.5 per cent to 61.9 per cent of the total number of victims (UNODC 2012: 37). Victims of sex trafficking are found significantly more in European countries and Central Asia than in the other regions (UNODC 2012: 12). Meanwhile, 98 per cent of all persons trafficked for sexual exploitation are women and girls (ILO 2008: 3). Similarly, Bhavnani and Schneider (2015) and Brysk (2009) conclude that two-thirds of people trafficked internationally are women and a majority of those women are trafficked into the sex industry. Southeast Asia and South Asian countries were the most prolific sources of women for the sex trade (ILO 2008; UNODC 2012). Nearly 50 per cent of sex trafficking victims came from developing countries in those regions. The remaining victims came from the former Soviet republics, Latin America, and the Caribbean, Eastern Europe, and Africa (Farr 2005: 4).
Poverty, political instability, and social breakdown are the most popular supply-push factors of sex trafficking (Huda 2006; Outshoorn 2005). Some trafficked persons may be more appropriately described as economic migrants seeking a better life through sex work (Pickering et al. 2006: 83). However, the majority of trafficked persons seek ways to work as nannies, restaurant workers, or entertainers in the more prosperous areas; they do not know that they are being trafficked for prostitution and that they will work under enslaved conditions (Farr 2005: 25). Farr (2005) also argues that trafficked women tend to have high debts (normally from USD 24,000 to USD 40,000) and sometimes have accumulated debts as high as USD 300,000. They also have to pay for unexpected and inflated charges for living expenses or other charges, such as fines, medical costs, and passport buybacks. Additionally, they have to live and work in inhuman living conditions, including space restrictions, long working hours, social isolation, violence, and the threat of violence (Huda 2006; Long 2004; Maternick and Ditmore 2015).

2.4.2 Forced Labour

According to the ILO Forced Labour Convention 1930, forced labour is defined in Article 2 as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. 4 Meanwhile, the Trafficking in Persons Report use the term “forced labour” (sometimes also referred to as labour trafficking), noting that it “encompasses a range of activities-recruiting, harbouring, transporting, providing, or obtaining-involved when a person uses force or physical threats, psychological coercion, abuse of the legal process, deception, or other coercive means to compel someone to work” (USDOS 2013: 31). Moreover, the ILO also developed a list of six elements, suggesting that forced labour situations usually have two or more these indicators. These indicators are the threat and application of “physical or sexual violence”; “restriction of movement and confinement” to the workplace or to a limited area; “withholding of wages or excessive wage reductions”, that violate previously-made agreements; “retention of passports and identity documents” (the workers can neither

4 “Forced Labour Convention 1930”—the full title of which is the “Convention Concerning Forced or Compulsory Labour, 1930 (No.29)”. The Convention was adopted in Geneva on 28 June 1930 and came into force on 1 May 1932.
leave nor prove their identity and status); and “threat of denunciation to the authorities” where the worker is of an illegal status (ILO 2005: 20, 21).

There is an agreement that forced labour includes a wide range of exploitation problems in destination countries (Anh 2008; Burvcikova 2006; Belser et al. 2005; David 2010; Kask and Markina 2014). Anh (2008: 8) find that trafficking victims have to work in poor working conditions and experience ill-treatment by employers. Kask and Markina (2014) identify a list of exploitation conditions that are close to the guidance of the ILO (2005). They include “no work in the destination country”, “actual work differs from the promised one”, “no written contract or double contract system”, “sub-standard housing conditions”, “threats”, “physical violence”, “sub-standard wages, delayed wages or no wages”, “long working hours”, and/or “retention of passport” (Kask and Markina 2014: 285-291).

As the UNODC 2012 report notes, the proportion of detected victims who are trafficked for forced labour have doubled in the past few years, from 18 per cent of all detected victims of trafficking in persons in 2006 to 36 per cent in 2010. In Africa, the Middle East, South Asia, and East Asia more victims of forced labour were detected than trafficked persons of sexual exploitation during the period from 2007 to 2010. The report also investigates that more women and girls (55 per cent) than men are victims of forced labour, while 74 per cent of victims are adults compared with children. Additionally, Central Europe, South-Eastern Europe, and the Commonwealth of Independent States present the highest number of victims per thousand inhabitants (4.2), while the number in developed economies and the European Union is only 1.5. It is estimated that Africa, the Middle East, Asia-Pacific, Latin America, and the Caribbean regions have 4.0, 3.4, 3.3, and 3.1 victims per 1,000 inhabitants respectively (UNODC 2012).

However, compared to trafficking for sexual exploitation, forced labour has received relatively little attention and victim identification has also been less successful. Trafficked males have also not been successfully recognised as forced labour victims in many countries (Kask and Markina 2014: 246; Kangaspunta 2007: 30). In addition, Andrees and van der Linden (2005) investigate that the time which victims spend in forced labour is also grossly under-estimated. The first reason for the relative invisibility of forced labour and its victims is that trafficking legislation in many countries is limited only to sexual exploitation (Kask and Markina 2014; Kangaspunta 2007). In those cases, statistics or reports do not include forced labour cases, which “are not classified as human trafficking
crimes” (Kangaspunta 2007: 30). Moreover, the number of male victims trafficked for forced labour is “under-estimated” because many victim support organisations provide “services only for women and child victims” (Kangaspunta 2007: 30, 31). Another reason is “social desirability issues”, where victims are reluctant to share their experiences of sensitive issues. Therefore, identifying cases of forced labour is challenging (Andrees and van der Linden 2005: 67).

2.5 GLOBAL RESPONSES TO HUMAN TRAFFICKING

Anti-trafficking response has become one of the most important priorities for governments and researchers (David 2009: 95; Laczko and Gozdziak 2005: 6). While only USD 31.8 million were used to combat human trafficking around the world in 2001, the amount of money increased exponentially to USD 185.5 million in 2010 (Gozdziak 2015: 23). As a result, not only have many anti-trafficking programmes been running effectively but the number of publications on the issues of trafficking has risen rapidly in recent times (David 2009: 96; Gozdziak 2015: 24). There have been some positive developments in responses to the crime. In practice, the effectiveness of trafficking prevention, prosecution, and victims’ protection activities improved over the 2000–2010 period (Cho et al. 2014: 436). However, there are a large volume of published studies describing the challenges of anti-trafficking responses to human trafficking (Cho et al. 2014; Copic and Simeunovic-Patic 2012; David 2009; Rankin and Kinsella 2011; Surtees 2013).

The specific purposes of the Trafficking Protocol 2000 and anti-trafficking programmes in individual countries are “to prevent trafficking in persons” and “to protect and assist the victims of such trafficking” (Trafficking Protocol 2000: Article 2). The following sections examine international responses to human trafficking through prevention and protection approaches.

2.5.1 Trafficking Prevention

It is argued that prevention is “the most long-term avenue for reducing or eliminating human trafficking” (Shinkle 2007: 3). Prevention of trafficking not only reduces the number of victims and trafficking consequences, but also contributes to saving resources which are spent to investigate criminal cases and protect victims (Duong 2014: 113). There
has been an increasing amount of literature on human trafficking prevention recently (Bosco, Di Cortemiglia, and Seroj tidyinov 2009; Marshall 2011; Potts 2003). However, Barrett and Shaw (2011) and Chuang (2006) claim that little attention has been directed to prevention aspects.

The prevention of trafficking in persons and its importance are specified in some international instruments, for example, the Trafficking Protocol 2000; some measures to prevent trafficking such as “research”, “information and mass media campaigns” and “social and economic initiatives” were set out in Clause 2, Article 9 of the Trafficking Protocol 2000. However, the term “prevention of trafficking” is not specifically defined in that regulation. This term is also narrowly defined in other international conventions (Barrett and Shaw 2011: 11). For example, the general meaning of prevention of crime is officially defined in the 2002 United Nations Guidelines for the Prevention of Crime as comprising:

[…] strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes. (UN 2002: Annex II, Point 3)

Four types of approaches to crime prevention are outlined in this guideline, including “prevention through social development or social crime prevention”, “locally based crime prevention”, “situational crime prevention” and “reintegration programmes” (UN 2002: Annex II, Point 6). However, it is claimed that “crime prevention strategies vary quite significantly throughout the world” (Zhao and Liu 2011: 209). For example, Arsovksa and Janssens (2009) point out that prevention measures depend on the country’s conditions and crime context but should include collaboration, awareness campaigns, community policing, and reducing opportunities for corruption. Meanwhile, Zimmerman and Borland (2009) focus on two groups of prevention activities, including “awareness-raising and education to warn potential victims about trafficking”, and “activities to prevent exploitation of migrant workers”. It can be seen that the measures recommended by Arsovksa and Janssens (2009) and Zimmerman and Borland (2009) are quite narrow compared with the definition and approach of crime prevention in the UN guideline.

Meanwhile, some anti-trafficking prevention measures recommended by Bosco and colleagues (2009) and Shinkle (2007) are quite broad. Bosco and colleagues introduce three main groups of prevention activities: “awareness raising and information campaigns
targeted at potential victims and their families”, “the development of long-term strategies aimed at improving the economic and social condition of vulnerable groups” and “increased opportunities for individuals to migrate legally for work and vocational training” (Bosco et al. 2009: 73). Meanwhile, Shinkle (2007) identifies three categories of prevention, including supply-based policies, demand-based policies, and reducing financial gains. Supply-based policies, for example, attempt to prevent individuals from becoming victims through awareness-raising, building political will and capacity, legal alternatives, and reducing push factor conditions.

In practice, Cho and colleagues (2014) find that the level of compliance with prevention activities improved over the 2000–2010 period. European and OECD countries performed the best in regards to responses to human trafficking in 2000 while Eastern Europe and Central Asia were the best in 2010. Sub-Saharan Africa had the lowest level of compliance with prevention during the 2000–2010 period. However, some challenges facing trafficking prevention exist in all regions.

Firstly, although the Trafficking Protocol 2000 (Article 9) requires its states to take or strengthen measures to alleviate the root factors of trafficking, including “poverty, underdevelopment and lack of equal opportunity”, prevention efforts focus on “short-term strategies such as public awareness campaigns” (Chuang 2006: 154). Furthermore, trafficking prevention lacks effective components, including awareness-raising campaigns, economic empowerment programmes, and skills training courses (Friesendorf 2007; Marshall and Thatun 2006; Overholt 2013; Shinkle 2007). Friesendorf (2007) indicates that many campaigns are counterproductive, and lessons learned from success campaigns are not documented and shared. Many economic and skill training programmes have not addressed economic causes and labour market perspectives and as such achieve limited results. Similarly, prevention activities in the Greater Mekong Sub-region “have failed to make noticeable impact on the problem to date” (Marshall and Thatun 2006: 61). Poverty alleviation responses, including skills training, employment creation, and microcredit, have failed to prevent migration and might be having the opposite effect. Meanwhile, awareness-raising messages have not included appropriate evidence and are not based on an understanding of the local situation. Border control measures do not provide safe migration. Potential migrants have chosen to use organised criminal groups to cross borders, making the situation more dangerous (Marshall and Thatun 2006).
2.5.2 Victim Protection

Regarding victim protection strategies, the *Trafficking Protocol 2000* requires state parties to protect the privacy and identity of victims, and their physical safety. Other forms of assistance are: supplying trafficking victims with information on legal proceedings; providing the opportunity to present their views and concerns; and providing assistance for their physical, psychological, and social recovery (such as appropriate housing; counselling; medical, psychological, and material assistance; and employment, educational, and training opportunities) (*Trafficking Protocol 2000*, Article 6). Other international regulations, such as the *UNODC Model Law against Trafficking in Persons* and *Council of Europe Convention on Action against Trafficking in Human Beings*, also identify a wide range of measures to protect victims’ rights and satisfy their needs (Bruckmuller and Schumann 2012; Hoang 2013). Bruckmuller and Schumann (2012) analyse victims’ rights in international contexts, including safety and privacy, access to justice, restitution, and compensation, right to comprehensive information, residence permit, and reintegration.

In practice, although financial resources are earmarked almost exclusively for victim protection (Gozdziak 2014: 23), “governmental efforts to protect victims of human trafficking remain weaker than their efforts to criminalize traffickers and to prevent the crime of human trafficking” (Cho et al. 2014: 451). South Asian countries performed the best in relation to protecting trafficking victims in 2000, while Latin America and the Caribbean were the best in 2010. Sub-Saharan Africa had the lowest level of compliance with protection during the period 2000–2010. Furthermore, while some regions had clear improvements in compliance with protection, some areas, including East Asia/Pacific, Middle East/North Africa, and South Asia, had the worst results in 2010 compared with 2000 (Cho et al. 2014).

A number of key challenges in relation to victim support have also been indicated in previous research, such as that of Copic and Simeunovic-Patic (2012), Surtees (2013),

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5 The UNODC Model Law against Trafficking in Persons was developed by UNODC in 2009 to assist States in implementing the *United Nations Convention against Transnational Organized Crime*.

6 The *Council of Europe Convention on Action against Trafficking in Human Beings* was adopted by the Committee of Ministers of the Council of Europe on 3 May 2005 and entered into force on 1 February 2008.
Surtees and Babovic (2007). The first problem is that many trafficked persons are left out of the support system. Reasons for this include that authorities only identify sex trafficking victims and female victims, and many individuals return to communities without reporting their cases to service providers (Copic and Simeunovic-Patic 2012; Surtees 2013). Authorities offer only short-term and limited protection services, which are not enough for victims to return to normal lives. State and non-state service providers also neglect providing “informed consent for victim’s inclusion into the assistance program” (Copic and Simeunovic-Patic 2012: 280). Furthermore, Brunovskis and Surtees (2007), Tyldum (2010), and Surtees and Babovic (2007) argue that many trafficked persons reject victim status and decline offered assistance.

Another challenge is the slow recognition that men can be victims of trafficking and the lack of supportive methods for male victims (Jones 2010; Kangaspunta 2007; Laczko and Gozdziak 2005). There has been increasing incidents of adult males becoming victims of trafficking in the last decade, with increasing efforts being made to address this problem (Jones 2010: 1150; Lee 2005: 176). For example, the trafficking of adult males in the Greater Mekong Sub-region into the fishing industry and into factories has received increasing attention in the media, and by organisations involved in providing assistance to trafficking victims (COMMIT 2007). However, one of the major problems of this trade is that, after being trafficked across national borders, male trafficking victims may be treated as undocumented migrants on their return, adding to their experience of victimisation. Despite the conditions that they have endured, they may be considered as criminals or may be not recognised as victims of trafficking. Therefore, they will be unable to access support services not only in the country where they are exploited, but also in their home country (COMMIT 2009; Jones 2010). This is a challenge still facing governments and organisations in their efforts to provide protection to all trafficking victims in general and male victims in particular. The situation for male victims of trafficking is expected to improve in some areas as advancements are made in national and international legal frameworks.

Regarding research on anti-trafficking activities, David (2009), Gozdziak (2015), Laczko (2007) and other researchers examine a number of limitations of current research and indicate important areas that need urgent exploration. The first weakness is that many studies only provide general information on human trafficking policies, root causes and motivations of the problem, and traffickers’ means and methods. Dragiewicz argues that
scholarly publications have overwhelmingly focused on “describing general dynamics of trafficking and trafficking routes, based largely on anecdotal information” as well as “the human trafficking policy debates” (2015: 195). Research also focuses on trafficking in women and children, and sex trafficking, while neglecting other types of trafficking (Gozdziak 2015: 29). There has less attention to studying traffickers (Laczko 2007: 42) and research does not seem to be “up-to-date with the more recent methods and actions being taken by traffickers to carry out their criminal activities” (Barberet and Ellis 2014: 323). Furthermore, there is a need to examine how prevention and protection are actually operating in practice, and the capacity of national governments to prevent crime and protect victims (David 2009).

2.6 INTER-Agency COOPERATION IN TRAFFICKING PREVENTION AND VICTIM PROTECTION

2.6.1 Understanding of Inter-agency Cooperation

Cooperation, collaboration and partnership are different terms used to illustrate the networking, shared goals, and shared commitments between two or more entities. It is recognised that partnership goes further than “acting jointly or working together” and is “the higher end of the continuum and an effective partnership is the ultimate goal that every actor involved in the collaboration aims to achieve” (Duong 2014: 170). However, these terms are difficult to distinguish (Carnwell and Carson 2005; Duong 2014). Therefore, cooperation, collaboration, and partnership are sometimes used as synonymous and interchangeable terms in this thesis.

The need and importance of cooperation/collaboration/partnership are mentioned in many international instruments, such as the Trafficking Protocol 2000, the Council of Europe Convention on Action against Trafficking in Human Beings and so on (see section 2.6.2 for more detail). However, it is difficult to identify clear evaluation criteria of good partnerships and achieve successful partnerships. The OECD Local Economic and Employment Development (LEED) programme7 describes the characteristics of good partnerships as:

7 OECD LEED is the Forum on Partnerships and Local Governance at the Central for Social Innovation in Vienna, Austria.
A successful partnership enhances the impact and effectiveness of action through combined and more efficient use of resources; promotes innovation; and is distinguished by a strong commitment from each partner. To achieve sustained success it is essential that basic local parameters be created and agreed upon; equally essential are political will, resourcing, and the appropriation of funds. (OECD LEED 2006: 7)

Duong (2014) also concludes that good partnerships must explicitly define “respective roles and cooperative mechanisms”, need “good communication between partners involved”, need to be “monitored routinely and evaluated regularly”, need the “understanding and sharing difficulties between partners” and must “place staff development and training at the core of activities”. Additionally, all activities “must be well-coordinated and be consistent with partnership goals” (Duong 2014: 171). In contrast, some features are defined as key elements of ineffective partnerships: “Partners do not share the same values and interests”; and “there is no sharing of risk, responsibility, accountability or benefits” (Duong 2014: 171). Other elements are: “the inequalities in partners’ resources and expertise determine their relative influence in the partnership’s decision making”; “one person or partner has all the power and/or drives the process”; “there is a hidden motivation which is not declared to all partners”; “the partnership was established just to keep up appearances”; “partnership members do not have the training to identify issues or resolve internal conflicts”; and “partners are not chosen carefully, particularly if it is difficult to ‘de-partner’” (OECD LEED 2006: 11).

There are several ways to classify anti-trafficking partnerships. For example, project partnership, problem-oriented partnership, ideological partnership, and ethical partnership are four types of partnerships defined by Carnwell and Carson (2005). Meanwhile, Duong (2014) illustrates three dimensions of collaboration, namely multi-level partnership, public-private partnership, and international partnership. While international partnerships cover cooperation between countries and public-private partnerships cover cooperation between different levels of government, non-government organisations (NGOs) and intergovernmental organisations (IGOs), multi-level partnerships cover “two parts of partnerships—the vertical relationship between central and local government and the horizontal relationship between main state actors” (Duong 2014: 174).
In the political context of Vietnam, the administrative structure includes four levels of government. The central government is the highest administrative level, while the local administrative level is divided into three levels: the provincial level, district level and communal level (UN 2004). There are 64 provinces, around 700 districts and over 11,000 communes. Responding to human trafficking, the Vietnamese Government set up a National Steering Committee at the central level and Committees at local levels. Therefore, anti-trafficking activities in Vietnam involve a huge network of actors and participants. The “inter-agency cooperation” term used in the thesis includes collaboration activities between different levels of government and among the same level of government.

2.6.2 The Context of Inter-agency Cooperation

In the twenty-first century, human trafficking is expected to continue to grow as a result of globalisation, economic and demographic inequality, the rise of illicit trade, and the increase in conflicts around the world. Both global and regional responses are required to stem the growth of this transnational problem (Shelley 2010). International and inter-agency cooperation is therefore required in order to conduct professional trafficking prevention, prosecution, and victim protection, and thereby to produce the most successful and satisfactory anti-trafficking results possible (Adepoju 2005; Aronowitz 2009; David et al. 2011; Lee 2005).

In practice, many programmes on trafficking in human beings handle cooperation at various levels between countries and agencies. For example, the UNODC and the Council of the Baltic Sea States (CBSS) Task Force against Trafficking in Human Beings are running the Preparatory Regional Project on “Fostering NGO-Law Enforcement Cooperation in Preventing and Combating Human Trafficking in, from and to the Baltic Sea Region”. In the Greater Mekong Sub-region, The Coordinated Mekong Ministerial Initiative against Trafficking Sub-Regional Plan of Action (COMMIT SPA) has also been

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9 “The Coordinated Mekong Ministerial Initiative against Trafficking has fuelled major progress in anti-human trafficking efforts in the Greater Mekong Sub-region since its inception in 2004. In 2004, the six governments of the Greater Mekong Sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand, and
running since 2005 to “create a sustained and effective system of cross-border cooperation and collaboration to combat human trafficking” (COMMIT SPA I, II, III, and IV). Many countries around the world have introduced anti-trafficking programmes which encompass international and national cooperation policies (Sidoti 2010: 10).

Many studies focus on international cooperation as a key element in effective criminal prevention and victim protection (Adepoju 2005; David et al. 2011; Lee 2005; Rankin and Kinsella 2011; Toktas and Selimoglu 2012; Winterdyk and Reichel 2010). Rankin and Kinsella (2011) indicate that information sharing between origin and destination countries helps to improve awareness and prevention campaigns, enhances intelligence, and identifies links in trafficking markets and so on. International collaboration is essential to establishing effective immigration policies in destination countries or in accessing data on court cases (Adepoju 2005; Lee 2005). The necessity of this cooperation in legal support, victim identification, and assistance is also examined in the studies of Adepoju (2005); David, Gallagher, Moskowitz and Holmes (2011); and Lee (2005).

While a large body of literature of international cooperation has been established, inter-agency cooperation is only highlighted in a few studies (Aronowitz 2009; David 2006; Foot 2015; Sidoti 2010). The following parts will investigate the literature on inter-agency cooperation in a global context.

The importance of effective national cooperation in conducting anti-trafficking efforts is stipulated in international instruments (Sidoti 2010: 1). For example, the Trafficking Protocol 2000 includes specific requirements for cooperation to prevent trafficking in persons and to exchange information:

Vietnam) signed a historic Memorandum of Understanding against Trafficking in Persons. This Memorandum of Understanding, signed at the Ministerial level, committed the governments to a response to human trafficking meeting international standards, highlighting the need for multi-lateral, bilateral, and government–NGO cooperation to fight human trafficking”. For more information, see Reflections from the Greater Mekong Sub-Region on the Occasion of the 10-Year Anniversary of COMMIT (http://unct.org/publication/view/commit-10-years-reflections-from-the-gms/)

The COMMIT SPA includes four phases:
- COMMIT SPA I: from 2005 to 2007
- COMMIT SPA II: from 2008 to 2010
- COMMIT SPA III: from 2011 to 2013
- COMMIT SPA IV: from 2015 to 2018
Policies, programmes and other measures established in accordance with this article shall, as appropriate, include cooperation with non-governmental organizations, other relevant organizations and other elements of civil society. (Trafficking Protocol 2000: Article 9)

Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information […] (Trafficking Protocol 2000: Article 10)

Another instrument, The Council of Europe Convention on Action against Trafficking in Human Beings also emphasises the theme of establishing coordinated efforts in several provisions, such as the article on “Specialised authorities and co-ordinating bodies”:

Each Party shall adopt such measures as may be necessary to ensure co-ordination of the policies and actions of their governments’ departments and other public agencies against trafficking in human beings, where appropriate through setting up co-ordinating bodies.

Each Party shall consider appointing National Rapporteurs or other mechanisms for monitoring the anti-trafficking activities of State institutions and the implementation of national legislation requirements. (Council of Europe Convention: Article 29)

Within particular countries, national cooperation is also introduced in anti-trafficking programmes or national action plans, for instance Australia (2004), Canada (2012), Denmark (2007), Latvia (2004), Poland (2003), and Sweden (2008) (Sidoti 2010; USDOS 2010-2015). Moreover, cooperation takes place mostly with anti-trafficking activities. To enhance the quality of anti-trafficking programmes, governments need to establish national focal networks between governments, civil society, national and multinational organisations, social communities, and the media (Beeks and Amir 2006: 128; Sidoti 2010: 10).

Much of the current literature on inter-agency cooperation pays particular attention to its effect on improving policy and legal frameworks, strengthening specialist trafficking response agencies and information exchange between them, providing effective support services and official training, and developing the capacity of law enforcement institutions in investigating and prosecuting trafficking (David 2006; Kneebone and Debeljak 2012; Rankin and Kinsella 2011; Sidoti 2010; Surtees 2013). Rankin and Kinsella (2011) and
David (2006) find that data collection and information exchange are examined as the first and crucial factors to the success of trafficking prevention and victim protection. The multilateral cooperation helps agencies to collect relevant and reliable data which meet all individual agency objectives, as well as larger government objectives (David 2006: 43; Rankin and Kinsella 2011: 172). The effectiveness of cooperation in victim support is also highlighted in the research of Surtees (2013). Surtees demonstrates that when governmental institutions collaborate to establish good referrals within a country, victims can access comprehensive services during their integration process. Finally, the research recommends that the national support processes should involve: “Referral between anti-trafficking organisations and institutions within a country” and “Referral between anti-trafficking organisations and more general assistance organisations within a country” (Surtees 2013: 77). Similarly, Bosco, Di Cortemiglia, and Serojitdinov (2009) suggest that appropriate national structures and inter-governmental cooperation should provide effective psychological, social, and legal supports. Overall, inter-agency cooperation is considered as one of the most important factors contributing to the success of anti-trafficking programmes.

Some objective and subjective factors which affect cooperation have also been carried out by David (2006), Hoffmann (2013), Sun-Suon (2014), and Surtees (2013). Conflicting interests among local actors can lead to such cooperation. For example, while police primarily focus on prosecuting offenders, immigration officers are responsible for legal and illegal migration, and social welfare agencies generally prioritise victim support (David 2006: 6; Sun-Suon 2014: 39). Additionally, Williams (2009) and David (2006) indicate that a lack of legal instruments or weak legal systems directly limit the effectiveness of cooperation. Lastly, corruption, a lack of highly-trained personnel for government staff, and a lack of funding and required capacity have also been identified as other factors affecting cooperation (Bosco et al. 2009; Lee 2005).

The first problem of cooperation is poor communication between agencies to exchange trafficking information (David 2006; Aronowitz 2009). David (2006) finds that in some ASEAN countries these issues include some of the following: “agencies do not know what data is [sic] available from other agencies”; “agencies do not understand the reported data they receive from other agencies”; “agencies cannot reconcile data from other agencies with their own data or data from other sources”; and “agencies may be collecting and re-collecting data from the same cases, but in different ways” (David 2006: 82). Insufficient
data and the absence of reliable, comparative, and up-to-date data are also problems in European countries. As a result, the misuse or misinterpretation of useful, relevant data, or incomplete picture of the trafficking situation hinders the ability to monitor anti-trafficking programmes (Aronowitz 2009: 33).

The second concern in some countries is that stakeholders do not consistently apply the legal definition of human trafficking or anti-trafficking policies. There is also a substantial lack of knowledge about how to develop policies targeting all types of trafficking exploitation or addressing male victims exploited in forced labour or for sexual purposes (Arsovska and Janssens 2009; Sidoti 2010). This has serious implications for prevention, prosecution, and victim identification. For example, trafficked persons are sometimes identified as illegal migrants and/or illegal workers in prostitution (Arsovska and Janssens 2009).

Another debate about the effectiveness of cooperation highlights the weakness of networks between different agencies involved in reintegration assistance activities (Aronowitz 2009; Gallagher and Surtees 2012; Sidoti 2010; Surtees 2013). Sidoti (2010) carries out a study of the limitations of the collaboration between the lead agency and other government institutions in CBSS countries. Some significant issues are identified, such as: “many victims of trafficking are not identified and treated”, “many victims decline assistance offered”, “the safety of trafficked persons is not always taken into due consideration”, or “risk assessments are not always conducted” (Sidoti 2010: 39-40). Furthermore, “under-assisted” cases of trafficked victims in the Greater Mekong Sub-region were explained as being attributed to “accidental” rather than “systematic” reasons (Surtees 2013: 79-80).

Although inter-agency cooperation has been increasingly recognised as an essential factor in the responses to human trafficking, few writers have been able to draw on any systematic research into the whole situation. Other researchers have not treated this problem in much detail. For instance, Sidoti (2010) does not demonstrate clearly the connection between the limitations of inter-governmental cooperation and the significant issues related to reintegrating and supporting victims. Sun-Suon (2014) also simply enumerates the limitation of cooperation and its results. Aronowitz (2009) and David

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10 In CBSS countries the lead agencies in (re)integration work are the departments of social work/social welfare while other government sectors/departments are departments of health, vocational training, employment, or education.
(2006) mainly investigate the inter-governmental collaboration related to data collection. Other research only mentions some aspects of cooperation, failing to draw a complete picture of the problem (Lee 2005; Surtees 2013; Williams 2009).

In conclusion, cooperation between governmental agencies is a key tool identified in the research literature as preventing trafficking in persons and/or assisting victims. Establishing a national coordination structure will ensure that governmental agencies work effectively together (David et al. 2010; Sidoti 2010). Therefore, Aronowitz (2009), and Gallagher and Holmes (2008) recommend that governments should establish/implement a National Action Plan on Human Trafficking or similar instruments. The policies and strategies should identify and connect all actors involved in the responses to trafficking in human beings. Other specific recommendations have been suggested, such as: raising awareness levels and providing official training for governmental staff, establishing clearer cooperation procedures, improving communication between agencies on data collection and so on (Aronowitz 2009; David 2006; Hoffmann 2013; Sun-Suon 2014).

2.7 CONCLUSION

It is well understood that human trafficking is the criminal exploitation of humans in a wide range of industries and settings. In the global context, there are many signs that this crime is still increasing, not diminishing. There have been some positive developments in examining this crime and specifying anti-trafficking policies. The Trafficking Protocol 2000, which includes the first comprehensive international definition of “trafficking in persons”, creates a global language to address the crime of trafficking in persons at a transnational level. Various types and purposes of modern-day trafficking have been identified in the Trafficking Protocol 2000, research, and reports. However, the trafficking definition is both broad and limited, while the protection provisions are discretionary.

Anti-trafficking responses have become one of the most important priorities for governments and researchers. There have been some positive developments in responses to the crime. The level of compliance with three counter-trafficking principles (prevention, prosecution, and protection) has improved over the 2000–2010 period. However, counter-trafficking activities face some challenges. Prevention of trafficking, for example, lacks effective awareness-raising campaigns and other anti-trafficking components, such as economic empowerment programmes or skills training courses. The different awareness of
human trafficking also leads to arguments between governments and organisations about how to collect, estimate, and analyse data on human trafficking, as well as the nature of human trafficking. Therefore, data on trafficking are still unreliable and incomparable. Meanwhile, the rate of prosecuted offenders is comparatively small and the effectiveness of strategies to prevent this kind of crime remains limited.

Inter-agency cooperation to prevent trafficking and protect victims is considered as one of the most important factors contributing to the success of anti-trafficking programmes. However, while a large body of literature on international cooperation has been established, only a few programmes and research projects have focused on cooperation at various levels between agencies. Some important factors which affect cooperation have been indicated, including the conflicting interests of local actors, corruption, a lack of highly-trained personnel for government staff, funding, and required capacity.

Challenges facing inter-agency cooperation to prevent human trafficking and assist victims have been examined in the current literature. In particular is the lack or absence of coordination between different authorities within a single nation-state, including police, law enforcement, border control, customs and immigration, health care workers, outreach workers, and other service providers. The poor communication between agencies is the main reason for the absence of reliable, comparative, and up-to-date data. Moreover, the weaknesses of networks between agencies reduce the effectiveness of preventive and protective methods.

Chapter 2 has provided an overall picture of global human trafficking as well as examined international legal frameworks and responses to human trafficking. The next chapter provides an overview of the current situation of human trafficking and anti-trafficking responses in Vietnam.
Chapter 3: Human Trafficking in the Vietnamese Context

3.1 INTRODUCTION

In recent years, trafficking of humans in Vietnam has been the subject of increasing national attention, which can be observed in several ways, including: formulating legal initiatives, entering into bilateral agreements with other countries, ratifying and implementing various international treaties, and implementing anti-trafficking activities. However, very little empirical research has been published on trafficking in Vietnam (Hoang 2013: 6-8).

The first part of this chapter discusses the definition of human trafficking under Vietnamese anti-trafficking policies. Following that, the nature of human trafficking in Vietnam is investigated. The next part of the chapter discusses Vietnamese anti-trafficking policies and responses in trafficking prevention and victim protection, including the progressive efforts of the Vietnamese Government and limitations of anti-trafficking responses. The last part presents a discussion on the context of inter-agency cooperation.

3.2 DEFINITION OF TRAFFICKING UNDER VIETNAMESE LAW

The Vietnamese Government has paid attention to the issue of trafficking since 1985 when the Penal Code 1985\(^{11}\) first codifies the offence of trafficking in women and children. Within the provisions of the Penal Code 1985, Articles 115 and 149 respectively provide for the offences of “Trading in women” and “Kidnapping, trading or exchanging fraudulently of children” without defining the term “trafficking”. Moreover, trafficking in persons was not fully understood at the time, although it received attention as a critical issue (Hoang 2013: 184). The Penal Code 1985 was then replaced by the Penal Code 1999\(^{12}\) which is also the main law criminalizing acts of trafficking in Vietnam (Kneebone and Debeljak 2012: 151).

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\(^{11}\) The *Penal Code 1985* (Vietnam) was approved by the Vietnamese National Assembly on 27 June 1985 and entered into force on 1 January 1986.

\(^{12}\) The *Penal Code 1999* (Vietnam) Law No. 15/1999/QH10 was approved by the Vietnamese National Assembly on 21 December 1999 and entered into force on 1 July 2000.

The *Vietnamese Penal Code 1999* includes two main articles which provide for the express criminalisation of trafficking offences. They are Article 119 “Trafficking in women” and Article 120 “Trading, fraudulently exchanging or appropriating children” (Vietnamese National Assembly [VNA] 1999). Other criminal offences related to trafficking include: harbouring prostitutes (Article 254); procuring prostitutes (Article 255); rape (Article 111); rape against children (Article 112); organising underage marriage, entering into underage marriage (Article 148); sexual intercourse with juveniles (Article 256); and organising and/or coercing other persons to flee abroad or to stay abroad illegally (Article 275).

The terms “trafficking”, “trading”, “fraudulently exchanging”, or “appropriating” are not defined in the *Penal Code 1999* but in explanatory memoranda, law enforcement documents, or related regulations (Kneebone and Debeljak 2012), for example “Government Decision 17/2007/QD-TTg on Promulgating the Regulations on Reception of and Community Reintegration Support for Trafficked Women and Children Returning Home from Foreign Countries”. This regulation does not define human trafficking directly but explains elements of trafficking in its victim terminology:

[...] force, threatening to employ force or other types of force, kidnapping, deceiving or misusing their power or position, the vulnerable condition to traffic (deliver, receive money or another materialistic benefit) … [on] the purpose of human exploitation (forced sex or other types of sexual exploitation, labour or forced slavery service or working under slavery condition or taking their body parts). (Article 4)

It can be said that anti-trafficking policies and practice in Vietnam in the early part of the twenty-first century consider the issue of trafficking as a strictly criminal problem. However, they mainly focus on the trafficking of women and children (Hoang 2013: 211; Tucker et al. 2009: 457). Moreover, trafficking under Vietnamese law focuses on “trade, profit and illegality”. *Illegal trade* refers to “a transfer of a person from person/people to another person/people for money or other material profits” (Department of Criminal and Administrative Laws 2004: 12). Therefore, the definition of trafficking in Vietnam more closely resembles a narrow focus on trafficking for the purposes of sexual exploitation and prostitution, rather than the wide-ranging definition involving the practical exploitation of various kinds (Kneebone and Debeljak 2012).
In the *Amended and Supplemented Penal Code 2009*\(^\text{13}\) a change is made from “trafficking in women” (Article 119 of the *Penal Code 1999*) to “trafficking in humans”, and “removal of organs” is added. The basic offence shall be “sentenced to between two and seven years of imprisonment”. The increased penalty of between five and twenty years of imprisonment also applies where the trafficking is committed in any of the following circumstances, including: “for prostitution purposes”, “in an organized manner”, “in a professional manner”, “for taking victims’ bodily organs”, “for bringing abroad”, “trafficking in more than one person” and “committing the crime more than once” (VNA 2009: Article 119). The additional penalty of a “fine of between five million and fifty million dong, subject to probation or residence ban for one to five years” may be applied (VNA 2009: Article 119).

Meanwhile, the offence of “Trading, fraudulently exchanging or appropriating children” in Article 120 is punished with between “three and ten years of imprisonment”, which is similar to the penalty in the *Penal Code 1999*. However, the aggravated circumstances, which are punished “between ten and twenty years of imprisonment or life imprisonment”, are revised in Clause 2 of this article, including: “in an organized manner”, “in a professional manner”, “for a despicable motive”, “against more than one child”, “for taking victims' bodily organs”, “for bringing abroad”, “for inhuman purposes”, “for prostitution purposes”, “dangerous recidivism”, and “causing serious consequences”. A fine of “between five million and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years or subject to probation for one to five years” may also apply (VNA 2009: Article 120).

It can be seen that the understanding of trafficking in the *Amended and Supplemented Penal Code 2009* is still different and narrow in comparison with the *Trafficking Protocol 2000*. For instance, while “exploitation of the prostitution of others” or “the removal of organs” is seen as the purpose of trafficking in the Protocol definition, they are considered as aggravating factors to apply increased penalties (VNA 2009: Article 119, Clause 2). Furthermore, the Penal Code mainly focuses on practices similar to slavery, while some practices such as forced labour are not included (Hoang 2013: 190). The term “victim of trafficking” is still not defined in any provision of the Vietnamese Penal Code. However,

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\(^\text{13}\) Amending and Supplementing a Number of Articles of The Penal Code - Law No 37/2009/QH 12. It was approved by the Vietnamese National Assembly on 19 June 2009 and entered into force on 1 January 2010.
the shift from trafficking in women to trafficking in humans has brought Vietnam closer to achieving compliance with contemporary international definitions of trafficking (Tucker et al. 2009: 458).

In 2011, a new law entitled *Law on Human Trafficking Prevention and Combat* (referred to as the *Anti-Trafficking Law 2011*) was adopted. The law does not officially define “trafficking in persons” directly, but defines “prohibited acts” related to human trafficking. The regulation also incorporates both international and internal trafficking (Kneebone and Debeljak 2012: 153). Article 3 of the Law defines the “prohibited acts”, namely:

1. The trafficking in persons as stipulated in Article 119 and Article 120 of the Penal Code.

2. The transfer or receipt of persons for sexual exploitation, forced labour, the removal of organs, or for other inhuman purposes.

3. The recruitment, transportation, harbouring of persons for sexual exploitation, forced labour, the removal of organs or for other inhuman purposes, or for the commission of the acts as stipulated in paragraphs 1 and 2 of this Article.

It should be noted that the “prohibited acts” under this legal document are not consistent with the “means” element of the *Trafficking Protocol 2000*. There are only some “means” factors described in the definition of some types of exploitation, including: “coercion” in “sexual exploitation”; “force” in “sexual slave” and “the use of force” or “the threat of use of force” or “other means to coerce persons” in “forced labour”. The meaning of “the abuse of power or of a position of vulnerability”, which is seen as a very common means in

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14 Law No 66/2011/QH12 was passed by the Vietnamese National Assembly on 29 March 2011 and entered into force on 1 January 2012.

15 The definitions of the key terms “sexual exploitation”, “sexual slave”, “forced labour”, and “victim” are provided in Article 2 of the Law:

1. Sexual exploitation means the coercion of persons for prostitution, for being subject matters for the production of pornographic materials, for erotic performance, or for sexual slavery.

2. Sexual slave means persons who, under a dependent situation, are forced to serve other persons for the latter’s sexual demands.

3. Forced labour means the use of force or the threat of use of force, or other means to coerce persons to work against their will.

4. Victim means a person who is infringed upon by the acts stipulated in paragraphs 1, 2 and 3, of Article 3 of this Law.
the Greater Mekong Sub-region,\textsuperscript{16} is not detailed in this \textit{Anti-Trafficking Law 2011}. This omission of the “means” element from the definition makes it difficult to understand the “coercive” and “vulnerability” aspects of trafficking (Kneebone and Debeljak 2012: 152). Furthermore, the law lacks a strong commitment to suppress trafficking for forced labour, as well as a commitment to not punish trafficking victims for illegal activities they may enter into, such as illegal residence in countries of transit or destination (Hoang 2013).

Noticeably, no guidance is provided in this document on whether the \textit{Anti-Trafficking Law 2011} supplements or replaces the criminal code provisions and other regulations. This leads to confusion about the relationship between the Penal Code and the \textit{Anti-Trafficking Law 2011} (Kneebone and Debeljak 2012: 153). Specifically, the Penal Code is the only law that criminalises acts as provided in the article of “Basis of penal liabilities”. The article provides that “only those persons who have committed crimes defined by the Penal Code shall bear the penal liabilities therefore” (VNA 1999: Article 2). Meanwhile, the “scope of application” of the \textit{Anti-Trafficking Law 2011} includes:

\[\ldots\text{the prevention, detection, handling of human trafficking acts and other acts of violation of laws and regulations of prevention, suppression against human trafficking; the receipt, identifying, protection and assistance to victims; international co-operation in the prevention, suppression against human trafficking; the responsibilities of the government, ministries, agencies and local governments in the prevention, suppression against human trafficking.}\] (VNA 2011: Article 1)

In the \textit{Penal Code 2015}\textsuperscript{17}, human trafficking is regulated in five articles: “Trafficking in persons” (Article 150); “Trafficking in persons aged under 16” (Article 151); “Fraudulently exchanging persons aged under 01” (Article 152); “Appropriating persons aged under 16” (Article 153); and “Trafficking, appropriating tissue or body parts of persons” (Article 154). The prohibited acts of human trafficking under the \textit{Penal Code 2015} are similar to the \textit{Anti-trafficking Law 2011}. Accordingly, some limitations on defining trafficking as discussed before have not improved. The new and strong point is

\textsuperscript{16} The Greater Mekong Sub-region includes six countries, namely Cambodia, China, Laos, Myanmar, Thailand, and Vietnam.

\textsuperscript{17} Penal Code 2015 (Vietnam) Law No. 100/2015/QH13 was approved by the Vietnamese National Assembly on 27 November 2015 and was intended to enter into force on 1 July 2016. However, due to shortcomings in some articles, the Vietnamese National Assembly (VNA) decided to postpone implementing the law until further notice.
that those regulations define different groups of trafficked victims depending on their ages. The punishment for the offences of “trafficking in persons aged under 16” is normally higher than trafficking in adult persons. For example, a basic offender of “trafficking in persons” is punished with between “five to ten years of imprisonment”, while the punishment for a basic offender of “trafficking in persons aged under 16” is between “seven to twelve years of imprisonment” (VNA 2015: Article 150 and 151).

To summarise, Vietnamese anti-trafficking policies take a positive step towards compliance with international standards and will provide Vietnam with powerful means of protecting human trafficking victims. Recent significant changes, including improving the definitions of human trafficking, have further strengthened the federal Vietnamese position. The operational definition, however, still needs to be broadened. The definition has undergone significant changes recently to address this problem, including expanding the definition of human trafficking and paying more attention to the problem (Tucker et al. 2009). Future policies should pay more attention to the “means” element in the trafficking definition and forced labour in practice (Hoang 2013).

3.3 HUMAN TRAFFICKING AS AN ISSUE IN VIETNAM

3.3.1 The context of Vietnam

The Socialist Republic of Vietnam, located in South-East Asia, is a country with a total land area of more than 331,000 square kilometres. The total population in 2009 was estimated at nearly 86 million, with women accounting for 50.60 per cent of the total.18 While its eastern and southern borders face the Pacific Ocean, Vietnam shares its northern border with China, and is bounded by Laos and Cambodia to the west. After a long period under Chinese, Japanese, and French incursions, and the civil and American-led wars, Vietnam was one of the poorest countries in the world. After the full reunion in 1975 the fledgling Government of Vietnam focused all its efforts on priorities to reconstruct the country, including rebuilding the political regime and addressing socio-economic, cultural, and other issues.

In 1986 Vietnam introduced the renovation policy or “Doi Moi”. It was a decisive step towards abandoning the “central planning model of socialism” and to adopt a “market-oriented socialist economy under state guidance” (Beresford 2008: 221). The economy, which changed significantly, became a “source of interest and attention to investors and business people throughout the world” (Nguyen 2013: 1). There have been many positive developments in the country’s educational and social welfare landscape (Nguyen-Tran 2004). The Doi Moi programme, therefore, “has brought Vietnam into the world community” (Nguyen 2013: 1).

In contrast, some negative aspects have also been brought to society. Although the average annual economic growth has been around 6 to 7 per cent since 1989, developments have concentrated on the manufacturing and industrial sectors in cities, rather than the agriculture sector in rural areas. This uneven development of rural and urban areas has led to a flow of migration from the countryside to cities within Vietnam and across borders into other countries (Hoang 2013: 147). A high percentage of the population has been living in poverty—around 60 per cent in the early 1990s and 45 per cent and 20 per cent in the late 1990s and 2010 respectively. Additionally, gender equality is still limited and women still suffer lower status than men in both public and private sectors. Women do not have equal opportunities to men in entering waged work, equal payment, adequate legal protection, political attention, and other possibilities. This situation is seen as a hidden cause of trafficking in persons in Vietnam (Duong 2014).

In short, many Vietnamese, especially women, have been living in poverty and inequality. The migration to industrial zones has a close relation with human trafficking when migrants end up in exploitation situations. In the meantime, the Vietnamese Government has not recognised the connection between migration and trafficking, and has not made effective efforts to protect the rights of Vietnamese migrants (Hoang 2013).

\[\text{\cite{19}}\] For more information, see the World Bank’s website:

\[\text{\cite{20}}\] For more information, see the World Bank’s website:
3.3.2 The Nature of Human Trafficking in Vietnam

Vietnam is a member of ASEAN, where the problem of human trafficking has been on the agenda since the early 1990s. Shelly (2010: 158) considers this area to be “a hub of human trafficking, particularly sexual trafficking”. In this region many people are also trafficked into a wide variety of industries and settings, for example forced marriages and labour situations. Moreover, trafficking for the purposes of organ removal is another trafficking problem that has been identified in the region (David et al. 2011; Shelly 2011). The number of publications about the nature and diversity of trafficking in persons in South East Asia has risen rapidly over the past two decades (David 2009; Piper 2005). However, limited information about practices in the criminal justice and victim support sectors leads to difficulties in assessing the impact and effectiveness of responses (David 2009: 96-97).

Generally, human trafficking in Vietnam has become an urgent and pressing problem. Its effects are disastrous not only to victims but also to the whole Vietnamese society (Duong 2014; Hoang 2013). The following summarises the nature of human trafficking in Vietnam.

The trafficking situation

In Vietnam the statistics indicate that human trafficking is now an established practice (Duong 2014; Hoang 2013). The number of trafficking cases and victims has increased recently with 4,224 cases and 9,142 victims identified in the last decade.21 People are subjected to forced labour and are trafficked for sexual exploitation. Many children are the victims of forced and bonded labour, including begging, domestic services, working in factories in big cities, or in brick kilns and gold mines. Babies are also trafficked for internal adoption (Duong 2014; Hoang 2013; USDOS 2015). Although official reports do not provide data for internal trafficking, trafficking within Vietnam is also recognised as a

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21 Table 3.1: Number of human trafficking cases and victims in Vietnam


<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases</td>
<td>328</td>
<td>369</td>
<td>375</td>
<td>395</td>
<td>429</td>
<td>458</td>
<td>487</td>
<td>507</td>
<td>469</td>
<td>407</td>
<td>4,224</td>
</tr>
<tr>
<td>Victims</td>
<td>966</td>
<td>938</td>
<td>981</td>
<td>869</td>
<td>671</td>
<td>821</td>
<td>883</td>
<td>982</td>
<td>1,031</td>
<td>1,000</td>
<td>9,142</td>
</tr>
</tbody>
</table>
serious problem (Duong 2014; Hoang 2013). Meanwhile, many researchers claim that the reported data do not depict the whole picture of human trafficking in Vietnam because of the absence of systematic and complete data. The actual number of trafficking cases and victims is considerably higher than officially recognised (Kneebone and Debeljak 2012; Hoang 2013; Vu 2007).

**Traffickers’ profile**

The profile of those who traffic and exploit others is varied. Traffickers could be female or male. They may be members of small organisations or organised crime networks or just amateurs (Lee 2007). For instance, research based on five hundred different court proceedings from 1990 until 2007 in the Czech Republic, Israel, and India reveals that over 50 per cent of traffickers have no criminal record (Levenkron 2007). Another study conducted in Brazil by using statistic from police and border guard records indicates that perpetrators have a higher level of education than those they traffic. However, traffickers can come from similarly disadvantaged economic, social, and educational backgrounds as the people they traffic (UN.GIFT 2008).

So far, little information is available about the profiles of traffickers in Vietnam (Kneebone and Debeljak 2012: 150). However, it is asserted that traffickers may be professionals in some cases, or may be close to the victims and can easily gain their trust (Hoang 2013: 176). In many cases traffickers are known to be victims’ relatives, friends, or people from the same village. Specifically, parents or boyfriends can sell their children or girlfriends to satisfy material needs. Le (2014) finds that 53 per cent of traffickers are relatives or friends of victims. If traffickers are strangers to the victims they normally offer them good jobs, a high income, or an easy life in another area.

Analysing police reports from 1995 to 2005, Tran (2006) investigates that around 70 per cent of traffickers are female and unemployed, while 75.5 per cent are under 33 years old. Around 67 per cent of traffickers also have a low level of education, 13 per cent of them have never gone to school and 54 per cent only finished primary school. Around 59 per cent of criminals have no criminal record and 88 per cent are of Kinh ethnic origin. Although there is “no evidence of the existence of national or international trafficking

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22 Vietnam is a multi-nationality country with 54 ethnic groups. The Kinh (Viet) people account for 87% of the country’s population and mainly inhabit the Red River delta, the central coastal delta, the Mekong delta and major cities (source: http://www.vietnamembassy.org.uk/population.html, accessed 7 December 2015).
organizations operating in Vietnam”, there is a connection between traffickers in Vietnam and “organised international networks” (Hoang 2013: 177). However, the network comprises “more of the activities of individuals than large-scale operations” (Hoang 2013: 177).

**Victims’ profile**

Most trafficking victims are poor, have low education and experience unemployment (Lee 2007; Zimmerman and Borland 2009). For example, over 40 per cent of victims of prostitution-related trafficking in Europe are “unemployed at the time of recruitment”, and many have “no previous working experience”. People become victims of trafficking mainly because of “the economic and social circumstances of their lives rather than because of their personal characteristics” (Lehti and Aromaa 2006: 153). However, many of them may be relatively wealthy and well-educated (Zimmerman and Borland 2009).

In Vietnam, a few reports and research studies have investigated data related to victim profiles (Le 2014). Using a survey of victims of Returnee Initial Support Essentials projects, Le (2014) creates a picture of trafficked women in Vietnam. The study finds that a majority of victims were of ethnic minority (67 per cent), single (69 per cent), and had low levels of education (62 per cent). Noticeably, 84 per cent of victims were trafficked before the age of 26 (Le 2014: 21-27). Similarly, Hoang (2013), Tucker and colleagues (2009) and Houck (2003) find that most Vietnamese victims are young, impoverished, uneducated, and unemployed.

**Trafficking sources and destinations**

Vietnamese victims are trafficked for sexual and labour exploitation across the globe, including to Taiwan, Malaysia, South Korea, Laos, China, Thailand, Saudi Arabia, Libya, Indonesia, and the United Kingdom (Hoang 2013: 169-170; USDOS 2015: 362-363). USDOS (2013) has found that Vietnamese men and women incur some of the highest debts among Asian expatriate workers. One of the main reasons for this is that they migrate abroad through state-affiliated and private labour export companies for work opportunities. In such situations, they can be coerced into signing contracts in languages they cannot read and/or charged fees illegally. These situations contribute to increased risk of debt bondage and forced labour. Furthermore, some Vietnamese women are recruited through international marriages (between Vietnamese women/girls and foreigners) to move to China, Taiwan, Hong Kong, Macau, and South Korea. These fraudulent and exploitative
marriages are also linked to trafficking in women and prostitution, with around 10 per cent of women in these marriages sold and subsequently subjected to conditions of forced labour (including as domestic servants), forced prostitution, or both (Hoang 2013; Shelley 2010).

The vast majority (70 per cent) of trafficking cases occur at the Vietnam–China border, primarily in these provinces: Quang Ninh, Lang Son, Cao Bang, Lao Cai, and Ha Giang. A further 10 per cent occur at the Vietnam–Cambodia border, mainly in the provinces of Tay Ninh, An Giang, Dong Thap, Hau Giang, and Kien Giang. A smaller 6 per cent of the cases occur at the Vietnam–Laos border, mainly in the provinces of Thanh Hoa, Nghe An, Ha Tinh, and Quang Tri (SC 2015).

**Root causes of human trafficking**

There is general agreement about the causes for the existence of human trafficking. For example, Bernat and Winkeller (2010), and Cameron and Newman (2008b) examine a number of factors leading to sexual exploitation, including inequality between males and females, poverty, low levels of education, and a lack of awareness of trafficking. Meanwhile, Shelley (2010: 37-58) identifies numerous root causes of trafficking, including “globalization”, “lack of employment opportunities”, “economic imbalances” and “conflicts among regions”, “decline of border controls”, “globalized corruption”, and “rural to urban migration”.

The situation of trafficking in Vietnam is also related to a wide variety of influences, including economic, political, and social-cultural influences (Hoang 2013; Tucker et al. 2009). Poverty is considered the main factor contributing to people’s desire to migrate or that pushes people into the traffickers’ hands. Consequently, it contributes to vulnerability to being victimised or re-victimised (Hoang 2013; Vu 2006). Gender is often discussed as another reason leading to trafficking for many women and girls in Vietnam. In many cases, the limited equal opportunities for women in troubled families are the main reasons for women to migrate and become trafficking victims (Tucker et al. 2009: 448). Other factors are unemployment, political transitions, weak control of border areas, urbanisation, cultural change, and racial and ethnic discrimination (Hoang 2013; Houck 2003; Le 2014; Vu 2006).

**Diverse consequences of human trafficking**
It is widely recognised that human trafficking is a human rights abuse, with significant consequences for its victims and society. Trafficked victims routinely suffer from depression, loss of trust and difficulty in developing relationships after they reintegrate into society. Economic and cultural obstacles in some states often prevent trafficked victims from obtaining psychological, medical, and vocational support (Huda 2006; Shelley 2010).

Physical, psychological, and social impacts on victims are also the result of the trafficking situation in Vietnam (Tucker et al. 2009). For example, female victims of sex exploitation face the probability of experiencing stigma on returning to their place of origin, contracting sexually transmitted diseases such as HIV/AIDS, and unwanted pregnancies. Meanwhile, male victims of forced labour may suffer incapacity because of having chronic injuries. Many trafficked victims also become addicted to illegal drugs (Vijeyarasa 2010). Another problem encountered in the Vietnamese context is that trafficked returnees are sometimes implicated by the government and communities as “social evil” connected with prostitution and criminal acts (Hoang 2013: 211; Vijeyarasa 2010: 90). This challenge is reported to limit the support for victim reintegration. Therefore, victims’ future opportunities are often very limited, for example they may have few opportunities to marry, undertake vocational training and find a stable job (Tucker et al. 2009: 456).

3.4 VIETNAMESE LEGAL FRAMEWORK ON TRAFFICKING PREVENTION AND VICTIM PROTECTION

Taking the trafficking situation on board, the Vietnamese Government has been making a concerted effort to curtail human trafficking (Duong 2014; Hoang 2013). One of the most important efforts is developing a legal framework to enable anti-trafficking policies, including involvement in a wide range of international and regional agreements, and formulation of a massive raft of national legislation.

The Vietnamese Government has also signed and ratified international treaties that include policies and measures to prevent trafficking in humans and to protect victims. These are: the *Convention on the elimination of all forms of discrimination against women* (signed on 17 July 1980 and ratified on 2 May 1983); the *Optional Protocol on the sale of children, child prostitution and child pornography* (signed on 8 September 2000 and ratified on 20 December 2001); and the *Convention No 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour* (19 December 2000). In addition, Vietnam has signed the *Mutual Legal Assistant Treaties to criminal matters and extradition* with 16 countries and entered into agreements, including a *Memorandum of Understanding with the Ministry of Public Security and the Ministry of Interior*, as well as agreements with police forces of countries worldwide and in the region. Cooperation with countries in the Greater Mekong Sub-region also attracted government attention. Anti-human trafficking efforts in Vietnam were given additional momentum after signing *The Coordinated Mekong Ministerial Initiative against Trafficking Sub-Regional Plan of Action* (Kneebone and Debeljak 2012: 201-211).

Vietnam also signed an agreement with neighbour countries, such as Cambodia, China, Laos, and Thailand, to eliminate trafficking and support victims.

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Agreement between the Government of the Lao People’s Democratic Republic and the Government of the Socialist Republic of Vietnam on Cooperation in Preventing and Combating Trafficking in Persons and
Regarding national legislation, the *Penal Code 1985*, *Penal Code 1999*, *Amended and Supplemented Penal Code 2009*, and *Anti-Trafficking Law 2011* were introduced as key tools to ending the crime of trafficking. In the meantime, the *NPA*\(^{25}\) (for the periods 2004–2010 and 2011–2015) was approved to set up a National Steering Committee and associated activities. While the Penal Code only criminalises human trafficking offences (see section 3.2) the *Anti-Trafficking Law 2011* and *NPA* focus on different aspects, including prevention of trafficking in humans and victim protection. This section focuses on examining the Vietnamese legal framework related to trafficking prevention and victim protection.

### 3.4.1 Regulations on Trafficking Prevention

Trinh (2008) argues that crime prevention in Vietnam aims to limit, repel, and eliminate crimes and criminals. As discussed in Section 2.5.1, different countries use different strategies to prevent human trafficking. Under the Vietnamese legal framework, crime prevention includes a range of strategies that are implemented by law enforcement agencies, other government agencies, social organisations, communities, and individuals (Trinh 2008). The prevention aspect is mainly introduced in the *Anti-Trafficking Law 2011* and *NPA*. It is also a focus of the agreements between Vietnam and its neighbour countries and the *Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region* as discussion below.

International agreements signed by the Vietnamese Government require parties to establish the necessary legal reforms and other appropriate measures of trafficking prevention, an

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example of which is the “Thai – Vietnam Agreement 2008”. Article 4\textsuperscript{26} of the Agreement requires Vietnam to reduce its vulnerability to trafficking and to raise public awareness on the issue of trafficking. Similar requirements also are recommended in the “Cambodia – Vietnam Agreement” in 2005 and 2012 or COMMIT SPA III. Those prevention policies are close to the \textit{United Nations Guidelines for the Prevention of Crime} but the information is quite general. Meanwhile, the \textit{Anti-trafficking Law 2011} and \textit{NPA} introduce preventative measures in more detail; they not only focus on comprehensive measures of prevention but also set out the responsibilities of Vietnamese Government agencies in preventing human trafficking.

The \textit{NPA} (period 2004–2010\textsuperscript{27} and 2011–2015\textsuperscript{28}) introduces preventive measures and responsibilities assigned to relevant agencies in Component 1 of the plan. Component 1 of the \textit{NPA} (period 2004–2010), for example, requires a:

\begin{itemize}
\item[1.] The Parties shall make the best effort to prevent trafficking in women and children through the following preventive measures:
\begin{itemize}
\item Implement programmes of education and vocational training for women and children in order to increase the opportunity for education and employment and hence reduce vulnerability to trafficking.
\item Increase of social services such as assistance in job searching and income generating and provision of medical care to women and children vulnerable to trafficking.
\item Enhancement of public understanding on the issue of trafficking in women and children.
\item Disseminate information to the public on the risks and consequences involved in trafficking of women and children and on the businesses that are exploitative to women and children.
\end{itemize}
\end{itemize}

\begin{itemize}
\item[27] The \textit{National Plan of Action against Crime of Trafficking in Children and Women} during 2004–2010 introduced four components, including:
\begin{itemize}
\item Education and communication in the community on prevention and combating of trafficking in children and women.
\item Combating trafficking in children and women.
\item Receipt of and support to women and children victims returning from abroad.
\item Development and strengthening of the legal framework in relation to the prevention and combating of crime of trafficking in children and women.
\end{itemize}
\end{itemize}

\begin{itemize}
\item[28] The \textit{National Plan of Action against Human Trafficking} period 2011–2015 introduced five projects, including:
\begin{itemize}
\item Strengthening information communication and legal education to raise awareness and skills in preventing and combating human trafficking.
\item Strengthening the effectiveness of combating and suppressing trafficking criminals.
\item Reception, identification, protection and support of victims of trafficking.
\end{itemize}
\end{itemize}
focus on regular advocacy and education communication under various forms; Organize communication campaigns at-risk target groups in the whole country, especially in targeted areas; Integrate the advocacy on prevention and combating of crimes and social evils; Develop cultural families, healthy communes, streets without social evils; Provide support and counselling to the families of victims and vulnerable women and children. (GOV 2004: Component 1)

Regarding responsibilities of Vietnamese Government agencies, the regulation defines:

The Central Vietnam Women’s Union is the key agency with the involvement of the Committee for Population, Family and Children, Ministry of Culture and Information, Youth Union and other Ministries and Departments. (GOV 2004: Component 1)

The Anti-Trafficking Law 2011 also introduces a range of prevention measures in Chapter II of the regulation, including awareness-raising and socio-economic empowerment strategies (VNA 2011: Article 7-11). Responsibilities of individuals, schools and educational and training institutions, business and service organisations and establishments, mass media agencies, the Vietnam Fatherland Front and its member organisations, the Vietnam Women’s Union (VWU) and other agencies are set out in the same chapter (VNA 2011: Article 12-18).

Awareness-raising involves knowledge-based training to acquaint people with the policies and legislation in place to counter human trafficking, recognise trafficking situations, inform the public about the risks and consequences of trafficking, and share information about effective prevention measures between agencies. Awareness-raising activities played “an important role in conveying essential anti-trafficking information to people” (Duong 2014: 115). In Vietnam, public awareness raising campaigns are implemented through two kinds of communication methods: mass media and community-based activities. The first method provides information through Vietnamese television, radio, newspapers, websites, and phone networks. Community-based activities focus on awareness-raising campaigns at regional levels via networks of educators in human trafficking.

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4. Develop and improve the current legislation on counter trafficking and monitor the implementation of the Law on Prevention, Suppression Against Human Trafficking.

5. Strengthen international cooperation in combating trafficking.
Socio-economic empowerment measures such as “counselling on human trafficking prevention”, “order and safety administration”, or “management of business activities and services” are also identified as necessary elements for trafficking prevention in Vietnam. The regulation of “counselling on human trafficking prevention” required states to: “provide legal knowledge on human trafficking prevention”, “provide information on human trafficking tricks and train in behaviours in cases suspected of human trafficking”, and “provide information on rights and obligations of victims and how to perform these rights and obligations” (VNA 2011: Article 8). The method of “order and safety administration” commands states to monitor the household registration system or strengthen border and immigration control (VNA 2011: Article 9). Meanwhile, the “management of business activities and services” approach pays attention to the circumstances which could lead to trafficking, such as “international marriages”, “child adoption”, “job placement”, “taking of Vietnamese persons abroad for labour or study, cultural or tourism services” (VNA 2011: Article 10). Additionally, the Law calls for the integration of trafficking prevention into “programmes on prevention and combat of crimes and social evils, vocational training, employment generation, poverty reduction, gender equality and child protection, programme for the advancement of women and other socio-economic development programmes” (VNA 2011: Article 11).

Other regulations also cover some articles which prohibit discriminatory behaviour related to trafficking, including the: Labour Code of Vietnam; Vietnamese Marriage and Family Code; Vietnamese Law on Protection, Care and Education of Children; Law on Gender Equality and so on. For example, the Labour Code of Vietnam\(^ {29} \) strictly prohibits all form of forced labour or child labour. Meanwhile, the Vietnamese Marriage and Family Code\(^ {30} \) protects women from maltreatment and exploitation in the case of getting married to receive money or other benefits. The Vietnamese Law on Protection, Care and Education of Children\(^ {31} \) also prohibits the abuse of street children or actions of kidnapping and trafficking children and so on.

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\(^ {29} \) Labour Code of Vietnam - Law No 10/2012/QH13 was approved by the Vietnamese National Assembly on 18 June 2012 and entered into force 1 May 2013.

\(^ {30} \) Vietnamese Marriage and Family Code - Law No 52/2014/QH13 was approved by the Vietnamese National Assembly on 19 June 2014 and entered into force 1 January 2015.

\(^ {31} \) Vietnamese Law on Protection, Care and Education of Children - Law No 25/2004/QH11 was approved by the Vietnamese National Assembly on 15 June 2004 and entered into force 1 January 2005.
In general, a wide range of regulations related to prevention have been approved and entered into force recently (Duong 2014). The policies related to prevention are ideal in theory. Some of them have been demonstrated to be suitable for the human trafficking situation and its prevention in Vietnam. The measures can help to reduce the risk of trafficking and enhance public knowledge about trafficking. As a result, the prevention of trafficking in Vietnam has achieved some successful results (Tucker et al. 2009).

However, there are significant gaps in the research on examining the limitations of trafficking prevention policies in Vietnam. There is limited available information about how effective the regulations on trafficking prevention are. Take for example the *Assessment of the Legal System in Vietnam in Comparison with the United Nations Protocols on Trafficking in Persons and Smuggling of Migrants, Supplementing the United Nations Convention against Transnational Organized Crime*; the study only enumerates the main prevention regulations without examining the effectiveness or limitations of those policies. Only a few research studies mention several limitations of Vietnamese policies (Ha, Gan, and Kao 2011; Phan 2008). For example, Phan (2008) indicates that loopholes in some laws, such as the law on adoption of inter-country adoption cases, marriage law especially in cases between Vietnamese and foreigners, and legislation regarding Vietnamese labourers working overseas, could enable traffickers to operate with relative impunity. Furthermore, the Vietnamese policies do not mention the roles of NGOs and non-traditional actors to assist in the prevention of trafficking (Ha et al. 2011; Tucker et al. 2009). Ha and colleagues (2011) find that NGOs in Vietnam respond positively to the combat of human trafficking in terms of prevention, protection, and prosecution. They play important roles in crime prevention, repatriation assistance, victim reintroduction, and international cooperation. However, some NGOs cannot perform their anti-trafficking programmes effectively. Reasons for this are the: lack of effective administrative personnel; lack of cooperation with other NGOs; lack of coherent and cohesive governmental policy to address the abuse and exploitation of women; and the lack of relevant information, concrete data, and accurate statistics about trafficking (Ha et al. 2011: 28-29). It is also noted that policies on educating non-traditional actors (such as taxi drivers or guesthouse workers) to identify and protect children/women who are at risk of commercial sexual exploitation or identify and report suspicious behaviour by tourists are unclear (Tucker et al. 2009: 473).
3.4.2 Regulations on Victim Protection

Protection is an important requirement for trafficked persons under international law (Hoang 2013). The purpose of victim protection is to help trafficking victims recover from physical and psychological problems, provide legal assistance, protect them from further harm, assist them in their return and social reintegration, and protect them from being re-trafficked (Trafficking Protocol 2000: Article 6; Cambodia - Vietnam Agreement 2005: article 13). This section reviews the policies of victim protection.

In some bilateral agreements to which Vietnam is a party these protective measures have also been explicitly articulated. For example, Article 4(1)(d) of the Vietnam – Lao Memorandum of Understanding requires the parties’ competent authorities to ensure that trafficking victims are “being provided with the support of psychological treatment, health care and other necessary services in accordance with the conditions of each country and each individual case”. Articles 4(2) and 4(3) of this agreement also present specific concerns for “victims under the age of 18” and victims’ children. Similarly, Article 8 of the Thailand – Vietnam Agreement 2008 requires “trafficked children, women, and their immediate family” to be provided with “safe shelter, health care, access to legal assistance, and other imperatives for their protection”. In addition, under the terms of the China – Vietnam Agreement 2010, the two parties committed to providing trafficking victims with “appropriate assistance and protection, including accommodation in the way of transfer, legal assistance, physical rehabilitation and psychological consultation” (Article 2, Point C). The agreement also notes that trafficking victims “should be accorded with humanitarian treatment and dignity in the process of identification, provisional assistance, repatriation and legal procedures” (Article 2, Point D). The agreement specifically stresses the special care of “victims under age” in the process of protection, repatriation, and legal procedures, “with their interests as juveniles taken into consideration to the greatest extent” (Article 2, Point D).

Under Vietnamese anti-trafficking policies, protection measures are mainly defined in the Anti-Trafficking Law 2011. Trafficked persons are first received and verified by anti-trafficking agencies (VNA 2011: Articles 24–28). They are provided the protection of physical safety and privacy (VNA 2011: Articles 30–31). Depending on each circumstance, a variety of support services is available for victims, including essential needs, travelling expenses, medical support, psychological support, legal aid, short-term...
allowances, educational training, vocational training, and loans which can help victims reintegrate into their families and communities (VNA 2011: Article 33–38). The support for essential needs and travelling expenses includes temporary housing, clothing, food, necessary personal tools, and expenses for transit fares and food for victims’ travel to return to their place of residence (Article 33). Medical and psychological support is provided through social welfare institutions or victim support institutions. They include “health care and/or medical treatment expenses” and support to help victims “have their psychology stabilized” (Articles 34 and 35). Additionally, victims of trafficking in Vietnam are entitled to legal aid to “apply for permanent residence registration, civil status registration, entitlement to supportive regimes, to claim compensation, and to participate in litigation and other legal procedures in connection with the human trafficking cases” (Article 36). Trafficking victims who are Vietnamese citizens or stateless persons permanently residing in Vietnam may also be eligible for educational and vocational training (including tuition fees and expenses for purchasing textbooks and school items for the first school year) if they are “minors in poor household families” or short-term allowances or loans for “overcoming difficulties” “if they are poor household family members” (Articles 37 and 38).

From these policies, it is clear that trafficking victims in Vietnam are entitled to a wide range of support during their reintegration process. Victims are to be provided with expenses for travelling and food, medical and psychological support, legal aid to apply for permanent residence registration, civil status registration, vocational training, financial support, and other supports. Another significant development is the expansion of victim services from women and children to all trafficked persons, which is more in line with international requirements (Kneebone and Debeljak 2012; Hoang 2013).

However, many of these types of protection are only in-principle. There is a lack of legal guidance for government agency implementation (Hoang 2013). One example is legal aid; trafficking victims were not defined as free-of-charge candidates in the Vietnamese Law on legal aid in 2006 or the guidance published in 2007 (VNA 2006: Article 10). This policy was only amended in 2013 to include situations of trafficking. Legal aid still cannot be undertaken effectively because of insensitive support measures. Self-returnees who are often not identified as victims cannot receive free legal aid support. Therefore, victims face challenges in applying to be identified as victims and to be eligible for government support. Only a small portion of trafficked returnees (around 22 per cent) receive legal
support from the government, including obtaining permanent residency registration, identity cards, and birth certificates for their children (Hoang 2013).

Some policies are not tailored to the needs of the trafficking context in Vietnam. For example, only victims in a “poor household family” can access educational and vocational support or bank loans. The other types of victims and trafficked self-returnees without government identification documents cannot access those supports; this can lead to a lack of protection against being re-victimised (Hoang 2013: 294). It is reported that it is difficult for victims to receive the financial support (tuition fees and expenses for textbooks and school items if they are minors returning to school, or alternatively for ‘vocational training’ or a one-off initial support payment). Moreover, the amount of financial support is small and not enough to start a small business or cover their financial difficulties (Duong 2014: 138).

In conclusion, Vietnam currently involves a wide range of international and regional agreements. This involvement can help to shape future law reform and policy in Vietnam in relation to trafficking issues. The national anti-trafficking policies have made significant progress, especially in protecting victims. Victims are referred to as victims of crime and human right abuses (Kneebone and Debeljak 2012; Hoang 2013). They are able to receive a wide range of protective services. However, some of the anti-trafficking policies appear comprehensive on paper but fall short in practice.

3.5 VIETNAM’S EARLY EFFORTS AT HUMAN TRAFFICKING PREVENTION AND VICTIM PROTECTION

In practices, the Vietnamese Government has recently paid much attention to the responses to human trafficking. A wide range of anti-trafficking measures have been applied. These national efforts help anti-trafficking activities in Vietnam, including prevention, prosecution, and victim protection, have achieved some successful results (Duong 2014; Tucker et al. 2009; USDOS 2011-2016). Taking awareness-raising measures, for example, the Trafficking in Persons Report (2014) claims that anti-trafficking awareness campaigns in Vietnamese were conducted successfully using online media, posters, radio and

32 The amount was identified in following law documents:
Circular 134/2013/TTLT-BTC-BLDTBXH, dated 25 September 2013: VND 1,000,000 [USD 50].
television programmes, workshops, school programmes, and neighbourhood meetings (USDOS 2014: 410). The Vietnamese Government also reported 130,000 separate educational communications via media campaigns and face-to-face communication from local governments. Those activities reportedly reached 12.5 million people (SC 2015). The Vietnamese Government cooperates with NGOs to provide a healthy living environment, mental counselling, vocational training, and effective financial support in both shelters and communities (Duong 2014).

However, recent evidence suggests that a lack of clear progress in the areas of trafficking prevention and victim protection still remain (David et al. 2011; Duong 2014; Hoang 2013; Tucker et al. 2009; Trees et al. 2012). As outlined below, a number of challenges are examined in current research and reports.

The first challenge is that prevention measures focus on sexual exploitation, while paying little attention to forced labour or other types of trafficking. Recently, the government investigated a number of cases in which labour recruitment companies have engaged in administrative violations, such as charging excessive recruitment fees. Those cases were indicative of human trafficking, but no trafficking cases were identified from these efforts and no criminal prosecutions were initiated against labour recruitment companies (USDOS 2012, 2014).

The effectiveness of awareness-raising campaigns and educational programmes is limited (Duong 2014; Tucker et al. 2009). For example, Tucker and colleagues find that the number of Vietnamese women and children who can recognise the risks involved in trafficking is low. Their study finds that only 56.2 per cent of their sample community population understood the risks of “being coerced into prostitution”. Meanwhile, the number of people who could identify the dangers of “being coerced into working for others without their consent”, “being sold or exchanged like an item of goods”, “verbal or physical abuse by employers” and “being forced to engage in drug abuse or theft” were 54.9 per cent, 55.6 per cent, 74.5 per cent, and 63.4 per cent respectively (Tucker et al. 2009: 452). Duong’s (2014) research with trafficking victims also highlights the limited understanding of trafficking and related policies. Sixty-five per cent of Duong’s research participants did not “believe that their relatives or close friends could be traffickers” and 70 per cent of trafficked women did not “know about trafficking before being trafficked” (Duong 2014: 123-124).
Although awareness-raising campaigns and activities make up the majority of trafficking prevention efforts, they focus on the general public rather than specific groups most at risk as potential victims. Vietnamese research has identified limitations to the access of the most at-risk populations to awareness resources (ActionAid International Vietnam 2005; Duong 2014; Hoang 2013; Houck 2003). People who are from ethnic minorities, have low levels of education, or who live in remote areas in the mountains or countryside have few opportunities to access trafficking information through television channels, websites or even radio stations (Houck 2003: 180-190). Moreover, much trafficking-related information is provided in Vietnamese, so it is not accessible to ethnic minorities who do not use the national language. As a consequence, the understanding of trafficking is uneven between communities and regions in Vietnam (Duong 2014: 213).

Regarding economic empowerment strategies, only a few studies have examined the implementation and outcomes of these measures in the Vietnamese context (Duong 2014; Tucker et al. 2009). Tucker and colleagues investigate the necessity of a transportation worker club33 in Vietnam, and recommend they be established (Tucker et al. 2009). International reports also describe socio-economic measures in place in Vietnam, including poverty reduction and vocational training programmes intended to address trafficking (The Asia Foundation 2008; UNIAP 2010). However, these reports do not provide detailed information on the programmes or their strengths and weaknesses. Other prevention efforts around “order and safety administration” or “management of business activities and services” are not even mentioned in any research or international reports. As a result, their impact and implementation are not clear.

Furthermore, limitations of protection measures are also examined in several studies. David (2006: 83) argues that “there is presently very little awareness of the need to protect the privacy and confidentiality of victim’s personal information”. Meanwhile, Surtees (2013) finds that in countries of the Greater Mekong Sub-region, including Vietnam, many trafficking victims are not fully informed about their legal status and rights because of inadequate provision of trafficking information. The government also lacks medical and health care equipment, technical training, vocational training centres, and funding. The support to victims, therefore, is limited and does not satisfy their requirements and expectations (Duong 2014; Hoang 2013). As a result, the majority of returnees go straight

33 See Section 5.2.7 (Chapter 5) for more information about the club
back to their communities without government support. For example, comprehensive services are not available at shelters so victims prefer to return home. Only around 30 per cent of Vietnamese victims could access financial support and public vocational training (Surtees 2013). Vocational training focuses on some types of jobs which may not be suitable for market requirements. Many victims without technical training do not know how to use the loans effectively (Duong 2014). Additionally, Trees and colleagues (2012: 18) find that “the majority of trafficked persons return without reporting they have been trafficked, and due to stigma and discrimination, often do not tell their families and friends”.

Limited financial resources, a lack of knowledge and skills of government officers, and corruption are seen as main factors affecting the results of anti-trafficking programmes (Duong 2014; Phan 2008; Tucker et al. 2009). For example, Tucker and colleagues indicate that corruption is seen as a serious problem in trafficking prevention in Vietnam. Many official workers who are paid “notoriously low salaries” can “get money any way they can” (Tucker et al. 2009: 471).

Although more research has focused on the issues of trafficking in Vietnam there is still a lack of writing at the academic level on trafficking prevention and victim protection in Vietnam (Duong 2014; Hoang 2013; Vijeyarasa 2010). Most of the research so far focuses on the background of human trafficking in Vietnam and examines demand factors, vulnerabilities of victims, consequences of trafficking, existing legal frameworks, and anti-trafficking recommendations (Tucker et al. 2009; Vijeyarasa 2010; 2013). For instance, while Tucker and colleagues (2009) focus on the legal framework, international cooperation and policy when examining sex trafficking in Vietnam, Vijeyarasa (2010, 2013) mainly explores the stigma experienced by victims after being repatriated to their source communities. Another problem of existing studies carried out in Vietnam is that most of them focus on trafficking for sexual exploitation. Very little research has focused on non-sexual types of trafficking. There is no comparative analysis of commercial sexual exploitation with other types of trafficking (Duong 2014; Hoang 2013). Regardless, a few limited, yet valuable, contributions have been provided.

Some projects and programmes run by international organisations have also produced general data related to trafficking in Vietnam, including information of situations, cases and victims, and solutions and strategies for prevention, prosecution, and protection. These
reports and research tend to draw on the best available and locally based information. They also provide careful and preliminary conclusions about current practices and guidance for the future. For example, the research of David and colleagues (2011) is structured around seven key components of effective criminal justice responses to trafficking. However, there are some limitations to those reports. This information is derived from general reports and a limited number of case studies so that key information is likely missing or unable to be located. In addition, in some studies in Vietnam information “was not sought or obtained from some important stakeholders such as victims, victim support agencies or embassy officials who might be involved in engaging in preliminary identification of the situation” (David et al. 2011: 5). Hoang (2013) argues that the available studies have not been up-to-date with the modern-day actions of traffickers. Overall, little empirical, scholarly research has been published on trafficking in Vietnam, including trafficking prevention and victim protection.

3.6 INTER-AGENCY COOPERATION IN TRAFFICKING PREVENTION AND VICTIM PROTECTION

The quality and extent of collaboration between authorised agencies are also key tactics in preventing crime and protecting victims in Vietnam, as defined in the Anti-Trafficking Law 2011 and NPA. There is a need to establish strong government partnerships to counter human trafficking crime (Duong 2014). While government reports only provide general data on inter-agency cooperation, academic research is needed to better understand collaboration activities, their successes, and limitations. However, much of the current literature has described international or regional coordination, while there has been no systematic research on inter-agency cooperation in human trafficking prevention and victim protection within Vietnam to date (David et al. 2011; Hoang 2013).

In Vietnam, there are a number of key official forces engaged in anti-trafficking activities to varying degrees. These forces belong to different ministries, including the: MPS; Ministry of National Defence (MND); Ministry of Labour, Invalids and Social Affairs (MOLISA); MIC; VWU; Supreme People's Procuracy; Supreme People's Court; Ministry of Foreign Affairs; Ministry of Justice; Ministry of Culture, Sports and Tourism; Ministry of Education and Training; Ministry of Planning and Investment; Ministry of Finance;
Agency responsibilities are specified in Vietnamese law and policies, including the *Anti-trafficking Law 2011* and the *NPA*. Based on government regulations, these agencies play specific roles in preventing trafficking. In particular, the *Anti-trafficking Law 2011* regulates the responsibilities of key agencies, such as the MPS, MND, MIC, and other ministries (VNA 2011: Articles 42–52). Agencies are required to cooperate with other governmental offices. For example, the MPS has to:

[Act] as the focal point, or [co-operate] with relevant ministries, agencies and People’s Committees of provinces or centrally-run cities in organizing the implementation of normative legal documents, programmes and/or plans on prevention, suppression against human trafficking. (VNA 2011: Article 42, Point C)

Agency responsibilities are also articulated in each component of the “Assignment of Responsibilities” in the *NPA*. For instance, the *NPA* (period 2011–2015) introduces five anti-trafficking components with responsibilities assigned to relevant agencies:

Component 1: “Strengthening information communication and legal education to raise awareness and skills in preventing and combating human trafficking”, for which Ministry of Information and Communication would be responsible through mass media channels at the central and local levels and The Vietnam Women’s Union through community-based activities;

Component 2: “Strengthening the effectiveness of combating and suppressing trafficking criminals”, for which Ministry of Public Security would be responsible in mainland areas and Ministry of National Defence (Border Guard Command) in border, coastal and island areas;

Component 3: “Reception, identification, protection and support of victims of trafficking”, with Ministry of Public Security being responsible for reception, identification and protection of victims and Ministry of Labour, Invalids and Social Affairs being responsible for support of victims;

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Component 4: “Develop and improve the current legislation on counter trafficking and monitor the implementation of the Law on Prevention, Suppression against Human Trafficking”, for which Ministry of Public Security would be responsible; and

Component 5: “Strengthen international cooperation on combating trafficking”, for which Ministry of Public Security would be responsible.

Through the NPA period 2004–2010 and 2011–2015, the government also set up a National Steering Committee chaired by a Deputy Prime Minister, with a leader of the MPS as the Vice Chairperson, for coordinating activities within the framework of the plan. The MPS is the central government agency in the anti-trafficking framework and is responsible for the majority of anti-trafficking activities. The National Steering Committee also comprises vice ministers and senior leaders of government ministries, agencies, and organisations. Approximately USD $13 million were allocated to the five components in the period from 2011 to 2015.

In summary, the main responsibilities for key agencies, including cooperation with other agencies to respond to trafficking, are defined clearly and broadly in Vietnamese regulations. Those fundamental rules have contributed to the success of inter-agency cooperation in trafficking prevention and victim protection. The first significant success is that some agencies have been “very active in obtaining support and cooperation from other departments and creating an environment of collaboration in reaching trafficked women and supporting them” (Trees et al. 2012: 45). For example, the final report for the period 2011–2015 of the NPA affirms that the VWU cooperated with other departments to organise effective awareness campaigns at some points during the period (SC 2015). Trees and colleagues (2012) also find that the provincial Divisions on Labour, Invalids and Social Affairs (DOLISA) in some provinces collaborate with other experienced assistance providers to provide appropriate and comprehensive services to victims.

Inter-agency cooperation in responding to human trafficking and its limitations are addressed in a small body of research, for example that by Duong (2014), Hoang (2013), and Phan (2008). Duong (2014) describes the limitations of information sharing between anti-trafficking agencies. Phan (2008) identifies similar problems, noting that the MIC and VWU are deficient in disseminating human trafficking information from the MPS, therefore indicating that awareness campaigns could not be organised efficiently.
Meanwhile, Hoang (2013) investigates weaknesses of inter-governmental agency collaboration, finding that they contribute to a lack of awareness on the part of officials about the needs of trafficked persons. In terms of victim protection, government officers often “fail to share information or contact other organizations that may be able to provide immediate or on-going assistance for trafficked persons” (Devine 2009: 84).

Overall, there are still significant gaps in the research on inter-agency collaboration to counter human trafficking. Limited information is available about the partnerships between key anti-trafficking actors within Vietnam, for example police officers, border guards, and social welfare staff. There have been no systematic and in-depth studies of governmental cooperation in counter-trafficking activities in Vietnam.

3.7 CONCLUSION

Human trafficking in Vietnam has become more established than ever before. The number of reported cases and victims have been increasing and that situation has not been ameliorated successfully. Vietnamese anti-trafficking policies mainly focus on the trafficking of women and children. Although the trafficking definition has been expanded from 2009, the understanding of trafficking in Vietnam is still different and narrow in comparison with the Trafficking Protocol 2000. In terms of the national policies on trafficking prevention and victim protection, it is recognised that preventive and protective measures focus on sexual exploitation while paying little attention to forced labour or other types of trafficking in Vietnam. The regulations related to prevention are vague. Meanwhile, some victim protection policies are not tailored to the needs of the trafficking context. The Vietnamese policies also do not mention the roles of NGOs and non-traditional actors to assist in trafficking prevention and victim protection.

In practice, the Vietnamese Government has recently paid significant attention to responses to human trafficking and has applied a wide range of anti-trafficking measures. Counter-trafficking activities have achieved some successful results. However, a lack of clear progress in anti-trafficking strategies remains. For example, the effectiveness of awareness-raising activities and educational programmes is still limited; there is uneven understanding of trafficking across communities and regions in Vietnam. Victim protection services are limited and do not satisfy victims’ needs or expectations. Regarding anti-trafficking partnerships, much of the current literature has described international or
regional coordination. Limited information is available about partnerships between key anti-trafficking actors within Vietnam. There has been no systematic research on inter-agency cooperation in human trafficking prevention and victim protection in Vietnam to date.

After providing information on the research context, the next chapter describes the methodology and specific methods used to collect and analyse the data, which assists in answering the research questions.
Chapter 4: Methodology

4.1 INTRODUCTION

As discussed in previous chapters, this thesis is guided by the fundamental research questions to investigate inter-agency cooperation in human trafficking prevention and trafficking victim protection. This thesis uses multiple research methods to address the identified research questions, combining semi-structured interviews and critical policy analysis to triangulate the research findings. Firstly, this chapter describes the research design. Following that, it explains the sampling strategy, including the selection of fieldwork locations and participant cohorts. The next section discusses data collection techniques. Finally, ethical issues and the limitations of the research methods are addressed.

4.2 RESEARCH QUESTIONS AND METHODS

As outlined in previous chapters, this thesis is guided by the following research questions:

1. What is working well and what is not working in cooperation between Vietnamese Government agencies to prevent human trafficking and protect trafficking victims?

2. How can inter-agency collaboration to prevent human trafficking and protect trafficking victims be improved?

To successfully answer these research questions the thesis focuses on the understanding and experiences relevant to the project of Vietnamese Government staff engaged in trafficking prevention and victim protection. Qualitative methods were chosen because “qualitative methods offer the opportunity for participants to describe the subject of study in their own words” (Boeije 2010: 32-33). As all methods have strengths and weaknesses, triangulation will help “to balance out any of the potential weaknesses in each data collection method” (Gray 2009: 36). This thesis combined two qualitative methods: critical policy analysis and semi-structured interviews. Information from each method was compared with the other method and the extant research literature. The use of multiple information sources helped to answer the research questions from different angles. For instance, one interviewee mentioned that some state actors lacked knowledge about victim
protection because the institutions placed new staff in the positions after a few years. This information was then asked of other interviewees or cross-checked with the secondary sources to verify its accuracy. This is an example of how triangulation was used as a method to enhance the reliability of the research results (Punch 2005).

4.3 SITE SELECTION AND SAMPLING STRATEGY

Samples and research locations need to be specially chosen to fit the purpose of the qualitative research (Bryman 2012: 416; Flick 2006: 123). In this study, I used a purposive sampling method. I selected research locations and agencies from which to recruit interviewees to maximise the diversity and depth of research findings. I tried to choose the most suitable samples which represent a broad and knowledgeable view of human trafficking and the inter-agency cooperation engaged in to fight against this crime in Vietnam.

4.3.1 Research Site Selection

Inter-agency cooperation to combat human trafficking involves all levels of government (see section 2.6.1) and, as such, this study collected data about national and regional policies and practices. Ha Noi was selected as the site for conducting the majority of data collection about the overall situation in Vietnam. Ha Noi is the capital, the socio-economic and political centre of Vietnam. It is also the location of all government offices at the ministerial level and the National Steering Committee on the responses to human trafficking. Therefore, it is considered the most suitable place to collect national annual reports and conduct interviews with the staff of ministry agencies.

At the regional level, some primary criteria guided the selection of fieldwork locations. The chosen regions needed to have:

- Evidence of trafficking in persons, including identification of a substantial number of human trafficking cases, offenders or victims, consequences of the crime, and so on.
- Demonstrable inter-agency cooperation in responding to human trafficking.
- Established programmes for trafficking prevention and victim protection.
Based on these criteria four provinces were selected as research sites: Bac Giang in the North, Ho Chi Minh and Tay Ninh in South East region, and An Giang in the South West region (Mekong River Delta) (Figure 4.1 shows the geographical positioning of the research sites in Vietnam).

**Figure 4.1 Research sites**

![Research sites map](image)

Bac Giang is around 60 kilometres from Ha Noi and 110 kilometres from the border between Vietnam and China. It is also next to Quang Ninh, which borders China in the Southern East by sea. Furthermore, Bac Giang has a high population density, with 21 ethnic groups and around 90 per cent of people living in the countryside.\(^{36}\) Being in a

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\(^{36}\) Bac Giang Digital Information Gate, accessed on 30 December 2015.
complex geographical situation, Bac Giang has been reported as a hot spot for trafficking in Vietnam and an important node in human trafficking routes (Duong 2014: 89).

Ho Chi Minh is the largest city and the economic centre of Vietnam. It is a magnet for migrants from rural areas across the whole country (Luong 2009). The official population report was around 8 million in 2014, but it is estimated that the real number is much higher. Ho Chi Minh also has the biggest airport and seaport systems in Vietnam. Therefore, Ho Chi Minh is investigated as it is the largest destination of domestic trafficking and a transit point for international trafficking (Vu 2007: 53).

Tay Ninh and An Giang are provinces in the South of Vietnam which border Cambodia. Both of them have international border gates, crossings, and side gates. Tay Ninh and An Giang have been known to be the source and transfer provinces of human trafficking in Vietnam.

These provinces have established networks and models to prevent trafficking and protect trafficking victims. For example, a self-help group for victims was established in Bac Giang in 2008 and then expanded to Tay Ninh in 2011 (MOLISA 2014b: 1). It was an innovative programme model to help victims reintegrate into their communities. Meanwhile, the assessment centre in An Giang has been identified as a successful model run by DOLISA in providing direct services and referrals for victims. Some provinces also have promulgated provincial policies related to cooperation in responding to trafficking, and these are thought to be successful (Trees, Vu, and Tran 2012).

4.3.2 Study Participants

Bac Giang had a population of 1,624,456. The average of population density was 420.9 persons per square kilometre, which is higher than the average for the whole country. (For more information, see the website http://www.bacgiang.gov.vn/)

37 Ho Chi Minh Digital Information Gate, accessed on 30 December 2015. Ho Chi Minh’s population was 6,117,000 people in 2004, it increased to 7,123,000 in 2009, and 7,950,000 in 2014. Tan Son Nhat airport is the largest airport in Vietnam which has been serving more than half of Vietnam’s air passenger traffic. (For more information, see the website http://www.hochiminhcity.gov.vn)

38 Tay Ninh and An Giang Digital Information Gate, accessed on 30 December 2015. Tay Ninh shares over 240 kilometres of border with Cambodia, while it is over 100 kilometres in the case of An Giang (For more information, see the website http://www.tayninh.gov.vn and http://www.angiang.gov.vn)

39 See Section 6.4 (Chapter 6) for more information.
Study participants were recruited into the project using a purposive sampling technique, which selects information-rich respondents to maximise the accuracy, credibility, and richness of information (Liamputtong and Ezzy 2006: 87). Participants were selected based on their involvement in and knowledge of inter-agency cooperation in anti-trafficking programmes. It was also necessary to gain permission from the agencies’ leaders. Participants were encouraged to participate in the research and provide detailed and high-quality information (see section 4.8). Twenty-five staff from five key agencies which are responsible for implementing the government responses to trafficking were ultimately recruited.

In Vietnam, there are a number of main official agencies engaged in work against trafficking to varying degrees. These agencies belong to different ministries. Responsibilities of each agency are specified in Vietnamese regulations, including the NPA (period 2011–2015) and Anti-trafficking Law 2011. The five key agencies responsible for anti-trafficking activities are: the MPS, MND, MOLISA, MIC, and the VWU. In each unit four staff were selected, including two operational staff who directly deliver collaborative projects, one liaison staff member who makes reports about inter-agency cooperation, and one leader who supervises such collaborative activity. Those current staff members have a deep understanding of anti-trafficking collaboration (see section 4.5.2). Therefore, they were assessed to be suitable for the interviews. Additionally, five retired staff, who previously implemented collaborative activities, from the five agencies were also recruited. The reason for interviewing retired staff is that they are no longer constrained by government employment and may feel more comfortable stating an independent opinion. This cohort arguably may provide more intensive and unbiased information, or at least provide a check on the reliability of responses from those currently working in government. The research therefore interviewed a total of 25 staff, consisting of 20 working and 5 retired persons. The study also attempted to interview a variety of informants with regard to their qualifications and working experience.

4.4 CRITICAL POLICY ANALYSIS

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40 See Section 3.6 (Chapter 3) for more information.
According to Bryman (2012), the government can be seen as an excellent source of documents such as policies, regulations, and reports. Document analysis can produce qualitative data and is “often used as a part of a multi-method strategy” (Davies, Francis, and Jupp 2011: 69). For the purposes of this study, various data sources and policy instruments were collected and critically analysed. The data came from government reports, NPA reports, annual summations, and conference proceedings so as to examine the collaboration of authorised agencies engaged in preventing human trafficking and protecting victims. The collected documents include:

- Thirty annual reports and summations from agencies and committees at the national level in the period from 2011 to 2015, including five reports from the National Steering Committee and 25 reports from five key agencies (five reports from each department). These reports provided this research with detailed information on the trafficking situation, activities, and results of crime prevention and victim protection across the whole country. More importantly, they also evaluated the advantages, disadvantages, and effectiveness of the inter-agency cooperation to prevent trafficking and protect victims.

- Forty annual reports and summations at local levels from departments that are directly under key agencies in recent years. These reports provided information on the trafficking situation, trafficking prevention, victim protection, and cooperation at the local levels in the provinces surveyed in this research.


Overall, the official sources of secondary data included a variety of government documents. They provided rich and detailed information related to the thesis topic. For
example, some reports indicated that inter-agency cooperation to organise awareness-raising campaigns was not effective; some campaigns could not reach the most at-risk populations. Meanwhile, some conference papers noted that in some provinces, social welfare staff, VWU staff, and police officers were successful in identifying trafficked self-returnees and providing necessary support. Those pieces of vital information were used to validate the interview findings, as discussed in the following sections.

Crow and Semmens (2007) and Punch (2005) point out that the first advantage of secondary sources is that they provide significant amounts of structural and monitored data. Other advantages are the inexpensive accessibility and low cost of information retrieval. The official documents from Vietnamese agencies provided this thesis with an opportunity to acquire related information that has been released by Vietnamese Government institutions. They are believed to provide multidimensional information on human trafficking in general, and cooperation to prevent crime and protect victims in particular.

In addition, documentary data can assist the researcher to prepare for the interviews. Before meeting with particular staff, the researcher read many reports and other related agency documents. This helped the researcher to have a wider understanding of human trafficking and the cooperation situation. As the result, it was easier for the researcher to establish rapport with interviewees and focus on the main issues during the interviews (Champion 2006).

However, these secondary sources have been collected for other purposes—not for specific research purposes. Therefore, they might provide missing or incomplete information (Champion 2006). These documents might also include unnecessary information not related to the project. These disadvantages created difficulties for the researcher while collecting and analysing the data. To cope with the problem of data deluge all necessary information was highlighted and summarised. Consequently, all related secondary information was stored and used for the thesis.

As discussed in Chapter 2, official documents related to human trafficking in Vietnam can be scarce, unreliable, and non-comparable. To avoid these potential limitations, the research design did not rely solely on government documents. Other sources of information were utilised, including reports and studies from the UN, UNODC, IOM, NGOs, and other criminologists. The publications from these independent sources
provided another source for triangulating the responses about the human trafficking situation and cooperation in Vietnam.

Overall, the official sources of data provided rich information about the existing policies and practices that aid collaborative activities to prevent trafficking and protect victims in Vietnam. These documents helped the researcher to understand the different agency views on the research topic. They were contrasted with the findings from the semi-structured interviews to assess the fit or the gap between the espoused aims of these collaborative agreements and projects. Moreover, official data helped strengthen the validity and credibility of the interview data.

4.5 SEMI-STRUCTURED INTERVIEWS

Interviewing is a powerful research tool defined by Arksey and Knight as “…a powerful way of helping people to make explicit things that have hitherto been implicit-to articulate their tacit perceptions, feelings and understanding” (Arksey and Knight 1999: 32). Similarly, Fischer (1995: 80) argues that interviews can “tap the cognitive realities of those knowledgeable about the situation, in particular the policy stakeholders”. Thus, discussions can help researchers to generate interviewees’ profound insights and produce or reproduce knowledge (Duong 2014: 93).

In this research, the primary qualitative data were gathered through semi-structured interviews with individuals selected from five key Vietnamese agencies involved in the plan to respond to human trafficking. Following are justifications for conducting semi-structured interviews in this research.

Firstly, semi-structured interviews helped to collect detailed and multifaceted information on cooperation in responding to human trafficking, including successful and unworkable activities, how the policies and programmes actually work, and insights into how to improve practices of collaboration. Qualitative methods are suited to collect rich, quality information on sensitive topics with people whose “voices” are rarely heard (Liampittong and Ezzy 2006: 81). Techniques such as questionnaires with the answer options predetermined by researchers or structured interviews are standardised methods that reduce the prospect of respondents providing new and useful insights (Punch 2005; Bryman 2012). Meanwhile, completely unstructured interviews are not suitable for the research
fieldwork in Vietnam because they require “lots and lots of time-like when you are doing long-term fieldwork and can interview people on many occasions” (Bernard 2012: 182). Therefore, the semi-structured interview schedule was finally chosen as the primary research tool for this project.

Secondly, semi-structured interviews are also preferable to collect sensitive and complex data on the cooperative responses to trafficking in Vietnam. The cooperation, as stated in Chapter 2, is related to different agencies at different levels. Some problems of the anti-trafficking cooperation could be related to mistakes made by interviewees, other staff in their offices, or members of other departments. Government actors are not necessarily willing to discuss this issue with researchers. They may worry that their statements will affect their positions, their office prestige, or working relationships between their institutions and other agencies. Thanks to the semi-structured interview process and anonymity, this problem can be overcome. Within the interviews, open-ended questions were asked as they allowed the respondents freedom in their responses, and this provided a richness of data (Walter 2010: 290). In addition, a cordial, trusted rapport with respondents was established to guarantee that in-depth information relating to cooperation could be raised in the interview. The interview data also afford anonymity to the respondents, encouraging frankness.

Having provided the details of locations, participants, and research method, the next section describes the techniques used to collect the primary data in detail.

4.5.1 Interview Design

The semi-structured interviews facilitated the capture of profound and comprehensive information about the experiences of staff who have participated in anti-trafficking collaboration. The interviews were guided by a set of general questions or themes, and not rigidly structured (Bryman 2012: 472; Walter 2010: 290). Respondents were asked about issues, including what were the successful activities, what were the main obstacles to cooperation, and what can be done to strengthen the effectiveness of partnerships to prevent human trafficking and protect victims in Vietnam. Through describing anti-trafficking activities, study participants would provide information on inter-agency cooperation in preventing trafficking and supporting victims. Additionally, the semi-structured interviews allowed the researcher to gauge the level of expertise about
legislation and the skills of participants, as well as their attitudes toward other agencies’ operational effectiveness. The following table includes interview questions and prompts which were used in the interviews.

Table 4.1: Interview questions and prompts

<table>
<thead>
<tr>
<th>Order</th>
<th>Main questions</th>
<th>Prompts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Can you describe the parts of your job (or role) that are related to the prevention of human trafficking or protection of victims in Vietnam?</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>What activities are currently in place for your agency to collaborate with other government offices to prevent trafficking or protect victims?</td>
<td>Is information shared? If so, what does this look like?</td>
</tr>
<tr>
<td>3</td>
<td>Can you provide an example of a time where inter-agency cooperation to prevent trafficking or protect victims has worked well?</td>
<td>Why do you think this was effective? How could it affect the response to trafficking?</td>
</tr>
<tr>
<td>4</td>
<td>Can you provide an example where the cooperation has not worked?</td>
<td>Why did it not work in that case?</td>
</tr>
<tr>
<td>5</td>
<td>What were the consequences of the failed cooperation in that case?</td>
<td>Please explain the consequences to the victim, the agency, society, or communities and so on.</td>
</tr>
<tr>
<td>6</td>
<td>In your opinion, what can be done to strengthen or enhance the effectiveness of collaboration to prevent trafficking or protect victims in Vietnam?</td>
<td>Should there be more specific legal requirements for information sharing?</td>
</tr>
<tr>
<td>7</td>
<td>Is there anything else you would like to</td>
<td></td>
</tr>
</tbody>
</table>
It should be known that all participants were Vietnamese and comfortable with speaking Vietnamese. All interviews, therefore, were conducted in Vietnamese. The interview questions were translated into Vietnamese before being provided to any participant. At the completion of each interview, participants were asked to fill out a socio-demographic survey to collect information about the participants. Collected information included age, gender, occupation, and length of service. Hence, the method collected some descriptive statistics as well as qualitative data.

4.5.2. Conducting the Interviews

After formulating a detailed fieldwork plan, the next step was choosing and contacting state actors at both the national and local levels. At the ministerial level I was given assistance from the MPS which is one of five key offices, as mentioned previously. I contacted a person in charge of the cooperation activities at the MPS. In the appointment, I asked for his help to identify the most appropriate individuals involved in the partnership. Because this person had regular contact with staff in different agencies he had a clear idea of who was suitable to interview. As he knew that I have been working for the People’s Police University he was helpful in providing names and contact details of potential participants. After that, I contacted the identified staff via phone and asked if they were willing to participate in an interview. Most identified people agreed to have an appointment with me for the interviews. Some of them refused to take part in the meetings because of personal reasons but suggested other people who also had similar understanding and experiences with inter-agency cooperation. In these situations, I expressed my gratitude and contacted the people suggested. At the local level, I contacted a local police officer who was charged with managing inter-agency cooperation for their advice on potential participants. I also communicated with the potential participants via phone and asked for their agreement to participate in the research. Finally, 25 government actors at both levels were identified and successfully contacted for interviews.

After receiving the participants’ agreement and making appointments with them, I went to their offices to provide details about the interview and create a cordial rapport via face-to-
face conversations. At the meeting, I introduced myself and the research, including the importance and potential usefulness of the project. After establishing a friendly relationship with interviewees, an informed consent sheet was provided and explained clearly to help participants understand the research. Finally, I provided a set of central questions which would be asked in the interview. I also suggested to them some pieces of valuable information that I wanted them to provide. The participants had at least two days to consider the information and prepare for the interviews.

The interviews were organised at participant offices or coffee shops, depending on interviewee decisions about where they felt comfortable doing the interviews. At the beginning of each meeting a general conversation about the workplace, daily tasks, working environment, and family and personal life of the interviewee was held to build rapport. After that, participants were provided with a short description of the project and researcher qualifications and interests. The informed consent form was also reviewed. When the participant was ready to be interviewed, I asked them to sign the informed consent form then turned on an audio recorder.

The interviewees were asked the questions provided in advance. Thanks to the preparation time, many of them had summarised or made notes for their answers. As I had established adequate rapport, the interviewees were willing to share information. In return, I listened to them carefully and showed genuine interest in their information, as Gray (2009) recommends “…listening carefully to responses” and “…verbal and non-verbal communication should be used to provide appropriate feedback”. Moreover, I channelled the interview back onto the right track if necessary by politely interrupting them and asking a question aimed at a more targeted response. Although Vietnamese was the only language used in all interviews I occasionally misunderstood participants’ speaking when they used their local accent. In those cases, I kindly requested them to repeat their comments so I could fully understand the context.

During the interviews, the conversations revolved around three broad themes: key successes, limitations of inter-agency cooperation to prevent trafficking and protect victims, and recommendations about what tactics could be used to strengthen cooperation in responses to human trafficking. The researcher tried to collect information on all these themes in each interview. Additionally, the focus of each discussion was adjusted depending on the participant’s expertise. State staff who worked for the MPS, MND, MIC,
and VWU were asked about cooperation to prevent trafficking. Meanwhile, questions regarding cooperation to protect victims were mainly asked of MOLISA, MPS, and VWU actors.

Following up the respondents’ ideas, I always kept in mind relevant information to probe their responses when necessary. The interviewees were also encouraged to expand their responses when new information was discovered. Depending on participant responses, follow-up, specifying, structuring or interpreting questions were further clarified and elaborated, as suggested by Kvale (1996) and Bryman (2012). New ideas and arguments which emerged would receive attention in the next interviews. New information that may not have been raised in the existing literature can enrich a study (Bryman 2012). In contrast, the researcher avoided discussing certain issues that had already been addressed in detail in previous studies and interviews.

Before closing the interview, the researcher checked all questions and information to ensure all intended questions had been asked of the participant. I also asked them if they had any comments or questions about the research. Half of the interviews finished in about 60-90 minutes. Some interviews lasted around two hours, as participants had a great deal of expertise pertinent to this research and were willing to discuss the topic. In those cases, they answered questions in significant detail. However, some interviewees lacked understanding or experience relevant to the research so they could not comment in detail on the questions. Those interviews, therefore, only lasted around 45 minutes. The extent of participants’ expertise was seen as the most important factor in determining the length of the discussions.

4.6 DATA ANALYSIS

It is believed that qualitative research rapidly generates “a large, cumbersome database” (Bryman 2012: 565). Similarly, Richards (2009) defines qualitative data as “…records of observation or interaction that are complex and contextual, and they are not easily reduced immediately (or, sometimes, ever) to numbers”. Therefore, analysing qualitative data is a difficult and challenging part of the research process. There are a variety of techniques available for analysing qualitative data (Punch 2005: 194). In this study, qualitative data from semi-structured interviews and documentary data were analysed using multiple techniques. The first method was thematic analysis, which generated the primary themes
describing the data set. In addition, comparative and content analysis techniques were used as recommended by Harding (2013).

The first analytical stage was carried out during the data collection process. I did not wait until the interview recordings or transcripts were completed before analysing the data. During the first fieldwork period in Vietnam, an opening analytical framework which incorporated a broad range of themes was formed. Firstly, I tried to read the official documents several times and then highlighted the critical information related to inter-agency cooperation. An overview of the issues was essential to the interview preparation and the next stage of document analysis. Secondly, after completing each interview, key pieces of information were summarised and then evaluated in terms of how they matched the themes developed from the research questions (see Section 4.5.2). Some new themes were identified and validated in subsequent interviews. Because of the limited time for fieldwork in Vietnam I tried to listen to recordings several times to summarise the essential information and general themes, but did not transcribe the entirety of the interviews given the time and extent of transcription required. The official documents were also collected to obtain further information reflecting those themes.

After all the interviews had been completed, the next stage of analysis involved the intensive analysis of data. It took place from March 2015 to September 2015. At the beginning, all interview records were transcribed in Vietnamese. The researcher read these transcripts meticulously several times to grasp the whole cooperation context. Reading and re-reading transcripts are simple techniques used to ensure that key ideas will not be neglected (Harding 2013: 57). Pieces of essential information in each transcript were then extracted and summarised. The translated summaries helped the researcher to focus on the primary information and also eliminate repetitions. After extracting all relevant information, comparative analysis was used to compare and contrast the information from different interviewees until no more themes or issues arise (Harding 2013; Silverman 2011). Those pieces of material were then placed under the corresponding themes and sub-themes which had already emerged:

Theme 1: Key successes, including sub-themes such as situations where the cooperation has worked, contribution factors to the successes and effects on trafficking prevention and victim protection.
Theme 2: Limitations, including sub-themes such as situations where the cooperation has not worked, the reasons for those problems, and the consequences for trafficking prevention and victim protection.

Theme 3: Recommendations, including sub-themes, such as existing solutions that have been used and feasible solutions should be used to strengthen the cooperation to respond to human trafficking.

In each sub-theme, pieces of relevant information were arranged in a list of categories. The transcripts were read again, and relevant direct quotes were selected and placed under the corresponding categories. These selected quotes were then checked through the audio records before being translated into English. I also discussed the translations with language advisors to ensure the accurate meaning and interpretation of the quotes in English. At the end of this stage the majority of the main findings were analysed.

To simplify the representation of data, each interview was given an identification (ID) pseudonym (see Appendix A). These ID pseudonyms are used in the finding chapters (chapters 5, 6 and 7) to identify information provided by the corresponding participants. The ID pseudonyms included two sets of characters, letters, and numbers. Transcriptions of actors in the MPS, MND, MOLISA, MIC, and VWU were indexed as “police officer”, “border guard”, “social welfare staff”, “MIC staff”, and “women’s union” respectively. Numbers from 1 to 5 were also used to identify different respondents in the agencies. For example, “Police officer 1” refers to the information provided by the first staff member in the MPS, while “social welfare staff 3” refers to the information from the third staff member in MOLISA. Using ID pseudonyms helped to protect the participants’ confidentiality, anonymity, and privacy.

Following that, the secondary data sources, including government reports and conference proceedings, were also intensively analysed to identify essential information related to inter-agency cooperation. The researcher initially read through the documents and highlighted all key information (many pieces of information were highlighted during the first step). The information which corresponded with themes and sub-themes was then selected. For example, many official documents reported that a lack of knowledge and experience of state actors was one of the main reasons for unsuccessful cooperation. That information matched “Theme 2” and the sub-theme of “reasons for the problems”. Therefore, it was selected and used for the next analysis stage.
In the next stage, comparative and content analysis were used flexibly to strengthen the interview findings. In the comparative analysis, for example, different data sources were compared and contrasted to find commonalities and differences. Specifically, the key information selected in the previous step was used to validate and supplement interview findings. Subsequently, some of the categories emerged, or were separated or moved, to make better connections and meanings between them in the analogous findings.

4.7 RESEARCH ETHICS

Another important issue when conducting empirical research is ethical research practices. It should be noted that this study involved interviews with willing respondents on a sensitive topic - inter-agency cooperation to prevent human trafficking and protect victims. It is possible to have potential risks for both the interviewer and interviewees, either directly or indirectly (Bryman 2012; Harding 2013; Punch 2005). The guarantee of the researcher and respondents’ safety to participate in the research was of paramount importance. The research, therefore, required ethical approval.

The ethical issues were considered early on at the beginning of the research. In accordance with Queensland University of Technology’s Research Ethics Policy this project was submitted via an ethics application and the researcher strictly adhered to the policy’s code of conduct and compliance requirements for conducting fieldwork in Vietnam. Therefore, potentially negative consequences and implications for the researcher and participants were minimised.

In this research, some potential risks were recognised for conducting interviews, such as the inconvenience for participants who take part in the discussions, members experiencing anxiety from being interviewed, and feeling pressured to participate since the invitation came via their workplace. There were a number of ways these problems were dealt with.

Firstly, interviewees were provided the participant information which informed them of all related information about the research topic and its significance, and the importance of their involvement. Following that, the researcher explained the informed consent form in detail to ensure they were aware of the potential risks involved in the research and suggestions to minimise these risks. For example, some participants felt too uncomfortable to do an interview at work. In those cases, interviews were conducted at times and
locations that were most convenient to them. Moreover, they were aware of their rights and responsibilities as a participant in the research due to our briefing beforehand and the informed consent sheet. The interviewees were not required to provide answers to all questions during the interview. The researcher also informed respondents that they could withdraw from the research at any time up until final submission. There were no adverse repercussions for withdrawing from the project.

Participants were informed that their anonymity would be preserved throughout the research via use of participant numbers rather than names. In the analysis stage, interviewees’ names and other unique identifiers (addresses, specific positions, professions and so on) were de-identified as recommended by Boeije (2010) and Punch (2005). Any material from the interviews, including recordings and transcripts, has been securely stored on the university premises in a locked location. Only the principal researcher and supervisors can access these data. When the research process is completed, the research data will be deleted. Participants were also told about the interviews being recorded in advance. The participants were asked to sign the informed consent form once they understood all of these conditions.

4.8 LIMITATIONS OF THE RESEARCH

A number of possible limitations exist which the researcher must take into account with the chosen methods. To begin with, some research findings could not be validated via triangulation. As mentioned in previous sections, the triangulation method used data from both the semi-structured interviews and critical policy analysis to enhance the validity of the research findings. Many interview results were cross-checked with analysed information from secondary sources (see sections 4.4, 4.5, 4.6). However, there was very limited information on inter-agency cooperation in the secondary data sources and existing literature. As a result, it was impossible to triangulate all research findings. Some passages in the findings chapters only provide information from the research interviews. To deal with this issue, certain questions were discussed more deeply in some interviews and different provinces.

Moreover, it is possible that some respondents may have hesitated to discuss sensitive issues during the interview process. These problems include, for instance, their understanding and experience of corruption or the irresponsibility of agencies. Meanwhile,
some interviewees may provide very general ideas about cooperation without examples for illustration. To minimise such unhelpful responses, a short list of questions or themes was utilised in the semi-structured interview guide to ensure that the core issues were discussed with all participants. As trusted rapport between the interviewer and interviewees was established, all respondents felt comfortable to discuss the issues.

It was not easy for a PhD student to acquire permission from governmental institutions to interview their staff. To facilitate government approval for research access I explained to the gatekeepers that I had been working for the People’s Police University and had a scholarship from the Vietnamese Government to do the research as a PhD student at the Queensland University of Technology, with the purpose of helping Vietnam to overcome difficulties with social problems. This established some measure of credibility. I also presented letters from the Queensland University of Technology and the MPS which introduced me to key state actors. Thanks to that information and the official role of the MPS in the *NPA*,

41 it was easier for me, as an ‘insider’ researcher, to gain the necessary permission from government institutions to access potential interview subjects. Some leaders also encouraged their staff to provide high-quality information on the research areas. In those cases, participants were more willing to engage actively in the conversation.

Another limitation was the challenge of choosing participants. The interview purpose is to improve understanding of the experience and perspectives of government staff at both national and local levels. The interviewees, therefore, should ideally be senior officers who have a profound understanding of the research topic. There were hundreds of officers who were working on inter-agency anti-trafficking cooperation in the chosen provinces. In the MPS, for example, there are two departments at the national level, four offices at the provincial level, and over 100 offices at lower levels. To choose the most suitable participants I had to contact a person in charge of the cooperation activities at the MPS (see Section 4.5.2). Finally, two participants in national departments and three interviewees in local offices of each ministry were chosen for the interview. All of them were believed to hold a comprehensive and deep understanding about anti-trafficking cooperation. The

41 The roles of the MPS and other agencies are defined in Article 4 of the *NPA* as: “The Ministry of Public Security takes the lead to manage and has responsibility to control and supervise this National Plan of Action”.

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97
researcher avoided interviewing people who were senior in terms of official rank but had recently transferred to the position.

Finally, both the semi-structured interviews and documentary analysis produced a significant amount of qualitative data. Additionally, the use of “computer-assisted qualitative data analysis software”\(^{42}\) was very limited because all interviews were in Vietnamese. It took a significant amount of time to transcribe recordings into transcripts. To manage this, the qualitative data were firstly sorted into themes. The themes were then coded and sorted into sub-themes. Each interview was transcribed and the themes cross-checked to produce a detailed analysis of the responses (see sections 4.5 and 4.6). Only selected quotes—not the whole transcripts—were translated into English and are cited in the findings chapters. It was, therefore, important to manage the data carefully and pay attention to the data analysis.

4.9 CONCLUSION

The present chapter has outlined the methodological approaches used to conduct this research. Firstly, this chapter justified the way that the study design was developed. To address the research questions a triangulation methodology, which combined semi-structured interviews and critical policy analysis, was used to enhance the validity of the research findings. For research purposes, the Vietnamese capital and four other provinces were selected for collecting the majority of data at both the national and local levels. State actors from five key agencies which have responsibility for components and sub-projects in the \(NPA\) for combating human trafficking were chosen for the semi-structured interviews. This chapter then detailed the techniques used to collect data. Numerous official documents, including annual reports, summations, and conference proceedings released by the Vietnamese state agencies, were collected. Meanwhile, primary qualitative data were gathered through 25 semi-structured interviews. In the analysis stage, collected data were analysed using thematic analysis in combination with comparative and content analysis techniques. Lastly, an explanation of the ethical issues and the limitations of the research methods were offered. The next chapter, as the first chapter to analyse the study findings, specifically examines the inter-agency cooperation to prevent trafficking in Vietnam.

\(^{42}\) See Bryman (2012) for detailed discussions on analysis software such as NVivo.
Chapter 5: Research Findings – Inter-Agency Cooperation in Human Trafficking Prevention

5.1 INTRODUCTION
Worrall (2006) defines crime prevention as outreach measures to stop crime before it can occur. Prevention measures vary in different countries. In Vietnam, human trafficking prevention includes a range of strategies that are implemented by law enforcement agencies, other government agencies, social organisations, the media, community-level organisations, and individuals. Awareness-raising tactics, defined in both the Anti-Trafficking Law 2011 and NPA, are arguably the first priority in the prevention strategies in Vietnam at present. Socio-economic empowerment measures are also identified as necessary elements for trafficking prevention.

The extant research has focused on examining awareness-raising strategies, for example awareness campaigns, educational programmes, and training sessions (David et al. 2011; Duong 2014; Tucker et al. 2009). However, the literature lacks attention to the socio-economic empowerment methods as well as inter-agency cooperation in implementing prevention strategies. This chapter analyses interviewees’ perspectives on Vietnam’s key awareness-raising measures as well as socio-economic empowerment approaches, including the inter-agency collaboration used to implement the main strategies, and its successes, and limitations.

5.2 STRATEGIES TO PREVENT HUMAN TRAFFICKING IN VIETNAM
As discussed in Chapter 3, a number of prevention strategies are stipulated in Vietnamese law and policies. These include: the provision of information, and education; advice on how to prevent trafficking; order and safety administration; management of business activities and services; and combining the prevention of human trafficking with socio-economic development programmes (VNA 2011: Articles 7–11). Participants in this study also described multi-forms of prevention activities which have been applied recently in some provinces, including awareness-raising activities and socio-economic empowerment strategies.
Awareness-raising is the most common approach used worldwide to prevent trafficking (Duong 2014: 114). Awareness-raising has been applied in many countries through public information campaigns and other means (Marshall 2005; Schloenhardt et al. 2012; USDOS 2011-2016; Vanderhoof 2015). In Vietnam awareness-raising tactics are defined in both the *Anti-Trafficking Law 2011* and *NPA*. Public awareness-raising campaigns are implemented through two kinds of communication methods: mass media and community-based activities. Meanwhile, socio-economic empowerment measures have been the focus of the *Anti-Trafficking Law 2011* but not of the *NPA*. Measures, such as “order and safety administration” or “management of business activities and services”, are identified as necessary elements for trafficking prevention in Vietnam (SC 2015; MPS 2015).

The following sections investigate the successful activities, as well as the limitations, of the cooperation between government agencies to prevent the trafficking problem through awareness-raising measures and socio-economic empowerment strategies. Prevention strategies targeting awareness include: community-based campaigns, school-based education, and mass media campaigns. Prevention strategies also include: addressing economic empowerment programmes; counselling on human trafficking prevention; anti-trafficking club models; and managing borders, conditional business services, and people with criminal records in trafficking. Moreover, networks for information exchange and professional training courses for staff and collaborators which could strengthen the effectiveness of above measures are also examined.

### 5.2.1 Establishing Networks for Information Exchange

One of the most significant successes of the inter-agency cooperation was the establishment of a national network in 2012–2013 between public servants of anti-trafficking agencies, namely “Information on and support for labour migration”. The network included 30 specialists from different agencies, NGOs, and law companies in Hanoi (MPS 2013; SC 2015). The network was firstly established to assist labour migrants but was then used to support government activities for trafficking prevention (Women’s union 1). The network’s members often updated legal policies related to labour migration, international marriage, and human trafficking prevention. They also gave advice to local government staff, labour migrants, and women who intended to marry foreigners (VWU 2015).
Although the network was only run in 2012 and 2013, interviewees noted that it was valuable and successful (Women’s union 1; Border guard 1). Government staff members at the ministry level explained the influence of this intervention on providing quality information exchange:

Each national agency chose two staff to join the network. They were agency leaders and specialists in preventing trafficking. When we needed to exchange information in urgent or special cases, we could contact those staff directly via office landlines or private mobile numbers. In this way, cooperation was quicker and more effective. (Women’s union 1)

The National Steering Committee included only leaders of ministries or departments. Their meeting focused on general solutions to the fight against trafficking. Those leaders often contacted others by official documents. Therefore, it took time and was not suitable in cases of emergency … When we [border guards] wanted to ask for information or discuss specific cases, we only needed to call the staff in the network directly. (Border guard 1)

The network of specialists on human trafficking at the national level can be seen as a successful model of collaboration. While the government agencies generally updated and exchanged trafficking information through official paperwork or annual/bi-annual meetings, the network applied more timely, responsive, and flexible methods of cooperation. The system helped state actors to not only cooperate more effectively but also enhanced the efficiency of the collaboration process. The interviewees agreed that the network also provided a professional and affable working environment (Women’s union 1; Police officer 1).

Within some ministries, cooperation between national agencies and local departments is also quite powerful. The ministries, for example, are the MPS and VWU (Police officer 1; Women’s union 4). Information sharing mechanisms between national and local offices are utilised thoroughly. The central level often promulgates official documents to instruct the local levels on how to prevent human trafficking (SC 2015; MPS 2014). For example, the Central VWU enforced 30 action plans and policy guidance documents from 2011 to 2015. The purposes of those dossiers were to lead and guide local VWU offices to implement awareness-raising activities (VWU 2015). Staff of the central and provincial levels also
attend and instruct communication and education activities at local levels. As national women’s union staff and police officers demonstrated:

Every year, the Central VWU imposes plans for awareness-raising advocacy. Then, we [national women’s union staff] send the documents to all provincial VWU and ask them to create plans for their provinces. The methods depend on the local situations … Whenever we have new information, we advise them through official documents. Information included trafficking situations, trafficking tricks, and prevention policies. Similarly, the provincial VWU also have to pass their plans and trafficking information to lower VWU levels. In some provinces where the trafficking situations are complicated, national women’s union staff should be there to help those. (Women’s union 2)

Within the MPS, the collaboration between levels is quite close. One of the primary duties of the MPS is to prevent crime, including human trafficking. As such, leaders of the MPS at all levels care about trafficking prevention. They often ask the local DPS [Department of Public Security] to report information on trafficking. In contrast, they inspect how the local police officers implement prevention plans. Local DPS have to follow decisions of the higher MPS levels in all cases. (Police officer 1)

In some provinces, similar success was also illustrated by a provincial women’s union staff member:

We have a close relationship with all district and commune VWU.43 We guide them on how to deploy awareness-raising plans. We also check and assess their activities. When they have difficulties, they ask us how to solve the problems. We often contact each other via official documents and phone calls. (Women’s union 5)

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43 Vietnam has 58 provinces (in Vietnamese: tỉnh) and five centrally-controlled municipalities existing at the same level as provinces (thành phố trực thuộc trung ương). The provinces are divided into districts (huyện), provincial cities (thành phố trực thuộc tỉnh), and district-level towns (thị xã). The municipalities are divided into rural districts (huyện) and urban districts (quận). The districts (including districts, provincial cities, district-level towns, rural districts, and urban districts) are subdivided into commune-level towns (thị trấn), communes (xã), and wards (phường), which are generally named as “communes”. Each administrative unit is operated by a local government. For more information, see Law on Organizing the Local Government, approved by the Vietnamese National Assembly on 19 June 2015 and entered into force 1 January 2016.
Challenges of the Networks for Information Exchange

Some participants emphasised that there is a lack of close networks between local agencies (Women’s union 4; MIC staff 4; MIC staff 5). They suggested that some local departments depend too much on the collaboration within their ministries and neglect partnerships with other local departments. For example, a local women’s union employee conceded that her agency “only contact the Central VWU to get information about human trafficking, including leaflets, handbooks, and news”. That information is then used in their awareness-raising activities. They seldom make inquiries of the local DPS about trafficking, particularly in their province (Women’s union 4). Hence, valuable local information is not being fed into the prevention plans or strategies. Another issue raised by respondents is that local departments only report trafficking data to the local Steering Committee biannually. Other agencies need to contact the Steering Committee to obtain that intelligence (SC 2013). The interviewees working at provincial departments of MIC frankly commented:

We collected trafficking data at the meetings of all provincial departments. The DPS and DND [Department of National Defence], that had the information, only sent this to the Steering Committee, and did not give this to us directly. Thus, we were not actively informed about human trafficking in mass media instruments. (MIC staff 5)

When we [Department of Information and Communications (DIC) staff] needed trafficking information, we had to contact the Steering Committee. But the data provided were only general. We also requested further detailed data from DPS or DND by official documents, but this took time to receive the necessary information. (MIC staff 4)

Other interviewees also claimed the partnership between agency levels within some ministries is still limited. A police officer who had monitored the NPA for years claimed there is “weak leadership” within some departments. The national and provincial agencies of those ministries, according to his explanation, lack “attention to information exchange”. Some action plans within the ministries do not provide “detailed information on objectives and methods to carry out preventative activities”. This leads to difficulties for lower agency levels to grasp and implement the plans (Police officer 1). This problem is
consistent with the information mentioned in a national conference (MPS 2014). Another challenge is a lack of “comprehensive direction and inspection” from the national and provincial agencies to lower divisions. The local agencies have to develop their own plans. Awareness-raising activities and other prevention strategies in different provinces, therefore, are not consistently applied (Border guard 2). Similarly, a provincial DIC staff member described:

From my perspective, the partnership was not positive. We did not get enough necessary information from the centre [the national agency]. It was difficult for us to develop the local plans … I was aware that DIC in some provinces also had the same problem. For this reason, they did not focus on awareness-raising and did not lead either the district or commune levels to take action on awareness raising activities. (MIC staff 4)

In conclusion, it is clear that the national networks between agencies and the partnership within some ministries have been effective. However, there are some challenges in exchanging information on trafficking data within other ministries as well as at local levels. Those problems affect the implementation of prevention strategies, as well as the accuracy of government reports, especially in relation to the number of public speaking sessions or attendees. For example, when agencies cooperated to organise campaigns they all “announced the number of attendees in their reports” (Police officer 2). This means that one campaign or attendee could appear in many different agency reports. As a result, the reported figure of awareness-raising activities and attendees in a province or the whole country “could be higher than actual numbers” (Border guard 2).

5.2.2 Community-based Campaigns

Here community-based campaigns refer to various types of prevention activities organised within communities, including talks, meetings, discussions, contests, artistic performances, and providing leaflets, handbooks, and other tools (Women’s union 1; MIC staff 1). The extent of the campaigns varies in different localities. Large campaigns can occur for an extended period, with a huge number of activities and resources. Meanwhile, small campaigns often include meetings and talks with particular groups of people (Women’s union 1, 3).
In answering the question about where cooperation has worked, participants noted that the most impressive achievement is endeavouring to organise community-based campaigns in some localities. Those activities attract many locals and influence the large areas susceptible to trafficking. Study participants affirmed that community-based campaigns help to change people’s attitudes and behaviours around trafficking (Women’s union 3; Police officer 3). This is strongly consistent with the information presented in government reports (SC 2015; MPS 2015). In one province selected for the fieldwork, three big campaigns and hundreds of meetings were orchestrated in different districts from 2012 to 2014 (VWU Tay Ninh 2014). The awareness-raising advocacy also attracts the attention of the political system. All government agencies in the provincial Steering Committee participate in the plans. A research participant who was one of the organisers of the community-based campaigns described the partnership to manage the current communication campaigns in their communities:

We [women’s union staff] together with the provincial leaders, DPS, the Farmer’s Union, Youth Union, and other departments set up awareness campaigns in some hot localities [with many human trafficking cases and victims]. There were around 1000 attendees in each campaign … The VWU managed the plans. The DPS took charge of providing trafficking information and giving talks about the issues. The Farmer’s Union, Youth Union, and other organisations appealed to their members to attend. (Women’s union 3)

There are different activities held during the massive campaigns, including face-to-face communication, contests on trafficking knowledge, and artistic performances44 (VWU 2015). Specialists from anti-trafficking agencies and institutions are invited to present on the trafficking problems. The speech can involve trafficking situations, tricks, policies, and prevention methods. Trafficking understanding contests and artistic performances are especially effective methods to change people’s awareness of and behaviours toward trafficking (SC 2015; SC 2014). The contests include single or serial competitions between people regarding their trafficking knowledge. Meanwhile, artistic performances focus on using drama, poems, songs, and other creative instruments to enhance people’s

44 An artistic performance is a show in which government agencies used plays, songs, and other types of art to describe trafficking cases, their consequences, anti-trafficking policies, and other interesting messages. The actors and presenters can be anyone, including trafficked victims. The audiences include anti-trafficking actors, authorities, and local residents, especially at-risk people. The performance can be live or via media.
understanding of the impacts of trafficking and methods of deception used by traffickers. Many spectacles represent real trafficking cases and victims, which can deeply influence people’s behaviours toward trafficking. These effective campaigns require close inter-agency cooperation, in which each agency is in charge of a different responsibility. A national women’s union staff member who ran awareness campaigns clearly demonstrated:

We [women’s union staff] held competitions for testing legal knowledge on human trafficking. State experts from other agencies also worked hard to prepare for the competitions … The games were open to all people, especially for ethnics in the whole country … One important part of the races was local art performances. Candidates had to use plays or songs to show their understanding of trafficking. Some actors and singers were trafficking victims. This form was easier to attract people than through news or leaflets. (Women’s union 1)

This innovative crime prevention method draws on local customs to connect with the cultural and ethnic diversity of Vietnamese peoples. It is a good example of an informal crime prevention method. The government agencies also distribute an enormous amount of communication tools to communities, including leaflets, posters, anti-trafficking handbooks, and computer disks. These resources use images and case studies that can be easily understood by people of different ages and regions. From 2011 to 2015, around 200,000 posters, 400,000 flyers, and 150,000 handbooks on anti-trafficking were delivered to people all around the country (SC 2015). The communication items also target individuals living in particular regions or working in specific industrial zones considered most strategic to prevent trafficking. For example, to prevent trafficking through tourism, the Ministry of Culture, Sports and Tourism and its members released 1,200 agreements to protect children and over 100,000 leaflets about human trafficking (SC 2015). These resources mainly target employees of travel agencies, airlines, hotels, bars, and restaurants (Police officer 2; MIC staff 3).

**Challenges of community-based campaigns**

Despite the benefits of this approach, some participants stressed a number of challenges in running community-based campaigns. The first problem is that while agencies “did cooperate” with other divisions in managing the campaigns, this cooperation was described by informants as “very simple”. In those localities, departments involved in human
trafficking prevention do not pay appropriate regard to the awareness-raising activities. The problem appeared in local partnership in which one agency was the organiser, and other departments were invited to participate in communication and advocacy campaigns.

In some cases, the “invited agencies” only attend as “guests” or present short speeches. Some actors from different agencies claimed that the awareness-raising plans are not rigorously discussed between local departments (Police officer 5; MIC staff 4; Women’s union 5). One police officer stressed:

[...] Our local VWU organised some public campaigns last year. I was invited to attend twice. They asked me to have a talk to local people about human trafficking in 20 to 30 minutes... I was free to provide information during the speech. I left after I finished my presentation so they could discuss other topics. (Police officer 5)

A local women’s union staff member also described a similar situation, but expressed her satisfaction with the collaboration:

VWU at commune and ward levels run meetings for women monthly. Women often discuss many issues in their lives and communities … VWU invited police officers or border guards to have a talk about human trafficking. The talks were free, so we did not want to request anything of them. Also, they were specialists, so they knew what they were talking about. The cooperation was simple, but we were happy. (Women’s union 5)

Respondents interviewed also complained that some local divisions run public campaigns separately without providing notice to other departments. A border guard expressed the view that they “ran campaigns by themselves” and “the DPS or VWU also had their activities”. Hence, there is little or no inter-agency cooperation. Those agencies run campaigns together when requested by the People’s Committee or Steering Committee, only once a year or every two years (Border guard 4). They do not exchange information on their plans with other departments. As a result, some campaigns are run in the same communes for a short time. The form and content of awareness-raising activities are repeated for the same communities. Different agencies repeatedly propagate the same messages to the same people and areas, while other people have not attended any campaign for years. The effectiveness of awareness advocacy, therefore, is restricted (Border guard 4; Women’s union 4). This finding is consistent with the information of a local government
report (VWU An Giang 2014). Some staff revealed a systemic lack of information sharing across government departments, for example:

 [...] other agencies had their plans for raising awareness but did not let us know. Some communes had two or three awareness campaigns last year. So, some people attended two or three awareness campaigns last year. (Border guard 4)

Our province has 9 districts and 140 communes. Last year, we [women’s union staff] only ran awareness campaigns at one district and some communes. It could take a few years to run the campaigns in the whole province … About other department plans, I am not sure. (Women’s union 4)

Another challenge of the inter-agency cooperation is the limitation in running public campaigns in remote villages or highland communes. In Vietnam, there are 23 provinces that have highland areas. The population of the highland areas in 2015 was 25 million people, including 10 million Ethnic.45 Many of people in these areas are human trafficking victims (SC 2015). It is widely observed that when awareness-raising programmes tailors targeted populations the messages can be delivered more efficiently. Nevertheless, as affirmed by interviewees (Police officer 1; Women’s union 2) and a conference proceeding (SC 2014), current communication activities in Vietnam do not reach all at-risk and target populations. Anti-trafficking practitioners do not pay the necessary attention to how communication materials can be delivered to particular people. In some localities agencies do not discuss in detail or plan with other departments to raise awareness in all high-risk areas. Many people’s needs to access trafficking information are therefore not satisfied (Police officer 1; Women’s union 2).

Because of a shortage of information exchange on and a lack of discussion about awareness plans between some local government agencies, some campaigns only provide general information which might not correspond to local requirements. This leads to the common complaint among some interviewees that the campaigns are not “helpful to local people” (Police officer 2; MIC staff 1; Border guard 5). The first issue is awareness-raising activities do not adjust to the local trafficking situation; the types of trafficking-related exploitation are different depending on the province. Most women in the north are

trafficked to brothels or local families in China and Taiwan, while most women in the south are exploited in brothels in Cambodia, Singapore, or Malaysia. One informant stated that human trafficking tricks also change frequently (Police officer 2). This statement is consistent with the information provided in government reports (SC 2015; MPS 2015). However, agencies fail to update and exchange that information with other departments. Most public speaking sessions, therefore, focus on general information about human trafficking situations, tricks, and related laws. That information is not necessarily tailored to residents’ needs (Police officer 2; MIC staff 3).

Secondly, participants claimed that communication and advocacy activities do not address practical skills that could help attendees to safeguard themselves and high-risk people against traffickers. Many people are not proficient in recognising trafficking or safeguarding themselves against specific types of trafficking. State actors highlighted:

[…] the most important thing is people can protect themselves and others. But many awareness campaigns did not help people to get those necessary skills. Some activities were broad and theoretical … People needed specific examples. They wanted to know how to deal with the situations. (MIC staff 1)

[…] human trafficking was very complicated. No one came and told you that they are traffickers … Not easy for uneducated people to recognise trafficking and protect themselves. Awareness campaigns still lacked activities which helped people improve those skills. (Border guard 5)

Thirdly, communication campaigns overemphasise trafficking in women and children. As explained by study participants, Vietnamese policies and the NPA have focused on trafficking in women and children for a long time. There is “little information” on “male trafficking” and “some types of trafficking”, such as the trafficking of young men for the purposes of exploiting their labour (Police officer 2; Border guard 2). Hence, some practitioners believed campaigns should be directed towards those groups. Most attendees in the VWU’s campaigns are also women and girls (Women’s union 4). Awareness-raising activities, therefore, focus more on the prevention of trafficking in women and children than trafficking in humans per se (MIC staff 5; Women’s union 4).

From the findings above it can be seen that there are many cases in which the partnerships do not work, or could work more effectively if there was better inter-agency cooperation. The problems with running community-based campaigns include not providing attendees
with practical skills, an overemphasis on trafficking in women and children, and limited exchange of trafficking data and local intelligence. Agencies in some localities also run awareness-raising activities independently of each other. The form and content of awareness-raising activities, therefore, are overly simplified (Police officer 2; Women’s union 2). A women’s union staff member admitted that she and other staff knew “some useful awareness-raising methods” such as “competitions for understanding of trafficking” or “artistic performances”; however, they had never cooperated with other agencies to run any similar activities (Women’s union 4).

5.2.3 School-based Education

The current trafficking situation indicates that many young women and girls, including female pupils, are trafficking victims. Trafficking in boys and young men for labour exploitation and begging is also an increasingly recognised problem (SC 2015; SC 2010). Therefore, greater attention is paid to prevention campaigns at educational institutions. While community-based and mass media campaigns are tailored to the community as a whole, educational programmes specifically focus on particular audiences. School-based campaigns are designed to educate children and young people on the dangers of human trafficking and instruct potential victims to seek assistance in dangerous circumstances (Women’s union 3; Border guard 2). Activities include curricula and contests on the topic of human trafficking.

In some cities, the VWU has collaborated with the DPS, DND and Department of Education to raise awareness of trafficking issues at academies and universities (VWU 2015; VWU Bac Giang 2014). Most teachers have excellent pedagogic skills but lack trafficking information and prevention experience. Women’s union staff, police officers, and border guards can help them with these problems. They organise one lesson delivered over one day each school year for secondary and high school students. Extracurricular activities at colleges and universities pay attention to human trafficking problems. Contests surrounding students’ understanding of trafficking prevention are also run in schools. Eight competitions were run in three provinces from 2011 to 2015, with 5,800 students attending (VWU 2015). One police officer pointedly demonstrated:

46 In Vietnam, primary education is compulsory for children aged 6 to 11, while secondary school is for children aged 12 to 15, and high school is for those aged 16 to 18.
At school, women’s union staff, police officers, and teachers had games to check the perception of human trafficking of pupils. There were some prizes for individuals and teams. It was a good way to build up awareness of trafficking … Pupils also had a chance to see plays about trafficking. They were very interested in plays. Through the strategies, people could grasp trafficking and how to prevent it. (Police officer 3)

In border areas where the MND have the principle responsibility to prevent human trafficking the cooperation between the DND and schools was described as:

Children were trafficked across borders in our province. Many of them were girls and pupils. So, some schools wanted us [border guards] to talk to pupils about human trafficking … In some extracurricular sessions, we explained to students what human trafficking is, how to avoid it and so on. At the end of the talks, they could ask us some questions … (Border guard 3)

**Challenges of school-based education**

The respondents also reported that anti-trafficking actors and teachers have not recognised the importance of raising awareness of human trafficking and prevention in educational environments. Teachers do not believe that trafficking can affect their students. They are interested in teaching science subjects rather than social skills, including trafficking prevention expertise. Therefore, an enormous number of academies have not developed any school curricula to educate young people on the dangers of trafficking in persons and prevention skills (Police officer 2; Border guard 1). In rural and highland areas cooperation between anti-trafficking agencies and educational institutions in raising awareness of trafficking is poor. Children and young people, especially at-risk people, cannot get in-depth information on trafficking and legal information (Women’s union 4).

Interviewees expressed grave concerns that school-based educational activities are very simple and ineffective in translating the message to inattentive students (Police officer 2; Women’s union 4). The curriculum does not include case studies, discussions, or contests, as illustrated in one participant’s experience:

As I know, in my province, there was not any secondary school that educated pupils on human trafficking problems. In some high schools, they had
extracurricular activities on this issue. Students could attend or not … In a big hall, students listened to a talk about the dangers of trafficking and some pieces of legal information. There was not any discussion section that pupils could ask questions. I have not known about any game to check their understanding of trafficking … (Police officer 4)

5.2.4 Mass Media Campaigns

Mass media is an effective way to inform the general public of the human trafficking problem, as well as to influence community knowledge and attitudes toward the issue (Commonwealth Secretariat 2003; Scholoenhardt et al. 2012). In Vietnam recognising the effects of mass media, national and local authorities have used it to raise awareness of trafficking. Agencies which directly prevent trafficking retain much of the trafficking information. Meanwhile, mass media has the ability to reach the broad community. As study participants explained, the collaboration between anti-trafficking agencies and mass media has played a major role in reducing human trafficking (MIC staff 1; Border guard 2). Mass media tools, including Vietnamese television, radio, magazines, newspapers, websites, and phone networks are used to convey anti-trafficking messages to audiences (SC 2015; MIC 2015).

The MIC presides over the cooperative relationships with other ministries and the mass media at the national and local levels to develop and disseminate fact sheets to counter human trafficking. Communication through mass media channels popularises trafficking situations and cases, while laws and policies communicate trafficking prevention, information about labour immigrants, and international marriages. The media also informs audiences about efficient trafficking prevention modules or experiences to prevent the crime (MPS 2014; MIC 2015). Some of the programmes shown on national and local TV include National Security (Vì An ninh Tổ quốc), Security and Life (An ninh và cuộc sống), Law and Life (Pháp luật và cuộc sống), Law Stories (Câu chuyện pháp luật), and Events – Discussion (Sự kiện - Bình luận) (SC 2015). The channels concentrate on documentaries.

47 Examples of documentaries and columns include: “Investigation into transnational children trafficking networks”, “Lai Chau policemen investigated transnational human trafficking networks”, “Kidnapping of newborn babies at Hung Vuong hospital”, “Kidney trafficking networks at Hue hospital”, and “Trafficking Vietnamese women to China for prostitution”.

112
and reports of trafficking (SC 2015; MIC 2015). The partnerships between anti-trafficking agencies and the media are stressed in the following interview quotes:

We [MIC staff] often guided the national, local television, radio, and web pages to produce films and reports on human trafficking. We contacted the MPS and MND to collect statistics of human trafficking. They also provided information about severe cases or victims that many people cared [about] … Each year, the MIC, MPS, MND and Vietnam TV produced and broadcast around three to five documentaries and over ten reportages of trafficking prevention. (MIC staff 1)

Television and radio are popular. People spend a few hours per day for watching television or listening to the radio. So, the messages in those tools are readily transmitted to the greatest amount of people… Local departments and the TV, Voice broadcast hundreds of films and reports on human trafficking each year. (MIC staff 2)

Similarly, community radio stations and newspaper columns also publicise the trafficking issues, as the following respondents explained:

Now, many communes have their radio stations with loud speakers. They broadcast a few hours per day … Agency members of local Steering Committees wrote news or stories about trafficking and passed them to the local radio shows. Each news piece or story was aired several times on the communal radio system. Local people could hear that news or the stories when they worked on farms or did housework. (Border guard 2)

[…] Printed and online newspapers were used to raise public awareness. We [DIC staff] asked some departments such as the VUW, DPS, and DND to write articles on human trafficking. Then, we chose the right articles and edited them before publishing … Articles gave the community information about serious trafficking cases, safe migration, and prevention methods. Many people read them and passed them on to their family members or friends. (MIC staff 3)

Another accomplishment of the inter-agency cooperation is the establishment of telephone hotlines in hot localities. To prevent human trafficking, the MPS, MND, and some local governments have established office phone lines to receive trafficking information from the community. However, these lines are operated separately and have disadvantages (SC
2010). In November 2013 a national anti-trafficking hotline was installed under the cooperation of the MPS, MND, VWU and MOLISA.\textsuperscript{48} There are three switchboards in Hanoi, An Giang, and Ha Giang. From November 2013 to the end of 2015, the hotline received over 5,000 calls from different provinces as well as other countries including China and Malaysia (MPS 2015; MOLISA 2015). A great deal of quality intelligence relevant to anti-trafficking agencies has come from this hot-line (Police officer 1; Border guard 1).

**Challenges of mass media campaigns**

Mass media campaigns operated by government agencies do not reach a wide range of high-risk people and localities according to key respondents (MIC staff 2; Border guard 5). For example, although the government has implemented awareness-raising efforts to develop and disseminate fact sheets on counter-human trafficking activities, the communication has not reached many potential victims. In remote villages or highland communes there is a deficiency in using TV, radio, newspapers, and the internet. Signals from some national TV channels which build up people’s awareness of trafficking fail to reach highland areas (MIC 2015; VWU Bac Giang 2014). Individuals in these areas cannot view the programmes, so they have not accessed the information. Therefore, some communication methods which work in cities do not work in other, more-regional areas (MIC staff 2; MIC staff 4). A great deal of criminal justice and crime prevention policy is urban-centric and fails to work in rural and remote locations. This is a common limitation of such polices outside Vietnam, for example in the remote Aboriginal communities of Australia (Hogg and Carrington 2006). The following comment explains the weak partnership between agencies in providing trafficking information to at-risk people:

TV and radio are useful ways to give information about trafficking. But in far villages or highland areas, much information could not be provided to people by those ways. They did not have electricity, TV, radio. Some places could not access TV waves … No agency guaranteed that locals could learn about human trafficking through mass media. (MIC staff 2)

\textsuperscript{48} The hotline number is 18001567. The programme to establish this hotline was sponsored by the Japan International Cooperation Agency.
Newspapers and webpages are common in cities and towns but not in distant villages. Many people have not seen a newspaper. They do not either have a computer or the internet. If they had the internet, they would not use it. The reason is they do not know Kinh [an official national language]. (MIC staff 5)

Language barriers are also a challenge in providing trafficking information in Vietnam to high-risk villagers in remote areas. The translation from the national language to local dialects is not assured by government agencies, as following comments illustrate:

There is only one national TV channel which uses ethnic minority languages. Our country has over 20 ethnic languages. So, it is impossible to give information in all languages. There are some programmes on local channels which use those words. But they had a short time for the programmes and focused on other social problems rather than trafficking… (MIC staff 4)

Vietnam has 54 ethnic groups and more than 20 languages. All information on trafficking was firstly provided in Kinh [an official national language]. Only a little information was translated into other languages [ethnic minority languages]. The translation depended on each local government. The federal agencies seldom helped the local one to do that. (Border guard 5)

Overall, multiple forms of mass media are used in Vietnam for anti-trafficking purposes. They are extremely significant in reaching broad segments of the Vietnamese population. Nevertheless, the strategy has not widely influenced high-risk people or localities where other languages are spoken or where there is little-if any-access to television, radio, or the internet.

5.2.5 Economic Empowerment Programmes

Poverty and limited vocational skills are the most important aspects influencing the trafficking situation in Vietnam and other countries. Therefore, the Vietnamese Government has developed programmes to strengthen people’s economic empowerment, including providing loans and vocational training. For example, the VWU and local authorities have collaborated with the Vietnam Bank for Social Policies49 (VBSP) to

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49 The Vietnam Bank for Social Policies was “established under Premier’s Decision No. 131/2002QD-TTg dated 4th October 2002 and the Government’s Decree No. 78/ND-CP dated 4th October 2002 on providing
provide micro-credit loans for poor women. Many of them are at-risk women or women from ethnic minorities. Although only a limited number of people in a “poor household” can access existing financial institutions, the partnership partly has improved the livelihoods of high-risk people and suppressed human trafficking (Women’s union 2, 3). One interviewee stated that the collaboration between government agencies, banks, and the People’s Credit Fund\(^50\) has played an essential role in changing the economic status of many Vietnamese people, as well as preventing the trafficking situation (Women’s union 2). This collaborative role is also mentioned in a government report (VWU 2015). One study participant confidently stated:

> We asked poor women about their difficulties and guided them how to borrow money from the VBSP. We asked local authorities to provide them with a certificate [the certificate showed that the women belonged to poor household families]. The VBSP could loan them up to 20 million Dong [about USD 1000] … They spent that money on raising pigs, cows, and chickens or farming. (Women’s union 2)

Moreover, the VWU and DOLISA endeavour to develop many people’s vocational skills. Some projects and programmes concentrate on improving skills for their beneficiaries as a means to protect them from the dangers of human trafficking. For example, Project 295,\(^51\)

\(^{50}\) On 13 August 2001, the Vietnamese Government released a Decree No. 48/2001/ND-CP on organization and operation of the People’s Credit Fund. Article 2, Nature and objective of operation of a People's Credit Fund, explained: “A People's Credit Fund shall be a type of co-operative credit institution operating on the principles of voluntary participation, self-management, and self-responsibility for the results of operation, fulfilling the basic objective of mutual assistance between members aimed at developing the strength of the collective and of each member helping each other to conduct efficient production, business and services, and to improve living standards”.

\(^{51}\) On 26 February 2010 the Vietnamese Government released a decision No. 295/QD-TTg on “Approving the scheme on support for women in vocational training and employment in the 2010-2015 period”.

implemented by the Vietnamese Government and involving the participation of seven ministries and local People’s Committees, aims to increase vocational training for women. Although there has been no evaluation of the connection between the project and human trafficking prevention, the research participants believed that the project has brought more stable income to many vulnerable women, helped them get out of poverty and, therefore, indirectly prevents human trafficking (Women’s union 1, 5). Other vocational programmes also provide professional training, technical skill courses, or job placement assistance for individuals who have low levels of education and vocational skills. The aim of such programmes is to reduce or nullify economic concerns, which are primary factors leading to trafficking. Some interviewees explained:

The VWU together with DOLISA and other agencies opened centres for vocational training … In the last five years, as in the 2015 VWU report, over one million women attended vocational training. Around 8000 people had jobs. Many of them were the poor. Now, they have jobs and do not want to leave their hometown anymore. If they left for jobs, they would be victims of trafficking. (Women’s union 1)

The provincial People’s Committee asked us [women’s union staff] to open a centre for vocational training three years ago. We received an annual budget to maintain centre activities. DOLISA also gave us advice on how to run training courses successfully … Over one hundred trainees graduated from the centre. Some of them are working in local companies. Some of them are managing small businesses at home or looking for jobs. (Women’s union 3)

**Challenges of strengthening people’s economic empowerment**

While most respondents reported favourably on the preventative value of economic empowerment, especially in preventing the trafficking of women, they also raised some concerns about the strategy’s limitations. The first limitation is that the incorporation of trafficking prevention into economic development programmes is narrow and has achieved limited results (Police officer 1; Border guard 1; Women’s union 1). As previously mentioned, in dealing with human trafficking, Vietnamese agencies have attempted to

The seven participating agencies were: the VWU, MOLISA, the Ministry of Finance, the Ministry of Planning and Investment, the Ministry of Education and Training, the Ministry of Home Affairs, the Ministry of Agriculture and Rural Development, and the Ministry of Industry and Trade.
incorporate trafficking prevention into poverty reduction programmes. However, it is not a top priority of inter-agency cooperation to prevent trafficking, nor is the incorporation of trafficking prevention into poverty reduction programmes a focus of the NPA. An example is the economic empowerment programme for families that are not on the poor household list, especially families just above the list. It was believed that those families also face severe struggles to achieve an adequate standard of living. If the families experience illness or business losses, they could fall into poverty and be vulnerable to trafficking. Improving the economic status for those families could strengthen the anti-trafficking programme. An in-depth connection between programmes for economic empowerment and preventing those people from being trafficked is not, however, guaranteed (Women’s union 1). There has been no detailed evaluation or examination of the benefits of this approach, as one local women’s union staff member confirmed:

The combination of the trafficking prevention and economic empowerment programmes in our province was weak. The anti-trafficking plan did not require agencies to combine them. We implemented them separately. Some staff even did not know the relationships between those programmes … VWU reports on the incorporation were general. And, the Steering Committee did not mention it in their reports. (Women’s union 4)

Moreover, there is a lack of effective collaboration in providing vocational training and arranging suitable jobs. Although Project 295 (as previously mentioned) and other programmes have tried to develop knowledge and skills of their beneficiaries, only a limited number of trainees satisfy market requirements (Women’s union 1, 4, 5). After undertaking vocational training they are still only infrequently recruited by local businesses. For example, women in some provinces only had opportunities to learn tailoring, make-up, or hairdressing at occupational centres of the VWU. As a result, those women “only could run their own business”. They “could not apply for positions in the local industrial zone” which needed other professional skills (Women’s union 4). Moreover, interviewees also suspected that local People’s Committees, VWU, DOLISA and other agencies do not actively cooperate with local companies and enterprises to arrange suitable occupations for trainees. A local women’s union staff member stated:

We received money from the provincial People’s Committee to organise vocational training, but only a little. Last year, our centre [vocational training
centre] had 27 trainees. They were all learning tailoring. Two women wanted to learn hairdressing. We had to send them to another centre because we did not have anyone to teach it … At the end of the course, they would be free to find jobs. The People’s Committee or DOLISA did not help them to have stable jobs. If they were not able to work for a company, they would have to set up a business at home. (Women’s union 5)

For people who can access existing financial supports, technical training in using loans effectively is rarely provided. Individuals who have lived in extremely harsh conditions lack financial knowledge and social skills. Meanwhile, skill training and technical documents provided by state agencies and official financial institutions in some provinces are restricted (Women’s union 1; MIC staff 2). For example, a participant conceded that the local VWU and VBSP “helped women to access loans with low-interest rates” but they “did not ask experts to guide the borrowers to run their own business”. Local women’s union staff, who also have limited financial knowledge and skills, can only “help the borrowers to build traditional careers, such as raising pigs and chickens as well as growing pepper” (Women’s union 4). There is no close cooperation between authorities in providing technological assistance for programme beneficiaries. Accordingly, many people are not confident in running their own business and managing their money effectively (MIC staff 3).

### 5.2.6 Counselling in Human Trafficking Prevention

Depending on the local context of the trafficking situation, counselling activities are conducted to provide better legal aid services to vulnerable people. The most notable success is the establishment of *Centres for counselling and support for foreign-involved marriage* (referred to as the Centre/Centres). The national VWU guided the local VWU

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52 *Centres for counselling and support for foreign-involved marriage and family* were established from 2002. The conditions for establishing a Centre complied with the following documents:
- Decree No. 68/2002/ND-CP “Detailing the implementation of a number of articles of the marriage and family law on the marriage and family relations involving foreign elements”.
- In 2013, the Decree No. 68/2002/ND-CP was replaced by Decree No. 24/2013/ND-CP “Detailing the implementation of a number of articles of the marriage and family law on the marriage and family relations involving foreign elements”.

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to set up the Centres. The Centres are obliged to give counselling and support for marriage registrations involving Vietnamese citizens and foreigners. Until the end of 2013, there were 18 Centres in the whole country. From 2003 to 2013, the Centres counselled nearly 20,000 foreign-involved marriage cases (SC 2014). The Centres have achieved some significant contributions, including suppressing marriage cases through illegal intermediaries and guaranteeing voluntary unions (Women’s union 1). This is consistent with information discussed in a conference proceeding (SC 2014). Cooperation between the VWU, Ministry of Justice, and the local People’s Committee was well demonstrated by women’s union interviewees:

Many women in our province got married to foreigners because of money, not love. They did not know anything about their future husbands. They did not know about languages or countries they would go to. They knew each other through intermediary companies or introduction by family members, friends and so on … We [women’s union staff] consulted the People’s Committee and DOJ [Department of Justice] to open a Centre for counselling and support for foreign-involved marriage … The DOJ sent a wedding application to us if they recognised that it was an illegal intermediary case or an involuntary case. (Women’s union 4)

When someone applied to get married to a foreigner, the DOJ recommended them to get advice from the Centre. In some individual cases, the DOJ asked the couple to get a certificate from the Centre that they were counselled. For example, the couple had more than a 20-year [age] difference … (Women’s union 1).

The VWU also cooperated with the specialist network (as mentioned in section 5.2.1) in counselling matters regarding human trafficking. At some localities, mobile counselling services were organised to answer questions about trafficking prevention, labour migration, and parent and child recognition between Vietnamese citizens and foreigners (Women’s union 2). Some local VWU also “organised face-to-face meetings” and “invited personnel in other agencies to join the meetings”. It was believed that the experts had specific knowledge which was beneficial to local people. For example, social welfare staff could “give good advice to someone [who] wanted to work abroad” or DOJ staff could “clearly answer questions related to law and policies” (Women’s union 3). The counselling, therefore, was a significant method of preventing forms of exploitation.
Challenges of providing counselling for human trafficking prevention

Respondents were asked if there was inter-agency coordination in providing counselling. Responses varied, but in some provinces the DOJ and VWU lack a satisfactory mechanism for exchanging information. The VWU does not have any overall statistics for foreign-involved marriage situations. Their Centres, therefore, cannot construct and provide adequate counselling (Women’s union 2, 4). At some Centres there are only a few cases or even no circumstances in which women voluntarily request advice; the women only apply for counselling when the DOJ requests a certificate from the Centre. Interviewees admitted they do not know about other applicants. Centres and the provincial VWU do not gather information from the DOJ about how many women change their opinions after getting advice, how many of them divorce, or how many women are trafficked. One participant stressed:

Our Centre [Centre for counselling and support for foreign-involved marriage] advised for around one hundred cases per year. But no one came to the Centre by themselves until being asked to do by the DOJ… We [women’s union staff] did not ask the DOJ how many of them stopped getting married after seeing us. May be, no one, I guess … (Women’s union 4)

Another women’s union staff member also revealed that the information database on language training, culture, and societies is limited to selected countries (Women’s union 2). This finding is consistent with information stated in a national conference (SC 2014). Most centres have information about China, Taiwan, and Korea. Meanwhile, government agencies do not produce much information about other countries. Accordingly, it is difficult to provide counselling activities related to such countries (Women’s union 2, 5). Many Centres also have poor facilities that have been there for a long time. The Centres are not introduced to or popularised in the communities, so people do not know the Centres exist. Some Centres “tried to maintain counselling activities” but the counsel provided “was weak” and “has not been improved” (Women’s union 5).

Another challenge is the lack of mobile counselling sessions carried out in remote areas. Local governments do not have enough public funding or the workforce to conduct counselling in different regions. The service, therefore, cannot reach a large number of vulnerable people. Many sessions are run only by the VWU, without collaboration with other agencies. As one local public servant explained:
We [Women’s union staff] tried to conduct several free counselling sessions each year. In some cases, the DPS, DMN, DOLISA could not join with us … There were some attendees’ problems that we could not help. We contacted the responsible people who could guide the participants. (Women’s union 5)

5.2.7 Anti-trafficking Club Models

Recognising the role of the public in dealing with trafficking, government agencies have operated different models of anti-trafficking clubs. The most notable model is Clubs for Trafficking Prevention. The VWU has collaborated with the DPS and local governments to establish 343 clubs which had 9,540 members in 17 provinces (SC 2015). A majority of club members are local women’s union staff and women. Organisations hold frequent meetings and inform members about particulars relating to trafficking (Women’s union 2; Police officer 3). Members are very vigilant in detecting and preventing trafficking. They are also communicators in their community. Accordingly, the club model has immediate impacts on reducing trafficking, especially for the trafficking of women and girls (Women’s union 5; Border guard 4). Other models, including the Happy Family Club, Sympathetic Club or Girl’s Club that have been founded in some localities also actively influence the prevention of trafficking, as affirmed by one interviewee (Women’s union 2) and government reports (SC 2015; VWU 2015). Another study participant stated:

[…] In our provinces, there is at least one Club for Trafficking Prevention in every district. In border areas, we [women’s union staff] worked with border guards to set up clubs. In other places, we and police officers set up … Typically, the members have a meeting every three months. They were given trafficking information, policies, law and so on … Whenever members saw trafficking cases, they knew how to help victims and report to us, police officers, border guards, or local authorities. (Women’s union 5)

Another useful club model is the Taxi Driver Club in Fighting Crime (the organisation includes taxi drivers and motorbike taxi drivers53). The club drivers are used to collect information on suspicious behaviours related to crimes, including human trafficking. Those

53 In Vietnam, motorbikes are the most popular vehicles. Motorbike taxis (known as xe ôm) typically carry one motorcycle operator and one passenger. The operators often gather at public places such as streets, schools, markets, hospitals, and bus stations.
informants are trained to identify and report such behaviours. Because taxis and motorcycle taxis are used widely in Vietnam, drivers “can recognise trafficking cases when they and their colleagues transport potential trafficking victims” (Police officer 4). In some provinces, such as An Giang and Tay Ninh, the DPS and DND cooperate with the Department of Transport and Automobile Transportation Association to establish the clubs (DPS An Giang 2014). The drivers are locals so they can “easily recognise strangers and suspicious actions”. They can directly contact police officers, border guards, and local authorities through phones when providing information. The clubs have achieved impressive results, particularly in remote villages and border areas (Police officer 4; Border guard 4). Other people are also encouraged to report trafficking information, including guesthouse workers, tour guides, and bus drivers (Border guard 4). This information is consistent with Viuhko’s (2010) evaluation

**Challenges of anti-trafficking club models**

While anti-trafficking clubs appear to have achieved some great results, some government staff interviewed indicated that anti-trafficking club models are not widely established in many areas. Although the models were introduced in national workshops not all local agencies established them for trafficking prevention (Police officer 2; Women’s union 2). According to the interviewees’ explanations, the government should provide reporting incentives for members of the *Taxi Driver Club in Fighting Crime*. However, there is not any policy to do so. Due to the limited local budgets, the establishment and implementation of the club model have not been widely successful. Police departments cannot mobilise taxi drivers participating in the clubs. One local police officer admitted his administration clearly understood “the club advantages” and would “establish a similar organisation in the near future” (Police officer 5). Meanwhile, some clubs only focus on crimes other than human trafficking, including robberies, snatches, thefts, and murders (Police officer 1). In some provinces, there are also limited mechanisms provided by provincial agencies on how to operate a *Club for Trafficking Prevention*. The local departments, therefore, do not all apply the models in their localities (Border guard 3).

**5.2.8 Managing Borders, Conditional Business Services, and People with Criminal Records in Trafficking**
Local governments regularly manage and control conditional business activities or services that could be misused for trafficking. For example, services that assist marriages between Vietnamese citizens and foreigners were described as a favourite technique for trafficking women. Recognising the demand for disadvantaged women to marry foreigners, “bride matchmaking agencies” or “marriage agencies” are established illegally in “hot places”. Study participants stated that many traffickers run the businesses under the title of “matchmakers” (Police officer 2). This information is also mentioned in a national conference (MPS 2014). Accordingly, the DPS, DND, DOJ and local governments have cooperated in inspecting illegal matchmaking activities. In Ho Chi Minh city the agencies have detected and prevented many illegal matchmaking cases in which hundreds of women were recruited to marry “unknown Chinese or Korean men” (DPS Ho Chi Minh 2014).

Similarly, the agencies also inspect businesses related to karaoke, massage parlours, hotels, or tourism operators that could be misused for internal trafficking. Inspectors include police officers and other actors in the Department of Market Management, Department of Labour, Department of Finance (DOF), and Department of Tourism. Other government agents can be included in inspection teams depending on particular cases. Thanks to these collaborations, hundreds of women and girls have been rescued from forced prostitution (Police officer 2, 3). Other business services related to human trafficking were also mentioned by a national staff member (Police officer 2), including offering or receiving children for adoption and taking Vietnamese persons abroad for labour. This information is also found in national and local reports (MPS 2015; DPS Ho Chi Minh 2014).

The MPS and local government also supervises persons with criminal records on human trafficking. As shared by the research interviewees, it is a helpful technique to detect and prevent trafficking. They believed that people with criminal records are likely “to commit trafficking again”. Residents who could be acting as traffickers are also identified and supervised (Police officer 3). For example, people who recruit locals to marry foreigners or to work for massage parlours (Police officer 1). Police officers or local authorities keep a close watch on these suspects. Some serious offenders also have to report to authorities if they want to leave home. It is complicated to supervise those suspects, as one police officer explained:

[…] the suspects were good at hiding their activities. When they had any information about them, local authorities contacted us [police officers]. We would keep close eyes on them … In some cases, we asked airport security or border
guards to stop or arrest them when they transported people across borders. (Police officer 5)

Challenges in managing borders, conditional business services and people with criminal records

In some localities there is no cooperation in managing conditional business activities or services, or in supervising individuals with criminal records. Each department inspects the enterprises independently of other authorities. Some participants worried that authorities do not report the information they collect to anti-trafficking agencies because of corruption (Border guard 5; Women’s union 3). One police officer also conceded that local governments do not provide information on people with criminal records to the DPS. Thus, he cannot supervise those people efficiently until they committed another crime (Police officer 4). Lastly, collaborative efforts to manage and control border areas do not always achieve the desired results. As Vietnam has 4,550 kilometres of land bordering with China, Laos, and Cambodia, as well as 3,200 kilometres of coastline, preventing human trafficking through the patrol and control of borders is always a difficult responsibility. Traffickers often use small paths through remote and forested areas to transport victims. Many victims also cross semi-legal crossing points as porters (MND 2015). Evaluating the partnerships in border regions, some actors stated that police officers, border guards, and local authorities do not opportunely recognise and prevent illegal migration across borders which might include trafficking cases (Police officer 2; Border guard 2).

5.2.9 Organising Professional Training Courses for Staff and Collaborators

Training is recognised as a principal component for any effective prevention measure (SC 2015). Its objective is to improve the technical capacity of anti-trafficking actors (Shinkle 2007: 6). Training for relevant stakeholders in Vietnam is included in the Anti-Trafficking Law 2011 and NPA. Under the Vietnamese policies, Steering Committees at the national and local levels are in charge of the collaborative efforts between agencies to organise

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54 Semi-legal crossing points are “located in free economic zones, near to official border checkpoints. They allow for goods to be transported across the border at a reduced rate of tax, providing doing so supports local commerce” (British Embassy Hanoi 2011: 19).
professional training for government and non-government actors. In the last five years the Vietnamese Government has organised many training courses, conferences, and workshops for staff during the implementation of the *NPA*. There were nearly 130 training sessions\(^{55}\) with attendances of around 6,000 anti-trafficking actors of the VWU, MIC, MPS, MND, MOLISA and other agencies (SC 2015). Recognising the effects of communication competence and experience on awareness campaigns, the VWU’s central office also ran 77 training sessions for 3,396 speakers and propagandists of the VWU and other agencies.\(^{56}\) The speakers’ networks at national and provincial levels include the leaders and specialists of government agencies. At districts and communes, the networks include public servants and collaborators (VWU 2015). One participant stressed:

> The National Steering Committee ran many training courses for staff whose role was fighting against human trafficking. Cooperative organisers were ministry leaders and specialists. Local departments chose their employees to attend the classes … Some courses were only about improving prevention skills and some courses focused on other skills. They also had mixed courses [training courses for preventive, investigative skills and other purposes]. (Police officer 2)

Some agencies also run training sessions or conferences for their staff. Some courses include attendees from other ministries. The following comments made by state officers interviewed explain why and how they run the training courses:

> We [border guards] prevent human trafficking in border, coastal and island areas. The areas have unique features. For example, a large number of people are ethnic. So, the staff need specific skills rather than general ones … We attended all training sessions that the Steering Committee offered. We also ran some courses for our employees only. The national agency requested staff of local departments to attend the classes. The courses helped actors to improve awareness-raising methods which were suitable for the localities. (Border guard 1)

> The Central VWU offered many training sessions for government staff in Hanoi and hot regions. Attendees were speakers, propagandists, and collaborators at all levels of the VWU. Trainees were also leaders and specialists of other agencies

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\(^{55}\) The training courses were open to government staff that had responsibilities to prevent and combat trafficking and support victims, including awareness-raising activities.

\(^{56}\) In 26 provinces, there were 80,734 speakers, propagandists, and collaborators (VWU 2015).
such as the MPS, MND, MIC, MOLISA and Ministry of Justice. Those leaders and professionals would join awareness-raising activities of the VWU as collaborators. (Women’s union 1)

Moreover, provincial departments also cooperate with local agencies to run training courses for speakers and collaborators in the provinces, as demonstrated by one local actor:

When the Steering Committee, VWU and other departments ran training courses, our office [DIC] appointed some staff to attend. Then, those staff would teach other speakers, propagandists, and collaborators in our province … In our province, some training courses only focused on the fight against human trafficking and some courses were targeted at human trafficking and other priorities. (MIC staff 3)

**Challenges of organising professional training courses**

The first challenge is that although hundreds of training courses and conferences have been run in the last five years, the quality of the training has varied considerably. Most forms of training and conferences are aimed mainly at enhancing the understanding of trafficking as a serious crime, not enhancing prevention skills. Interviewees affirmed that those training sessions supply large amounts of information on trafficking in general or policies on trafficking (MIC staff 1; Border guard 2). This statement is consistent with information mentioned in national reports (SC 2015; VWU 2015). However, capacity-building activities do not deliver practical skills to individual actors; training does not provide the state officers with sufficient tools to prevent trafficking. For instance, many state actors reported that they are not confident in implementing awareness-raising plans, communicating with different audiences, or dealing with particular cases. State agents interviewed described the limitations of the training they had received:

Many training courses ran for 2 or 3 days. Speakers provided quite general data on trafficking that I could know before … Sure, I know we need to raise public awareness. But more importantly, other border guards and I need to know how to make an effective plan [awareness-raising plan]; how to convince poor or ethnic people; how to cooperate effectively with other relevant actors and so on. There
were not many sessions which could help us to improve those specialised skills. (Border guard 2)

I thought some conferences were not helpful. Many papers were quite similar and not fresh. For example, awareness-raising solutions were general. They were theoretical but not practical. (MIC staff 1)

There are also very few training courses and workshops which focus on the necessary knowledge and skills needed to implement socio-economic empowerment strategies. It is imperative to strengthen management and technology skills so that actors can apply prevention techniques in practice (Border guard 3; Women’s union 5; Police officer 1). For example, anti-trafficking agencies are using out-dated technologies in data collection, data management, and information exchange. However, there are insufficient experts on modern technology in training sessions. One local staff member admitted that he “only used the Office Works programme and printed documents to save and manage trafficking data” (Border guard 3). The first indicators used to monitor and evaluate the anti-trafficking programmes were constructed in 2013, and were then approved and disseminated in September 2014. There has been no subsequent evaluation of the indicators’ effectiveness (Police officer 1). Information management and exchange processes of different agencies and localities are therefore not unified (Police officer 1).

Trainees do not have sufficient opportunities to improve their organisational skills, as explained by one actor:

I attended some workshops of the National Steering Committee, MOLISA and the Central VWU. Some presenters introduced effective prevention models of their provinces. But they shared only a little information about the standards. I was confused about how they operated and managed the models. (Women’s union 5)

Training sessions and workshops are not beneficial for staff whose professions are counselling or vocational training. As previously mentioned, the professional training and counselling sessions have achieved restricted results. The counsellors lack financial and psychological knowledge and so the guidance is not effective. Communication skills are another issue leading to inappropriate legal aid, as explained by one local VWU interviewee:

[…] to help poor women, we need to know them and their situations. Their education levels are low. We have to advise them to choose suitable jobs. If we
help them to run a business, it won’t be too complicated. Otherwise, our advice is not helpful … The advisers need to have communication skills and so on. But agencies did not have specific training courses for that. (Women’s union 4)

5.3 EFFECTS OF PREVENTION STRATEGIES

It is evident that awareness-raising and socio-economic empowerment in Vietnam are implemented through a wide range of strategies. Although it is difficult to evaluate the impact of those measures quantitatively, research participants confidentially emphasised that the techniques are clearly largely beneficial to communities (Police officer 1; Border guard 1). This is consistent with information in government reports (SC 2015; VWU 2015). For example, public awareness campaigns and mass media have targeted millions of people across the whole country and positively influenced people’s attitudes and behaviours (Police officer 1; MIC staff 2). Educational programmes are extremely critical to targeting particular audiences, such as young people and high-risk women (Border guard 1). Anti-trafficking documents and tools, such as leaflets, posters, T-shirts, and handbooks, are enriched year by year (Women’s union 1). The combination of those methods prevents the greatest possible number of people from being trafficked. State actors who have been working for anti-trafficking institutions for over ten years confirmed:

In the past, not many people knew about human trafficking. They did not believe that traffic could affect them. So, they did not attend campaigns or view an anti-trafficking programme on TV … Recently, the government has run many awareness-raising activities. They were quite useful. Communities cared about trafficking. Now, they understand that human trafficking can come up everywhere; trafficking tricks are multi-form and so on. It is a necessary factor to prevent this crime. (MIC staff 2)

Each method [awareness-raising method] has its advantage. For example, we [government actors] used images and case studies for leaflets and handbooks. People could understand and remember easily … We used different methods at various localities and times. The combination of the methods got great results. Many people could avoid human trafficking. It is the most important thing. (Border guard 3)
Although the socio-economic empowerment techniques are not stipulated in the NPA, anti-trafficking agencies have still made enormous efforts to implement them. Depending on the trafficking situation and local conditions, authorities applied some or all techniques. The measures have achieved notable outcomes, as stated by study participants (Police officer 4; Border guard 5) and government reports (SC 2015; MND 2015). For example, legal aid and counselling have been improved and are delivered to people in particular contexts. These activities have helped many people to understand their situations and the dangers of being trafficked. At-risk people are also equipped with the knowledge and skills to reside abroad or to combat trafficking when necessary (Border guard 3; Women’s union 4). Meanwhile, income generation activities and vocational training assist families in increasing their income. The programmes, therefore, indirectly prevent one of the leading causes of trafficking, as one participant explained:

 […] the Hunger Elimination, Poverty Reduction Programme has been quite efficient. Many low-income families could improve their economic situation. So, they did not have to seek jobs in other provinces or countries. It was also harder for traffickers to persuade or dupe them. I think the programme helped us to prevent trafficking. (Women’s union 1)

Insights from my fieldwork also show that anti-trafficking club models improve their members’ knowledge about trafficking. Club members can recognise and anonymously report human trafficking cases and traffickers to authorities. They are also non-traditional communicators who raise trafficking awareness in their communities. The models, therefore, influence the larger population beyond the club members, as emphasised by one local border guard:

How many police officers does MPS have? How many border guards does MND have? The government cannot prevent trafficking without the help of citizens. Anti-trafficking club models were illustrative examples. The members could be anywhere at any time. They would report to us, or they prevent trafficking by themselves. Clubs are very critical. (Border guard 4)

The government agencies and the partnerships between them are also important factors contributing to the success of professional training. Training sessions, conferences, and workshops are offered at national and local levels. Their objective is to improve the professional skills and other technical capacities of anti-trafficking actors, propagandists,
and communicators. Single-actor training provides detailed instructions on particular prevention measures to the officers concerned. In contrast, joint training sessions target multi-actors. Those sessions especially improve their understanding of each other’s responsibilities and enhance the collaboration between them (Police officer 2; Border guard 1).

However, there is convincing evidence that the challenges facing prevention strategies in Vietnam could hamper their success. The partnerships between some local governments and within some agencies are not influential in raising public awareness. They fail to exchange information and discuss plans for awareness-raising activities. Additionally, communication activities are not equally applied to ethnic minorities and the remainder of the population. Practical skills in preventing trafficking are insufficient. Consequently, there is an uneven understanding of trafficking between people and between regions. Many high-risk people, especially in far villages and highland areas, are unable to access the necessary information about human trafficking or its prevention. A huge number of people do not have a basic understanding of the issue of trafficking. This information is strongly consistent with findings of previous studies (Duong 2014; Tucker et al. 2009). Some of the interviewees stressed:

Many ethnic people wanted to marry Chinese men or find seasonal jobs in China. We knew they could be potential trafficking victims. However, awareness-raising activities did not work well. The main reason was some of them could not read. They did not know Kinh [the national language]. Another reason was we [government authorities] did not run suitable communication activities. People still did not know about trafficking and they believed traffickers. (MIC staff 2)

It is clear that people in cities or towns have more of a chance to learn about human trafficking. They have schools, TVs, radios, newspapers and the internet. But individuals in the countryside do not. Many of them wanted to leave their hometown. They asked help from other people who could be traffickers, but they did not know. Many country folks did not know how to protect themselves from trafficking. (Border guard 5)

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57 Single-actor training refers to training delivered within a single agency while and joint training refers to training delivered across and between agencies
From the field work investigation undertaken it seems that the economic empowerment programmes are not successful in helping the majority of the population. Only a small number of disadvantaged farmers and labourers can get loans at preferential interest rates. With a lack of training in business entrepreneurship and information technology, many families on the poor household list cannot overcome their poverty—which is one of the major push factors into trafficking. Local actors decisively asserted that many people “were impoverished or at risk of turning back to poverty”. These factors contribute to people’s compulsion to migrate (Police officer 1; Border guard 1). In addition, vocational training programmes face the challenge that only a few trainees can satisfy market needs and demand. They cannot improve their livelihoods and help their families survive (Women’s union 1). The beneficiaries of those programmes are therefore still vulnerable to trafficking (Police officer 1; Border guard 1; Women’s union 1). The research has also identified a shortage and weakness of counselling centres, legal aid activities and anti-trafficking club models in many provinces. In addition, vulnerable people, especially women and children, have fewer opportunities to receive assistance from trafficking prevention networks (Women’s union 5; Border guard 3).

5.4 DISCUSSION

Over the last five years the number of detected cases of trafficking in persons has been increasing in Vietnam. The crime has become an everyday problem in many localities. Preventing this crime has been an urgent priority of all related stakeholders, especially governmental agencies. The Vietnamese Government has undertaken a comprehensive range of prevention techniques, which can be classified into two main groups: awareness-raising activities and socio-economic empowerment measures. Taking into account all the findings presented throughout this chapter, it is argued that strategies aimed at preventing human trafficking in Vietnam have achieved only some components of the stated objectives.

The most significant success of the inter-agency cooperation was the establishment of the network between public servants at the national level in 2012 and 2013. The system benefitted all anti-trafficking agencies involved. It also brought results that could not be attained by a single organisation functioning alone. The network structure has not been described in any research on human trafficking in Vietnam to date. Research participants
all agreed that the networking system was a successful partnership model (Police officer 1; Women’s union 1; Border guard 1). Similarly, some ministries, for example, the MPS and VWU, have been found to work in close cooperation. Those partnerships satisfy the criterions of “good partnerships” or “successful partnerships” as recommended by Duong (2014) and the OECD’s LEED programme (2006). In contrast, there are weak levels of cooperation between some local agencies. The limited information exchange between local departments, for example, is consistent with the current evaluation by David (2006) and Hoang (2013).

In the field of awareness-raising measures, there have been a number of studies undertaken by different scholars to explain the situation in Vietnam. Those projects focus on examining and reforming the awareness campaigns, educational programmes, training sessions, and other measures (David et al. 2011; Duong 2014; Tucker et al. 2009). The results of this current research indicate that Vietnamese anti-trafficking agencies conduct different types of awareness-raising activities. Inter-agency cooperation is successful in organising community-based campaigns, artistic performances, educational programmes, and contests on human trafficking knowledge, hotlines, and mass media campaigns. The achievements reflect the enormous efforts made by government agencies to raise trafficking awareness. The recent prevention activities have achieved better results when compared to the activities evaluated by Tucker et al. (2009) or Houck (2003).

The research undertaken for this thesis has also examined the challenges facing these collaborative partnerships. A lack of information sharing between local agencies or within some ministries has led to unidentified results and missed opportunities to prevent trafficking. Some activities have not been implemented, and successful models have not been applied in many localities, especially the high-risk remote villages. Although mass media, including TV, radio, newspaper, and other instruments, can be effective in cities and lowland areas they fail to reach an enormous number of people in the highlands or remote villages. As a result, awareness-raising activities target a broad population rather than high-risk people. This is a serious problem of the model of trafficking prevention in general and of inter-agency cooperation in particular (Arsovska and Janssens 2009).

To prevent trafficking, the Vietnamese Government has also made efforts to implement socio-economic empowerment methods, including counselling on human trafficking prevention, order and safety administration, and management of business activities and
services. Other measures include programmes on prevention and combating crimes and social evils, vocational training, employment generation, poverty reduction, gender equality and child protection, programmes for the advancement of women, and other socio-economic development programmes. These techniques are stipulated in the Anti-trafficking Law 2011 but not in the NPA. Through examining all government reports and summations, conference proceedings, and interviewees’ experiences, this research has found that, in reality, only some of those methods are being implemented. The implementation also depends on the trafficking situation and local authorities (Police officer 1; Border guard 1; MIC staff 2; Women’s union 1). The research, therefore, has been unable to investigate the strength and weakness of inter-agency cooperation across all techniques, as only some methods were mentioned; that is, counselling, establishing anti-trafficking club models, supervising conditional business and persons with criminal records on trafficking, poverty reduction programmes, and vocational training.

On a positive note, the partnerships have been successful in operating counselling activities. The Centres for counselling and support for foreign-involved marriage, for example, play a significant role in preventing potential exploited cases where women want to change their lives by getting married to foreigners. Moreover, anti-trafficking club models are operated under inter-agency collaboration to prevent trafficking. Similar research undertaken by Tucker et al. (2009) in Cambodia, as well as by Samarasinghe and Burton (2007) in Nepal, has also highlighted the prevention value of club models. In Vietnam the findings indicate that both the quantity and quality of the clubs that are examined in the research of Tucker et al. (2009) and Houck (2003) have improved. The programme for economic empowerment is another example of active cooperation. Although it only targets family members on the poor household list, it also reflects the efforts of government agencies, banks, and the People’s Credit Fund. Together with vocational training, these programmes have contributed toward reducing vulnerable elements.

On the down side, it is evident that there are many problems with the financial support and vocational training provided. The limited government budget cannot assist families outside the poor household list, and agencies are not active in finding reserve funds from banks and other resources. Vocational programmes focus on the number of trainees rather than job placement assistance. Weak inter-agency collaboration was also discovered in some fields of action, such as counselling, managing and controlling border areas, operating anti-
trafficking club models, managing conditional business activities, and supervising people with criminal records in trafficking.

Lastly, cooperation also focuses on conducting training for both government staff and the community. The findings indicate that those pieces of training are plentiful in quantity but not quality. Both single-actor training and joint training has failed to provide anti-trafficking actors with adequate management and technology skills as well as other professional skills to prevent trafficking. Meanwhile, practical skills which could help trainees to recognise and prevent trafficking are not addressed in community training sessions, similar to the evaluation by Tucker et al. (2009) or Houck (2003).

5.5 CONCLUSION

Awareness raising and economic empowerment strategies are the main Vietnamese approaches to trafficking prevention used by inter-agency teams. Respondents in this study identified several successful prevention strategies targeting awareness. These include: establishing a national network, holding competitions to develop community performances to educate about trafficking, school-based education, mass media campaigns, setting up a hotline, and tourism industry campaigns. They also pointed to the need for improvements to address the limitations of these programmes, which include: limited cooperation due to uneven uptake of collaboration, lack of communication down the chain of command to share up-to-date and accurate information, inflation of participation estimates due to data collection by multiple agencies at the same event, ineffective partnerships due to minimal implementation of cooperation, overly generic information included in educational campaigns, limited access to electronic media to access information, lack of translation of materials into the required languages, and short campaigns rather than ongoing education.

Socio-economic empowerment is also a key prevention strategy. The programmes are successful at providing micro-credit loans for people of low-income households, developing vocational skills for low-educated and unemployed people, suppressing marriage cases through illegal intermediaries and guaranteeing voluntary unions, developing some anti-trafficking models, and managing conditional business services that could be misused for trafficking in some hot areas. However, the efficacy of these programmes is limited by a lack of effective collaboration in providing finance support for families outside the poor household list, supplying vocational training that meets market
requirements, arranging suitable jobs, and running mobile counselling sessions in at-risk localities. Anti-trafficking clubs, where established, work well but are not established in many provinces; meanwhile, the strategy of managing conditional business services, border areas, and people with criminal records in trafficking has achieved limited results in some locations. Furthermore, although professional training courses for staff and collaborators who may come into contact with trafficking victims are regularly organised at both the national and local levels, general trafficking information is provided rather than practical skills.

The challenges identified by the respondents point to areas for improvement in regards to collaborative activities. However, some of these problems are easier to solve than others, for example promoting communication and developing specific educational materials relevant to local communities is easier than addressing poverty. The next chapter examines the inter-agency cooperation in protecting victims, before discussing recommendations for improving partnerships to prevent human trafficking.
Chapter 6: Research Findings – Inter-Agency Cooperation in the Protection of Victims

6.1 INTRODUCTION

The protection of trafficking victims involves many steps, from the time they reach the attention of competent authorities to the point they successfully reintegrate into their communities. Because of the devastating impact of human trafficking, victims need special care from communities and government agencies to support their recovery. Once the immediate health and welfare needs of trafficked persons have been met some victims will require further assistance to ensure their successful social reintegration.

In Vietnam, hundreds of trafficked persons are officially identified and returned to Vietnamese society each year. There are also a large number of self-returned victims who have not been identified. Therefore, there is a need to improve victim protection regimes and to develop victim support programmes. A wide range of strategies are applied during the victim protection process. This chapter draws on the interviewees’ perspectives on the victim protection measures, their successes, limitations, and effects.

6.2 STRATEGIES TO PROTECT VICTIMS

Guidance on the Order, Procedures and Coordination in Verification, Identification, Receipt and Return of Trafficking Victims\(^5^8\) defines three main groups of trafficking victims: Vietnamese citizens trafficked abroad, Vietnamese people trafficked domestically, and foreign victims trafficked in Vietnam. However, there has not been any investigated trafficking case in which foreigners were victims (SC 2015). In this chapter the findings focus on the protection of Vietnamese trafficked persons.

Under Vietnamese policies, trafficked persons are first received and verified by anti-trafficking agencies (VNA 2011: Articles 24–28). They are provided the protection of

\(^{58}\) Circular 01/2014/TTLT-BCA-BQP-BLĐTBXH-BNG: Guidance on the Order, Procedures and Coordination in Verification, Identification, Receipt and Return of Trafficking Victims; approved by Ministry of Public Security; Ministry of National Defence; Ministry of Labour, Invalids and Social Affairs; and Ministry of Foreign Affairs on 10 February 2014 and entered into force on 25 March 2014.
physical safety and privacy (VNA 2011: Articles 30 and 31). Depending on each circumstance, a variety of support measures is also available for Vietnamese victims, including support for essential needs and travelling expenses, medical support, psychological support, legal aid, support for educational and vocational training, short-term allowances for overcoming difficulty, and financial loans (VNA 2011: Articles 33–38). The following sections describe current strategies to provide protection for trafficking victims and analyse the benefits of, as well as the challenges hindering, cooperation between government agencies in victim protection.

6.2.1 Receipt and Verification of Victims

Duong (2014) finds that only 15 per cent of trafficking victims in Vietnam were officially identified by the government, while 25 per cent were rescued and 60 per cent were self-returned. In addition, across the whole country, Kneebone and Debeljak (2012) and Hoang (2013) also discover that the number of self-returned victims was enormous and much higher than the number of official victims. However, identifying those self-returned people as trafficked persons is challenging (Hoang 2013: 252). Many individuals do not report to local authorities and, therefore, are not verified as trafficked persons (Duong 2014: 135).

Depending on how a trafficked person has returned to Vietnam, to their home, as well as which agency received them in Vietnam, the procedures for verifying the person are conducted by several government agencies. Victim verification is based on various documents and types of evidence, including “certificates from local police offices where the victim resides”; “certificates from rescue agencies”; “documents from investigation agencies, agencies assigned to conduct investigations, People's Procuracies, and People's Courts”; and “papers proving victim status issued by overseas Vietnamese representative agencies59 or the Vietnamese Ministry of Foreign Affairs”. When a person is determined to have been trafficked they are provided with official documentation confirming their status as a victim of trafficking (VNA 2011: Article 28).

Study participants emphasised that Vietnamese Government departments are most successful at identifying some types of trafficked persons, including rescued victims and

59 The overseas Vietnamese representative agencies include overseas Vietnamese diplomatic missions, consulates, or other agencies authorised to perform consular functions (VNA 2011: Article 26, Clause 1).
individuals returning from abroad through an overseas Vietnamese representative agency or under relevant bilateral agreements.\textsuperscript{60} In cases of rescued victims, state agencies promptly collect the necessary information and evidence for the verification process. The government offices can determine exactly what happened in these cases. Therefore, almost rescued people are granted certificates as documented trafficking victims, which is essential to receiving victim support (Social welfare staff 3; Border guard 1). For example, the local police officers and border guards rescue many trafficked persons through investigating trafficking cases. In these circumstances, the authorities have precise statements supplied by victims and perpetrators as well as other evidence. The official identification of victims, therefore, is well-founded (Border guard 1). In cases of individuals returning from abroad through an overseas Vietnamese representative agency or under relevant bilateral agreements, the government offices coordinate with the representative agency or foreign government offices to provide the necessary papers and take trafficking victims back to Vietnam (Police officer 1). Having documents identified as trafficked persons, victims can have immediate access to the government protection services (Social welfare staff 3; Police officer 1). During the verification process, victims can choose to stay in temporary support centres or return to the place where they were registered as a permanent resident. A local authority member interviewed said:


\begin{quote}

[...]
They [trafficked persons] stayed in our social security establishment for a few days after being rescued. The Police Office or Border Guard Command would provide them with written confirmation [that they were victims]. Then we [social welfare staff] let them go home. In some cases, we sent the certificates to the trafficked persons and necessary papers to their authorities [actors in places of victims’ residence] later … If victims were rescued, we might have clear information. So, they would receive the certificates soon. (Social welfare staff 3)
\end{quote}

Another interviewee also confirmed this was the case:


\begin{quote}

[...]
If they [trafficked persons] were children, we [staff in the province that rescued the victims] asked authorities in the victims’ hometowns or their families
\end{quote}

\textsuperscript{60} For example: “Agreement on Amendments to the Agreement between the Royal Government of Cambodia and the Government of Cambodia and the Government of the Socialist Republic of Vietnam on Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking” (Cambodia – Vietnam Agreement 2012).
to come to our office and receive them. In some cases, we went with trafficked people to their homes. We gave the certificate of the victim’s identity to both the victims’ families and their local governments. (Police officer 5)

**Challenges of receiving and verifying victims**

Study interviewees conceded that there are some challenges in identifying trafficked persons. The first problem is the lack of attention to both domestic victims and victims from abroad who return by themselves and not through a government agency. As study participants explained, in 2014, the *Instructions on Procedure for and Cooperation in Identification, Receipt, and Repatriation of Human Trafficking Victims*\(^61\) firstly provided guidance on the verification and receipt of all types of trafficking victims. Before 2014 regulations on victim verification focused on trafficked persons from abroad. For example, the *Guidance on the Order, Procedures and Coordination in Verification, Identification, and Receipt Trafficked Women and Children from Abroad*\(^62\) only included the verification and receipt of trafficked women and children from abroad. As a result, many anti-trafficking actors do not know how to verify and receive internal victims; some staff do not recognise the necessity of the domestic victim identification process (Police officer 1; Border guard 4). As one officer with responsibility for verifying trafficked victims explained:

> For many years, local governments only got trafficked persons from abroad. Some staff thought domestic trafficking was not as dangerous as international trafficking. Therefore, they did not pay much attention to domestic victims, especially those who self-returned … The actors did not keep the victims in shelters or assist them as trafficked persons. Authorities let victims go to their homes and contacted them when necessary … (Border guard 4)

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Similarly, the identification of self-returned victims from abroad is ineffective. According to government regulations, the verification of those persons involves complicated procedures. However, the authorities cannot collect enough preliminary information on trafficked persons to identify their victim status. For instance, when investigating cases of trafficking victims who self-return from abroad, police officers try to obtain statements supplied by both victims and perpetrators. Unsurprisingly, in many circumstances, it is impossible for them to get enough necessary testimonies, as the following comment explains:

When victims or their lawful representative reported a trafficking case to us [police officers], they had to provide in detail the information on their cases. But, many trafficked persons did not know the real names of traffickers, the places they were exploited, and where the traffickers are right now … We could not find the perpetrators and get the statements. We could not cooperate with other authorities to identify the truth. So, many returnees were not verified as trafficking victims. (Police officer 4)

The next challenge is the lack of focus on male victims. Since some legislation, such as the Guidance on the Order, Procedures and Coordination in Verification, Identification, and Receipt Trafficked Women and Children from Abroad, only includes women and children victims many government agency staff do not know they should also include male victims. Although the Penal Code 2009 and Anti-trafficking Law 2011 amended the focus on trafficking in women and children to trafficking in persons, in practice identifying trafficking persons still does not adequately focus on male victims (Border guard 2; Social welfare staff 2).

While the identification of self-returned victims is complex, some staff do not make the effort to collect the initial information from trafficked persons. The problems raised by officials interviewed for this research included “taking too long to contact victims to get their statements” and “slow action by police officers at the victims’ hometowns to verify the initial information”. The verification process, therefore, takes longer than needed (Police officer 4). Many trafficked persons also lack legal knowledge of the identification

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63 Article 24 of Anti-trafficking Law 2011 required: “In case, the victims haven’t possessed any papers or documents that prove them victims, the Divisions on Labour, Invalids and Social Affairs shall request Public Security Agencies at the corresponding level to conduct verification”.

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process and criteria used to verify a victim. Some of them feel “ashamed and embarrassed about their experience” or grow “tired of attending the long identification process” (Border guard 4). Many individuals decline to share their experiences or stop cooperating with anti-trafficking agencies, presumably because the interaction is re-traumatising, as is often the case with victims of sexual assault elsewhere (Carmody and Carrington 2000; David 2006). Thus, some victims are not identified as trafficked victims until several years after returning to their communities (Police officer 4; Border guard 4; Social welfare staff 5). This means they have no access to victim support.

Moreover, some participants also asserted that agencies in source destinations are sluggish in receiving their returning trafficking victims. Some government offices even ignored announcements from other authorities. As one interviewee with many years of experience in receiving victims explained:

If the trafficked persons were children or residents of other provinces, we [social welfare staff] might contact their local governments. However, some agencies responded that they did not have available staff that could come to receive the victims. We had to go with victims to their homes. It was not safe to leave them alone at that time. (Social welfare staff 4)

Overall, it can be seen that the government offices quickly collect information and evidence related to rescued victims and trafficked persons returning from abroad through an overseas Vietnamese representative agency or under international bilateral agreements. The victim status certificates and necessary assistance are provided during the verification and receipt stages. Unfortunately, the identification of self-returned victims is, however, ineffective. The leisurely collection of victims’ preliminary information leads to difficulties in formally identifying a victim’s status. This means that a great many trafficked persons cannot be verified as trafficking victims. This affects access to victim protection, assistance, and support, which are examined in the following sections.

6.2.2 Protection of Victims’ Physical Safety and Privacy

The Trafficking Protocol 2000 and other international regulations require state parties to protect victims’ physical safety and privacy, which are necessary elements for recovery and reintegration. Authorities are required to “endeavour to provide for the physical safety
of victims of trafficking in persons while they are within its territory” and “protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such trafficking confidential” ( Trafficking Protocol 2000: Article 6). In Vietnam these protective measures are outlined in the Anti-trafficking Law 2011. The law asserts that trafficked persons have the right to “request competent persons, agencies or organizations to apply measures to protect themselves and their relatives when they are infringed upon or threatened to be infringed upon in terms of life, health, honour, dignity and property” (VNA 2011: Article 6). Some measures can be applied for protection of a victim’s physical safety, including: “provision of temporary shelter”; “keeping secret the places of residence, work or study of victims and their relatives”; “measures to prevent acts of infringement upon or threatening to infringe upon the life, health, honour, dignity or property of victims or their relatives”; and “other measures as stipulated by criminal procedure law” (VNA 2011: Article 30). Agencies, organisations, or individuals also “have the responsibility to keep secret the information of victims, unless otherwise as provided for by law” (VNA 2011: Article 31). Hoang (2013) argues that the Vietnamese policies “focus on the effectiveness of the investigation rather than specifically upon the privacy and identity of victims” (Hoang 2013: 239). Duong (2014) also claims that Vietnamese agencies collect very little information on “safeguarding victims’ rights and physical safety on the way to recovery and reintegration” (Duong 2014: 146).

Although the protection of victims’ physical safety and privacy are precisely specified in the Anti-trafficking Law 2011 and other regulations, some government staff interviewees were deeply worried that the provisions for that protection are only on paper. Only a few measures are applied in practice (Police officer 2; Border guard 1). Research participants asserted that anti-trafficking actors keep victims in temporary shelters or hold a closed court hearing when recognising possible dangers to the victims. The agencies also try not to publicise victims’ trafficking experience. As some anti-trafficking actors described:

As I know, if victims faced threats and violence which could affect their health and lives, government agencies might send them to shelters. This method was

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64 For example: on 13 August 2012 the Vietnamese Government approved the Decree No. 62/2012/ND-CP prescribing the grounds for identification of trafficked victims and safety protection of victims and their relatives. It was entered into force on 10 October 2012.
described at some conferences and workshops. But there was no accurate data from local governments. (Border guard 1)

Some rescued victims and trafficked people returning from abroad wanted authorities to keep secret their trafficking experiences. We only contacted local governments to help them when necessary and did not let their communities know about their situations … In some cases, victims requested closed court sessions. Depending on the circumstances, the courts would consider applying a closed court hearing or not. (Police officer 2)

In summary, according to the interviewees, while victims have formal rights to protection of their privacy upon return, in practice this is not always adhered to.

**Challenges of protecting victims’ physical safety and privacy**

The first challenge is that the protective measures which are established in the national anti-trafficking law and other regulations are not successfully implemented in practice. Two of the respondents felt the strategies did not receive attention from the authorities (Police officer 2; Border guard 1). Many victims still live in an unsafe social environment after being trafficked. They have to brave the safety issues, including threats from traffickers, and safety concerns within their families and communities. In the context of such threats, returned victims of trafficking require complex protective strategies.

However, if the government were to implement the necessary protection it would increase the expenditure of anti-trafficking programmes; government spending on these measures is very limited. Therefore, as explained by two key informants, it is impossible to effectively implement the protection needed (Police officer 2; Border guard 3). Some study participants gave concrete examples of where this had occurred:

Many victims and their families faced risks posed by traffickers. Trafficked persons were warned that the criminals could kill them or their family members when they reported the cases … Under Vietnamese policies, we [anti-trafficking actors] should provide a secret and safe place for them or appoint staff to protect them. But it was very hard to do that. We did not have enough manpower and money to help them … Only some victims were sent to temporary shelters. There were not any victims’ relatives who received protection. (Border guard 3)
[...] In some cases, victims were scared of reporting to authorities. People in their villages also gossiped about their trafficking experience. They had to move to other places, for example, a relative’s houses in another province. Trafficked persons paid for their travel and living. The anti-trafficking agencies did not cooperate with the local People’s Committee to help them in moving to the new areas. (Police officer 4)

In the case of self-returned victims, it took time to identify them as trafficked persons or not. During that period, we could not offer any protection because there was no budget for them. (Police officer 1)

Moreover, anti-trafficking agencies do not provide the best assistance for trafficked persons due to the lack of human and financial resources. As interviewees explained, the authorities have to assist various types of crime victims. If the government were to implement all the protective measures stipulated in the national policies the staff would be overloaded with responsibilities in protecting victims. The local government offices also do not have enough resources to provide the protection set out in the legislation. An interviewee commented that they have to balance the protection of victims of trafficking with other victims of crime:

There were many victims of different crimes, not only ones of human trafficking. We could not provide special protection for trafficked persons. They should be equal to other victims. (Border guard 2)

The last challenge relates to the difficulties of sharing information about the protective strategies between government departments. Participants admitted that protection of victims in their province is implemented by only one or two agencies. Because there is a lack of federal government guidance, the implementation of protection measures depends on local authorities’ experience. Anti-trafficking offices do not discuss plans for protection with other organisations. They also seldom recapitulate what they do. The content of protection activities, therefore, is absent in the reports of both the national and local agency reports, for example:

In our province, the DPS had a duty to protect victims when the individuals were in danger. The police office did not let us [women’s union staff] or other departments know about their plans. If they had let us known, we would have helped them, especially in the case of female victims. (Women’s union 5)
Provincial agencies did not provide specific data on what they did to protect victims. The implementation of protective measures was sometimes discussed at conferences or workshops. In general, we did not have accurate reports on the protection activities. (Police officer 2)

In sum, although Vietnamese policies on the protection of victims’ physical safety and privacy are adequately set out in policies and legislation the actual implementation of protective strategies is challenging and falls far short of these expectations. The government only applies a few protective methods stipulated in the national law, leaving a great many trafficked persons to reside in the unsafe environments where they are at risk of being re-trafficked, exploited, or threatened after returning.

6.2.3 Support for Essential Needs and Travelling Expenses

The support to meet essential needs and for travel expenses is required in Article 33 of the Anti-trafficking Law 2011. The law requires states to provide victims with “temporary shelter, clothes, food and other essential personal articles based on practical conditions and the age, gender and health status of victims” (VNA 2011: Article 33). Specific support related to essential needs and travelling expenses is also required by other regulations.65 For example, victims are entitled to receive an allowance for essential items that is lower than or equal to 400,000 VND (USD66 20) (GOV 2013). Although Duong (2014) and Hoang (2013) have examined the national regulations related to this support, as well as the

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65 - Decree No. 09/2013/ND-CP detailing a number of articles of the Anti-Trafficking Law 2011; approved by Government of Vietnam on 11 January 2013 and entered into force on 15 April 2013.
- Circular 134/2013/TTLT-BTC-BLDTBXH on Purposes and levels of expenditures on victims’ assistance mentioned in the decree No. 09/2013/ND-CP dated 11/01/2013, which provides guidelines for the Anti-Trafficking Law 2011 (MOLISA and Ministry of Finance 2013).
- Circular 113/2010/TTLT-BTC-BLDTBXH, which amended, revised and supplemented Circular 116 on Spending guidance and levels for identifying, receiving, and supporting women and children trafficked to other countries (MOLISA and Ministry of Finance 2010).

66 - From 2010 to the present, 1 USD (United States Dollar) equalled 19,000 to 22,000 VND (Vietnamese Dong) respectively. This thesis converts 20,000 VND into one USD which should be helpful for international readers.
assistance packages to be provided by shelters, there is no available information on whether essential needs and travelling expenses are provided in practice.

Research participants emphasised that provincial DOLISA cooperates closely with the DPS, DND, VWU and local governments in providing basic requirements for victims (Social welfare staff 1, 3). This approach is consistent with information mentioned in a government report (MOLISA 2014a). When identifying trafficking victims, anti-trafficking actors officially contact government staff from victims’ localities and discuss plans for returning trafficked persons to their original communities. Victims can also be sent to shelters that provide a safe and secure environment, necessary care, and support. Government budgets or external funding cover clothes, food, and travelling expenses for these services. As interviewees clearly explained:

Many victims came from other provinces. When we [police officers] or border guards found them, we would ask DOLISA or the VWU to keep them in temporary shelters. Our province then contacted their areas [anti-trafficking actors of victims’ localities] and their families to return them. Our area paid for a living allowance when they stayed here. (Police officer 3)

In our province, all victims were paid for food and travel tickets when they returned to their home. For example, victims received from 20,000 to 40,000 VND per day for food [from USD 1-2], standard travelling tickets or transport renting. If they had to stay here, they got 20,000 to 40,000 VND per day for food and 300,000 VND [about USD 15] for essential items. (Social welfare staff 3)

The payment for living and travelling expenses depends on national policies and provincial allocation. Due to the limited government budget, the support for a living allowance in the shelter is not more than 60 days (Police officer 1; Social welfare staff 3). In some victim support centres, which are sponsored by international organisations,67 trafficked persons

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67 The IOM supported the establishment of assessment centres in Lao Cai (a northern border province) and An Giang (MOLISA 2014a; Trees, Vu, and Tran 2012).

Agir pour les Femmes en Situation Precaire (AFESIP) (Acting for Women in Distressing Situations) in Vietnam assisted the VWU in establishing shelters in Ho Chi Minh and Can Tho (a southern city) (MOLISA 2015; Hoang 2013).

UNICEF supported the Border Guard Command to run a shelter in Mong Cai (a northern border province) (MOLISA 2015; Hoang 2013).
can receive higher living expenses. If the individuals have not fully recovered from their trafficking experience they might be allowed to stay in the centres for a longer period. For instance, the “Open House” in An Giang can support female victims for up to 24 months (Social welfare staff 1; Women’s union 1). However, accessing this level of support depends on being officially recognised as a victim, and for the reasons already set out, there are long delays in that recognition, especially for self-returned victims.

**Challenges of providing support for essential needs and travelling expenses**

Evaluating the essential support from government agencies, interviewees commented that the value of expenses provided for by the state budget is minimal or only equal to the minimum market price (Social welfare staff 3, 4). In some temporary centres trafficked persons have to stay with other beneficiaries, including victims of domestic violence, prostitutes, or the homeless. This does not satisfy the victims’ needs, as indicated in the following comments:

[…] Receiving 30,000 to 40,000 VND [around USD 2] per day for food, victims could only have frugal meals. The allowance was not enough for them to buy extra food, telephone top-up cards and clothes … Some of them [trafficked persons] told me that the centres lacked everything [the shelters did not have something they needed] and they were not happy to stay there. (Social welfare staff 3)

Our province does not have separate shelters for victims. After being recognised as trafficked persons, the individuals would stay in a social security establishment for a while. They were together with prostitutes and other people … The centre lacked necessary facilities and funding. It was not the best place for victims. But it is hard to change the situation at the moment. (Social welfare staff 4)

Moreover, most provinces do not offer any assistance for male victims of trafficking. Recently, a number of trafficked males were officially recognised and rescued, but they received very limited support. In all the research collection sites, there were no cases in which a male victim had been supported in their recovery at a temporary shelter.

Pacific Links Foundation supported MOLISA to establish an “Open House” in An Giang (DOLISA An Giang 2014).
Essentially, they only receive minimal assistance to return home, including accommodation and food for a few days, as well as transportation. Participants explained that “males were less vulnerable than females” and “men could reintegrate into communities quickly on their own” (Women’s union 4; Social welfare staff 4). There is a gendered dimension to the victim support regime operating in Vietnam, whereby it is easier for women to be recognised as victims of trafficking and receive support, but much more difficult for men. There has been considerable critique of the over-emphasis in the *Trafficking Protocol 2000* on trafficking for the purposes of sexual exploitation (Dragiewicz 2015). This had led to a prejudice against supporting other victims of trafficking, such as young men trafficked for the purpose of forced labour.

6.2.4 Medical and Psychological Support

Zimmerman and Borland (2009: 16) found that most trafficked people “are exposed to health risks before, during, and even after the period of exploitation”. These health risks may include: physical health problems, such as death, contusions, cuts, burns, and broken bones; mental health concerns, including suicidal ideation and attempts, depression, anxiety, hostility, flashbacks, and re-experiencing symptoms; sexually transmitted infections; unwanted pregnancy; poor reproductive health; and drug or alcohol addiction (Zimmerman and Borland 2009: 17). Therefore, medical and psychological support for victims upon return is significant. Under Vietnamese law, those supports are described in Articles 34 and 35 of the *Anti-trafficking Law 2011*. Trafficking persons can receive support during their stay at victim support establishments (VNA 2011: Article 34, Article 35).

For medical support, DOLISA cooperates with the DOF and local governments to assist victims who are staying in the support centres (Social welfare staff 1, 5). All trafficked persons staying in the shelters receive funding for the treatment of non-serious illnesses. If victims have serious diseases, social welfare staff and shelter managers can contact provincial health services and hospitals to provide health examinations for them or to treat their health problems. As social welfare staff explained, only some types of trafficking victims are sponsored for medical expenses by government funding. They include
members of families under the preferential treatment policy; families on or just over the poor household list; and victims who had no relatives. The payment is equal to the basic standard of public medical insurance (Social welfare staff 1, 5). A local staff member who is responsible for running a shelter stated:

Victims of sexual exploitation and forced labour had many health problems. When they got common sick, we [social welfare staff] would pay for the medicine … When they had serious health problems, we advised them to go to hospitals. In some cases, we paid for the health treatment, for example if the people were in low-income families. (Social welfare staff 5)

In a selected province, the provincial VWU cooperates with other agencies to establish public funding which is used to help disadvantaged families and crime victims. Recognising the importance of health support to trafficked persons, budget managers use the funding to buy medical insurance for disadvantaged victims. Although the funding is only set up in some localities it has a significant effect on the medical support provided to trafficked persons:

We [women’s union staff] set up public funds in some communities. Anti-trafficking departments would solicit the sponsorship from local business sectors and individuals. For example, we established a “Businesswomen Budget”. Successful women [who were wealthy and good at doing business] and other people donated money and items to the fund. We also had “piggy banks” in which local women or attendees at neighbourhood meetings contributed to the funds … We could use the money to buy health insurance for disadvantaged people and trafficked victims. (Women’s union 3)

In victim support centres, psychological support is provided by experts and staff of DOLISA and the VWU. As described by interviewees, the common psychological problem experienced by victims is depression. In those cases, specialists from support centres spend time: listening to details of victims’ distress and concerns; discussing their problems,

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68 The preferential treatment policy was accorded to families who had war-dead, disabled military men or women, aged lonely people, and so on.

69 The programmes used piggy banks to keep money which was contributed by the public. Periodically, people smashed the piggy banks and used the money for public purposes.
needs, and strengths; and helping them to identify the best solutions (Social welfare staff 5; Women’s union 1). A government staff member said:

We listened to victims’ problems. We provided necessary information about how to cope with stress and what benefits of support were. Then, we encouraged victims to receive assistance. Social welfare and women’s union staff could help victims in many cases. But in some cases, we needed counsellors. (Social welfare staff 5)

**Challenges of providing medical and psychological support**

Despite the benefits of this approach, study participants reported limited access to medical and psychological support due to the lack of facilities, funding, specialists, and close coordination between government agencies. In most provinces the majority of victims who do not stay in victim support centres receive very limited physical or psychological support (Social welfare staff 4; Women’s union 5). Under national policies, those trafficked persons cannot access free or subsidised medical and mental assistance. Anti-trafficking actors, therefore, cannot use the government budget to cover the medical and mental care. Research participants admitted that although many trafficking victims accommodated outside the shelters have medical problems they are left untreated. A member of a victim support programme demonstrated the difficulty in supplying medical assistance:

Law and policies did not require us [social welfare staff] to examine and treat diseases for victims who returned to the community. Thus, we could not take them to hospitals. No one paid for that. If they wanted treatment, they had to pay by themselves. (Social welfare staff 4)

The psychological assistance for victims in communities is not included in support service packages. Basic mental assistance is provided for only a few trafficked persons. As an interviewee explained, when contacting some trafficking victims, they recognised that the individuals “had been haunted by the past” and “were pessimistic about the future” (Women’s union 3). Some state actors volunteered to provide counselling for them as one interviewee explained:

Many trafficked people were stressed and worried about the past or traffickers. We [women’s union staff] and social welfare staff came to their houses and gave
them advice. That’s all. We could not ask counsellors to help them. The anti-trafficking budget did not pay for that. (Women’s union 5)

Moreover, even when accommodated in victim support centres, many trafficked persons cannot access adequate medical care due to lack of funding and health care facilities. The medical allowance for non-serious diseases is only 50,000 to 100,000 VND (USD 2.5 to 5). The medical assistance cannot meet victims’ needs (Women’s union 2; Social welfare staff 2). Acute or infectious diseases are treated in hospitals. The problem is that many victims cannot access the government funding for medical treatment. If trafficked persons are not the members of families under the preferential treatment policy or members of families on or just over the poor household list government agencies cannot pay for the treatment. Similarly, in shelters, psychological support is ineffective for victims who experience acute mental illness or distress. Interviewees explained:

Government policies and budgets did not ask us [social welfare staff] to provide medical support for all types of victims. Medical treatment in hospitals takes a lot of money. Many victims had to pay when they wanted their health problems to be treated. We could not ask the DOF, People’s Committee or hospitals to assist them … We understood victims’ problems, but we could not do anything. (Social welfare staff 4)

I knew that some victims had serious mental problems. DOLISA and VWU officers were not specialists in psychology. And with 100,000 to 200,000 VND [USD 5 to 10] from the provincial budget, we could not ask the right professional to come to help them. In those cases, we tried our best to help them, but some of them went home with existing problems. (Women’s union 5)

In sum, most of identified trafficking victims who return to communities cannot receive free or subsidised medical and psychological care. Even when accommodated in shelters, many victims with physical and psychological problems are inadequately treated. This is similar to the finding of Zimmerman, Hossain, and Watts (2011).

6.2.5 Legal Aid

After being trafficked, victims are often deterred from becoming involved in various legal activities by government agencies. Meanwhile, their understanding of legal regulations is
limited. Ideally the government agencies and victim protection programmes should offer legal advice as a part of the integrated assistance. Under Vietnamese policies, trafficked victims may “receive legal counselling to avoid being trafficked again and legal aid to register residence and civil status, receive support, claim compensation, participate in judicial proceedings and carry out other legal procedures related to human trafficking cases” (VNA 2011: Article 36). Surtees (2013) claims the legal aid in countries of the Greater Mekong Sub-region is restricted, finding that trafficked persons face problems in resolving legal and administrative issues, including: replacing “identity documents and other forms of legal registration”; applying for “civil/birth registration” and “certification as a trafficking victim”; and “other legal issues, such as divorce and child custody” (Surtees 2013: 142-149). Duong (2014) also argues that in Vietnam there are gaps in the provision of legal advice during the investigation and prosecution process where victims of trafficking are involved.

In Vietnam, government agencies can inform victims who are staying in support centres about their legal trafficking status and assistance options. Study participants asserted that many people are not aware of their legal status as trafficked persons and the support that they could be entitled to. DOLISA and shelter staff strive to find out the individuals’ problems as well as notify them of their options and rights in their post-trafficking lives (Social welfare staff 1, 3). This issue is also stated in a conference (MOLISA 2014a). Trafficked persons have to deal with a variety of legal and administrative issues. For example, many victims cannot replace identity documents taken or lost when they were trafficked, and have to initiate the residence/civil registration process for themselves. The lack of legal identification documents could have implications for their integration, including accessing medical care and education, applying for jobs, and receiving other forms of assistance. The procedures for replacing the documents is intimidating and confusing. The service providers, therefore, collaborate with law enforcement to counsel victims to register residence and claim compensation (Social welfare staff 5; Police officer 3). Shelter residents can easily be provided with this information. Service providers interviewed for this research stated:

Some victims lived in our temporary support centres, so we [social welfare staff] met them once every one or two weeks. We explained to them about the support that they could receive in the shelter and community as well as their rights after returning to their communities. (Social welfare staff 3)
Some people were away from home for a long time without notice to local authorities. They also lost personal documents needed for residence registration. They did not know how to replace those papers and register residence. We would get information from the staff of DOJ and DPS and then guide them to do it. The certificate of victims’ identity from our office was also useful for the application. (Social welfare staff 5)

In some localities, self-returned women are also provided guidance about how to apply for identification and assistance. As mentioned in section 6.2.1, the verification of self-returned individuals is ineffective. One of the main reasons for this is that trafficked persons do not have the basic legal understanding of the identification process and the benefits of being officially identified as trafficked victims. The service providers, therefore, have to identify individuals who could be trafficked persons and advise them to report to authorities. The VWU cooperates with DPS to help trafficked women as the following quote explains:

Local VWU organised monthly meetings for women. Through the meetings, we [women’s union staff] collected information about victims of trafficking. We then came to talk to them and encouraged them to report to local authorities … We also asked police officers to advise them where and how the victims should tell about their cases, how they would be supported, and so on… (Women’s union 3)

Challenges of providing legal aid

Those interviewed who work in supporting the reintegration of victims of trafficking claimed that accessing government assistance to self-returned victims is seriously challenging. Many victims are not fully informed about their legal status or rights to assistance (Police officer 4). The communication between local governments and trafficked persons is limited. Service providers do not sufficiently illustrate what it means to be a trafficked person and how to be officially identified as a victim, which is necessary for the purposes of accessing support. Anti-trafficking actors explained that the individuals live in scattered communities and are reluctant to share their trafficking experiences with the authorities. Meanwhile, local staff have made a few attempts to approach suspected victims of trafficking or to apprise them of their rights to support (Police officer 4). In some jurisdictions victims are not given helpful advice on solving their legal and
administrative problems. For instance, many trafficked persons experience difficulties in registering their children for birth certificates or initiating divorce proceedings (Women’s union 4). Not having an official identity, with official birth and marriage certificates for example, places returned trafficking victims in a position of disadvantage. Anti-trafficking actors emphasised:

> Many trafficked persons who returned by themselves were not advised to contact support organisations. Only when we discovered a trafficking network, we had victims’ information. When I interviewed them, they said that local authorities had not known their problems or advised them to report to anti-trafficking agencies. Victims did not know the assistance that they could be entitled either. (Police officer 4).

I [a women’s union staff member] know a woman who had a baby while trafficked overseas. The child did not have a birth certificate … Registration of that child was complicated. For a long time after returning, she did not get any advice from local authorities and could not get the certificate either … I met her in a mobile counselling [service]; I gave her the right info and contacted some government staff to help her. Now, the child has a birth certificate and can go to school like other children. (Women’s union 4)

Another challenge is that trafficked persons do not receive the necessary support in criminal proceedings against their traffickers. In some criminal cases victims are involved in the procedure. They want to provide evidence for the prosecution and make compensation claims. The problem is that some of them are concerned about their proper roles, rights, and responsibilities. In other circumstances, trafficked persons are apprehensive that their activities during the trafficked period, for example illegal migration or prostitution, could be criminalised. They are also fearful of the bureaucratic legal regulations and authorities. The provision of legal aid in those cases is very critical. However, as affirmed by both a study interviewee (Social welfare staff 4) and national conference (MOLISA 2014a), legal information from agency staff is insufficient and unclear. An actor involved in the repatriation of victims explained how victims are fearful of being labelled and treated as offenders by the authorities:

> Some victims worried that they would be sent to prison because they were exploited as prostitutes. That’s why they did not talk to the authorities or want to
provide evidence in court. When they were involved in a trafficking case as victims/witnesses, they did not know their rights and duties … Social welfare staff and social workers were not helpful because the staff were not regularly updated about prosecution policies. Members of the police tried to collect evidence related to trafficking cases rather than informing victims about their rights. (Social welfare staff 4)

Moreover, victims cannot easily access updates about the current status of their criminal cases. The aim of this information is to familiarise trafficked persons with the legal proceedings and to allay their stress and anxiety. In some jurisdictions law enforcement officers or prosecutors are not willing to provide the information for particular groups of victims. Service providers of other organisations, including support programmes, shelters, and social workers, also only receive restricted particulars so that they cannot help the trafficked persons (Women’s union 4). Relating to legal representation, interviewees revealed that most victims have no financial means to hire a lawyer who could advise them throughout the criminal proceedings, nor is there any state budget available for legal counselling (Social welfare staff 2; Border guard 1). A women’s union staff member confirmed:

During the proceedings, police officers and prosecutors did not want to give information about the justice process to victims and us. Although trafficked persons had to see those staff members many times for interviewing and providing statements, they still did not receive updated information about the status of their cases. We also lacked news and could not help the victims. (Women’s union 4)

In sum, trafficked persons who stay in shelters are informed about their legal status and assistance options. In contrast, only a small number of self-returned victims can access that information. The government agencies do not pay the necessary attention to victims’ legal and administrative problems. Related to the criminal proceedings, those interviewed were firmly of the view that individuals cannot easily access updates about the current status of their criminal cases, their rights, and responsibilities, while most of them have no financial means to hire legal representatives.

6.2.6 Training and Financial Support
As discussed in Chapters 3 and 5, poverty and limited vocational skills are the most important aspects influencing the trafficking situation in Vietnam. In a 2013 study, Surtees finds that in countries of the Greater Mekong Sub-region in general, and Vietnam in particular, there are many economic problems which trafficked persons face before, and as the result of, trafficking (Surtees 2013). Accordingly, the central element of successful reintegration is improving victims’ economic conditions as well as occupational opportunities. However, the available financial support does not satisfy victims’ needs and, therefore, cannot improve their living conditions (Duong 2014).

Under Vietnamese policies, support from the government includes educational and vocational training, a short-term allowance, and loans. The support strategies are outlined in the Anti-trafficking Law 2011. Regarding “support of educational training”, victims who are minors in poor household families “shall be provided with tuition fees, expenses for purchase of textbooks, and school items for their first school year if they continue their schooling”. Trafficked persons shall also be taken into consideration for the “provision of vocational training” when “they return to their areas and they are poor household family members” (VNA 2011: Article 37). The law requires that trafficking individuals returning to their regions shall be “once provided with a short-term allowance for overcoming difficulty if they are poor household family members”. Loans to victims shall be “taken into consideration in accordance with the law if victims are in need of capital for production or business” (VNA 2011: Article 37).

Challenges of providing training and financial support

The first financial support available to trafficked persons is a short-term allowance. Under Vietnamese policies, only impoverished family members are eligible and can only receive the assistance once. Agencies request that individuals submit papers which are compulsory for the allowance claim. Interviewees asserted that this support demonstrates the government’s efforts to assist victims. It is also critical to the reintegration of many trafficking victims (Women’s union 2; Social welfare staff 1). Similar statements are also affirmed in government reports (SC 2015; MOLISA 2015). However, the agencies can only provide an allowance that is equal to the minimum amount of money specified in the
national regulations. The assistance cannot help individuals overcome difficulties, so many of them do not request the support (Police officer 2; Social welfare staff 1, 5). Participants explained:

Before 2010, official victims received a one-off support which was 750,000 VND [37 USD] as stated in Circular 116/2007. After that, Circular 113/2010 and Circular 134/2013 specified that the individuals could get 1,000,000 VND [50 USD]. That money was helpful for poor people in rural areas and remote villages. They could buy food and necessary items … However, if they lived in towns or cities, the allowance would be enough for only one or two weeks. (Social welfare staff 1)

[…] They [trafficked persons] got 1,000,000 VND for the one-off short-term support. It only met the very basic needs of some people … To receive the money, official victims had to submit some documents. We [the government agencies] guided them to do that. The process would also take time. So, some of them did not ask for the support. (Social welfare staff 5)

Although the Anti-trafficking Law 2011 and other regulations state that trafficked persons can request a loan from banks, this policy is ineffective. As interviewees explained, many victims decided to migrate because they wanted to improve their disadvantaged economic situation. After being trafficked, their financial conditions had further deteriorated. Economic issues, therefore, are considered to be primary causes hindering a successful reintegration. Economic assistance is an essential need upon their return home. However, the financial support in practice seems to focus on disadvantaged people rather than trafficked persons. Only victims who are poor household family members can borrow capital from domestic funding to set up businesses. Anti-trafficking actors admitted that individuals who are not on the poor household family list cannot get preferential bank loans (Women’s union 3; Social welfare staff 1, 2). Although the government cooperates with some NGOs to run support programmes, only a small number of victims can reap finance assistance (as discussed in section 6.4). Some local governments have also established social budgets which comprise of public contributions. The funds are used to assist trafficked victims (Women’s union 3). Support agents interviewed confirmed that:

70 The regulations include Circular 134/2013/TTLT-BTC-BLDTBXH; Circular 113/2010/TTLT-BTC-BLDTBXH, and Circular 116/2007/TTLT-BTC-BLDTBXH (see section 6.2.3 for more information).
If trafficked persons were not members of the low-income families, they could not borrow money from the VBSP without collateral. As I know, some people not on the list [the poor household list] also had economic problems. They needed to be assisted, but the local government could not help them … Victims sometimes had to borrow money from other people or private creditors with much higher interest rates than the bank. (Social welfare staff 2)

The financial support for victims run by government agencies was similar to other economic empowerment programmes. It focused on poor people, not all trafficked persons. In our province, we had to call help from the public … We had the “Businesswomen Budget” and “piggy banks”.71 Victims could borrow money from the budget without an interest rate and collateral. (Women’s union 3)

As the previous discussion argued, the empowerment programmes for disadvantaged people face significant challenges. Due to limited inter-agency cooperation the financial support for victims also encounters problems, including a lack of business training, ineffective economic plans, and inadequate monitoring of economic empowerment (Police officer 1; Social welfare staff 1). Interviewees for this research project expressed that the government departments and banks do not offer business training for borrowers. Many trafficked persons who have low levels of education cannot run a sustainable and profitable business independently. In many cases, their plans are not tailored to the local economic environment; they fail to set up a business and face severe financial ramifications (Police officer 1; Social welfare staff 5). Moreover, responsible agencies do not monitor the economic empowerment plans. They cannot identify any additional needs or problems of beneficiaries that arise during the reintegration process (Women’s union 2; Social welfare staff 1). Some service providers of the NPA commented:

As I know, some local women’s union staff helped trafficked women in raising cattle, poultry and growing plants [agricultural plants]. Some actors could also give advice on setting up and running small businesses… Other services providers, for example, DOLISA and the DOF did not collaborate with the VWU to do that [to help victims in producing business plans or objectives]. (Police officer 1)

71 See section 6.2.4 for more information.
In many localities, the public partnership to improve victims’ economic status was not close. Local agencies, including DOLISA and the VWU, worked quite independently. The assistance [the staff guidance for trafficked persons on how to use the loans] depended on each staff member, for example their working experiences. Nor could one keep an eye on the victims constantly. (Women’s union 2)

During the reintegration process trafficked persons can also access support for educational and vocational training. Similar to some support strategies, both types of assistance are only provided for disadvantaged victims. The individuals can receive tuition fees for their professional training courses. Meanwhile, minors can only access payment for school fees, textbooks, and items for their first academic year. This means that victims have to pay for their transportation and subsistence needs during the training courses. However, as indicated by the respondents, many trafficked persons cannot cover the living expenses for that period. They are also unable to earn money while training. They cannot maintain or improve the economic well-being of their families. As some public servants explained:

Formerly, trafficked persons only received 1,000,000 VND [USD 50] for the vocational training. Now, the tuition fees are free of charge. However, many victims did not attend the course because they could not pay for food and travel expenses … In the last two years, there were only two victims who accepted the support [the vocational training]. Others preferred to find a job and earn money immediately. (Social welfare staff 4)

The government budget only paid for the first school fee, but most of the minors needed to go to school for a few years. Victims did not want to go to schools because their families could not pay for living expenses … The individuals wanted to earn money to help their families and pay their debt. (Social welfare staff 2)

Moreover, inter-agency cooperation faces some challenges in providing effective vocational training. Firstly, vocational support is unavailable or limited in many areas. The local authorities do not cooperate with others to erect and develop vocational programmes in their localities. Trafficked persons, therefore, have to attend the training sessions in other provinces (Social welfare staff 2). Secondly, the training does not provide suitable skills to meet the market needs or achieve a satisfactory level of expertise. State actors
admitted that the agencies do not pay enough attention to individual interests. The vocational programmes are limited in scope and job options. For instance, local governments only provide hairdressing, tailoring, or animal husbandry courses for trafficked women (Women’s union 5; Social welfare staff 5).

Overall, there is convincing evidence emerging from the narratives told by those working in the anti-trafficking field that professional training and financial support mainly applies to trafficked persons who are from poor household families. Some of them receive the initial short-term allowance, vocational training, and bank loans for setting up a business. Due to the limited inter-agency cooperation and budgetary resources a large number of trafficked persons cannot access these basic support services. Interviewees’ narratives also provide evidence that the economic empowerment programmes run by government agencies are stretched and challenged.

6.3 EFFECTS OF VICTIM PROTECTION STRATEGIES

It can be seen that a wide range of strategies are applied to protect victims in Vietnam. Despite the shortcomings and lack of resources, the study participants confidently stressed that protective measures have had positive effects on a number of trafficked persons. The close collaboration between agencies is one of the most important factors in swift victim identification. Interviewees stated that victim identification is “the first and primary step of the protection” process. Some people, for instance victims returned from abroad through a government agency, can be verified quicker than self-returnees. Once identified as trafficked persons these individuals can access government assistance and support. Because most victims have physical, psychological, economic, as well as other concerns, the government protection can limit the risks of reintegration and support the reintegration process (Social welfare staff 1, 3; Police officer 5).

Government assistance, including support for essential needs and travelling expenses, legal aid, and medical and psychological support, reduces difficulties for victims during the rehabilitation stage. For example, having to pay for living expenses and medical costs can lead to indebtedness for trafficked persons. Victims who are assisted with essential needs and medical care in the shelters can have a safer and healthier living environment. Psychological support is also critical to individuals who are anxious and depressed. Anti-trafficking actors explained:
Many trafficked persons did not have money when they returned. They could not buy some basic items for their living. Some of them also did not want to come back home immediately … The support for food, clothes, travel tickets, and so on in the shelter could somewhat limit victims’ difficulties. (Social welfare staff 1)

Medical care was important for victims’ recovery and rehabilitation. The individuals who got the support did not have to pay for the medical costs. Good health also helped them back to work and earn money … The encouragement from experts and the families also reduced the stress, anxiety, and depression of some trafficked persons. They felt relief and had fewer concerns after talking to us. (Social welfare staff 5)

Legal aid was also reported to be an important strategy for protecting victims’ rights and benefit. When counselled by professionals, some victims then understand their legal trafficking status; they know how to claim for government assistance and solve legal or administrative issues:

After talking to us, trafficked persons knew their status to access the support services. They were not nervous of requesting the assistance anymore… Some victims were successful in replacing the identity documents and registering for the residence. Then, they received money from the government and attended a vocational training course. They also got a job and borrowed money from the VBSP. Without the documents, they had nothing. (Social welfare staff 3)

In the long term, educational and vocational training, as well as financial support, can provide some trafficked persons with opportunities to improve and develop their household’s economy. For example, as Vietnam is an agricultural country, the micro-credit loans can help the poor returnees to promote a small business or agricultural production. Measures such as this prevent their re-victimisation. As one actor described:

Typically, victims in the countryside who could borrow money from banks use the loan to raise pigs, chickens, and cows or grow agricultural plants. A few of them set up a business, for example, small haircut, tailoring shops, and restaurants. Many people could help their families and pay the debt. (Women’s union 3)
In contrast, a large number of victims are still vulnerable and cannot integrate into the local communities successfully. As 60 per cent of trafficked persons are self-returnees and the identification of these people is challenging, a majority of victims are not officially identified. Under the national policies, these individuals cannot request the appropriate assistance, including vocational training or micro-credit loans (Social welfare staff 2; Police officer 1). Moreover, because of the sluggish victim identification process, the assistance process of some cases is delayed for a few years (Police officer 4; Border guard 4). Most of the provinces cannot offer comprehensive services due to a lack of resources and funding. As a result, a huge number of victims are unassisted or inadequately assisted (Women’s union 1; Social welfare staff 1). This interview finding is consistent with information in local government reports (DOLISA Bac Giang 2014; DOLISA Tay Ninh 2014) and the findings of Duong (2014) and Surtees (2013). For example, in one research site, the authorities identified and received 205 trafficked persons from 2011 to 2014. However, only 59 people received support for essential needs and travelling expenses, and were provided with a short-term allowance. The number of victims who attended vocational training sessions was only seven.

Some interviewees revealed that medical challenges impede the success of rehabilitation and reintegration for many victims. Firstly, people who are unofficially identified and/or inadequately assisted have to pay for their medical treatment costs. This leads to further economic problems and constrains the integration process. Secondly, remaining physical problems can inhibit trafficked persons’ capacity to work. Lastly, health problems have adverse effects on victims’ psychological states, including anxiety and feelings of hopelessness. These mental problems also have a grave impact on victims’ post-trafficking lives, including their recovery and psychosocial well-being. Some participants expressed:

[…] In some cases, the medical care cost victims a lot of money. Some of them had to borrow money to pay for the hospitals. They got into debt … Some people had health problems, for example, gynaecological infections, back pain and so on, but they did not treat the issues. They were not well, so they could not find a good job or keep their work stably. (Social welfare staff 4)

If victims had weak health, they not only had to pay for the treatment but also could not work well to earn money. Some of them were stressful and hopeless.
They lacked self-confidence and self-esteem. The negative thoughts could even affect their future more than the health problems. (Social welfare staff 2)

Another issue of the reintegration process is that the majority of victims cannot overcome their financial difficulties and hardship. It is challenging for individuals who do not acquire financial support to improve their economic conditions. Poverty, which leads to an inferiority complex and disappointment, can delay the reintegration process. Victims also experience failure in using the micro-credit loans when the assistance is not connected with professional training; those people cannot recoup the initial investment. Financial issues can lead to further disadvantages as the following comments demonstrate:

 [...] victims had many difficulties, but they cared about financial problems the most. It was very hard for a big number of trafficked persons who did not receive any funding support to establish a new life. The one-off support was not enough. The individuals got into debt and stress which were similar or even worse than the situations before being trafficked. Some of them had to leave their homes again. I worried that they could be re-trafficked. (Social welfare staff 2)

 [...] Without the governmental assistance, many victims could not use money borrowed from the VBSP effectively. Their plans for activities were ill-conceived. When the end was unsuccessful, they could lose all their money. (Police officer 1)

Moreover, the limitations to protect victims’ physical safety and privacy, as well as providing legal aid, also suppress rehabilitation and reintegration outcomes. The interviewees stressed that some trafficked persons are not confident in pursuing legal cases to accuse traffickers and claim compensation. They are also apprehensive about being menaced by trafficking offenders (Social welfare staff 4; Border guard 1). Another problem is that the victim’s autonomy in their reintegration is undermined by certain regulations and procedures. For example, the presence of authorities at victims’ communities when trafficked persons return to their home sometimes attracts the attention of local people; hence, the formal receipt violates individuals’ right to their privacy (Police officer 4). This can also lead to stigmatisation and inhibit their repatriation.

Overall, it can be seen that trafficked persons who come from poor household families can receive a broad range of protection strategies. The measures improve their physical and psychological conditions as well as their economic status. The rehabilitation and reintegration of some people, therefore, is successful. The assistance also prevents them
from being re-trafficked. In contrast, the protection measures have not reached most of the trafficked persons and helped them to overcome difficulties. Many people who were trafficked domestically or who are self-returnees are not officially identified as victims. They cannot access the government support. Due to the limited inter-agency collaboration and financial resources many victims face difficulties, including physical and psychological problems, legal and administrative issues, and financial challenges. As a result, a large number of trafficked persons still confront ongoing vulnerabilities and disadvantages. They cannot reintegrate successfully into the communities and risk being re-trafficked.

6.4 SUCCESSFUL REINTEGRATION MODELS

The Vietnamese Government has established good cooperation with IGOs and NGOs to run support programmes. These organisations included the IOM, UNICEF, Agir pour les Femmes en Situation Precaire (AFESIP), The Asia Foundation, World Vision, Alliance Anti Traffic, and Pacific Links Foundation (MOLISA 2014a; SC 2015). These institutions provide human resources and funding to establish assessment centres/shelters and implement reintegration programmes. The consensus among respondents was that this collaboration helps to fill the gaps in protecting trafficked persons in Vietnam (Social welfare staff 1; Police officer 1; Women’s union 2). This information is also mentioned in a national document (MOLISA 2014a). For example, some assessment centres/shelters/safe houses that have been established in Lao Cai, Mong Cai, An Giang, Ho Chi Minh, and Can Tho provide trafficked victims with food, accommodation, legal aid, medical treatment, and educational and vocational training (MOLISA 2015). This information is also highlighted by Hoang (2013) and Duong (2014). Duong finds that “the safe house residents were provided with good services and a healthy living environment under the management of the house manager and social workers, who were available to help them whenever they wanted. At the safe house, the residents were also trained with knowledge and information about human trafficking” (2014: 143). Similarly, the assessment centre in An Giang provides “necessary services-psychosocial support, health care, immediate needs, and education and financial support” for trafficked women (Trees et al. 2012: 44). Moreover, some effective services are also supplied in the communities where group of trafficked persons are living, as stated by interviewees (Social welfare staff
This section investigates the self-help group—a successful reintegration model that has been running in two research sites.

The model was first developed by MOLISA and sponsored by IOM in 2008. The first group was established in Bac Giang in 2008 and then expanded to Tay Ninh in 2011, and to Thua Thien Hue (in the Middle of Vietnam) in 2012. There is no legal definition of “self-help group” and its explanation in reports or training documents is quite general. In a 2012 report self-help groups are defined as follows:

The self-help groups were established to provide assistance to trafficked persons who are from provinces without assessment centres (or victim support centres) and have returned to their homes without support or services. The facilitated self-help groups provide psychosocial support through monthly meetings, where women with similar experiences share what happened to them, often [it is] the first time they have talked about their experience. The women are identified by an outreach team and their involvement is voluntary. The self-help group model also includes support through a reintegration plan and financial assistance. (Trees, Vu and Tran 2012: 31)

The original purpose of the model is to provide support for trafficked women, not men or children. However, the identification of trafficked men has led to the need to establish self-help groups for these victims. Currently, there are nine self-help groups (one for men) in three provinces with 102 women and 10 men participating (MOLISA 2014b: 3). Participants stressed that the model is extremely beneficial to trafficked persons. Firstly, the greatest benefit of group activities is helping to get victims’ self-confidence, self-efficacy, and self-esteem back. The groups meet monthly to discuss issues, such as life skills, trafficking and prevention, reproductive health, and safe sex. The individuals may also share personal, life, and family information, and get advice from their peers to overcome difficulties. The meetings are supported and monitored by provincial social welfare staff. It is believed that these group activities are extremely beneficial to participants, as illustrated by one social welfare staff member:

The self-help groups help victims to be more confident about their future. They learn life skills from other peers. This helps them to understand the value of life and know how to overcome obstacles. Moreover, they can build up and expand
many social relationships so they share experiences with their peers and help each other. Now, most of them are active in recognising and dealing with difficult situations. (Social welfare staff 3)

Another example of this benefit was explained by a group organiser:

Self-help group members can integrate into communities more easily than other victims. They are confident in sharing their experiences and thoughts in the meeting or training course. (Social welfare staff 5)

Secondly, the model provides valuable economic assistance. Each group member receives financial support from the IOM for their reintegration plans (around 150 USD before 2012 or 350 USD since 2012). While financial support for victims in Vietnam is very limited, as mentioned previously, this support is highly significant for them to start their own businesses. Moreover, discussion of business plans and financial management between group members in the meetings helps them to develop and implement their plans. As a result, many of them are able to raise additional income, pay off their debts, and secure their family’s livelihood. It is believed that financial support for self-help group members is an important factor to help victims to truly integrate into communities and prevent re-trafficking. A government staff member noted:

The group meeting helped victims to gain additional knowledge about small business, farming, and breeding. Therefore, they could earn an income and improve lives for them and their family. (Women’s union 3)

Finally, other advantages of the groups include using victim experiences to provide trafficking information and support in home communities. In three provinces that have self-help groups, group organisers and members have been successful in identifying potential trafficked persons and providing information. While social welfare staff can help self-returned persons to complete necessary documents and bring the case to court, counselling from self-help group members is more effective than other types of support, as one interviewee explained:

Trafficked victims are often ashamed, embarrassed to share their experiences with their family members, community, or governmental staff. However, they feel much better about discussing this with people who have similar situations. It is
easier for them to talk about their trafficking case and their needs. (Social welfare staff 1)

Self-help groups are also sources of information and its dissemination for education. Group members are powerful collaborators in education networks and awareness campaigns. In fact, many people have economic problems and they think that working in another country is paradise. They may trust traffickers, but not government staff or social media. In those cases, victims in self-help groups become empirical examples of human trafficking. When they participate in awareness raising campaigns their explanations about the risks of being trafficked are easily accepted by communities. A social welfare staff member illustrated this:

Public awareness of human trafficking is clearly increasing after seeing real examples of self-help group members. The community is now vigilant against traffickers. Therefore, many people consider working or running a small business in their home town. (Social welfare staff 5)

In conclusion, the self-help group model is effective in supporting trafficked persons, including psychosocial support, counselling, and access to information and referral services. Financial support and group discussions provide important opportunities for victims initiating small businesses. In addition, group members become competent collaborators in providing and disseminating information and community education about human trafficking.

6.5 DISCUSSION

Hoang (2013) states that Vietnamese policies have achieved significant advancements. In trafficking victim support the progress is represented “not only in the establishment of a specific anti-trafficking law under the Vietnamese framework but, more noticeably, in the incorporation of a protection regime for trafficked persons into this national law, as well as the Vietnamese anti-trafficking framework” (Hoang 2013: 264). The findings outlined in this chapter show that the Vietnamese Government has applied a number of protective measures from the victim identification stage to the community rehabilitation and reintegration stages. Both national and local study participants agreed that during the implementation of the current NPA, the assistance and support have achieved better
outcomes than in the previous period. All different types of trafficked persons, including individuals of internal or transnational trafficking, have been identified and provided support. Inter-agency cooperation is an essential element contributing to the successes (Police officer 1; Women’s union 3; Social welfare staff 2).

Among the protective strategies, the research findings show that the most significant success is the focus on providing support for essential needs in victims’ support centres and economic empowerment in communities. At assessment centres/shelters, trafficked persons are provided living and travelling expenses before returning to their communities. Although the allowance value does not satisfy victims’ demands, the interviewees still believed that the safe and secure environment in the shelters is critical to many victims, especially disadvantaged people and individuals who have physical and mental issues. Support for essential needs needs to be expanded widely across the whole country. While Duong (2014) and Surtees (2013) examine the assistance measures in shelters sponsored by NGOs, little information on the support packages in shelters run only by the Vietnamese Government is available in published research. This thesis has explored the necessity and benefit of a short-term allowance, loans, and educational and vocational training. Furthermore, the current study also finds that anti-trafficking agencies collaborate with local authorities to identify trafficked persons who are able to receive training and financial support as stipulated in national policies. As a result, some victims can recover successfully from trafficking experiences and reintegrate successfully into their communities of origin.

Vijeyarasa (2010) has claimed that there is a dearth of literature on rehabilitation and reintegration of trafficking victims in Vietnam; these research findings could help fill these gaps by exploring the limitations of current protection strategies, as well as the benefits of inter-agency partnerships. Firstly, it is clear that there are some challenges encountered during the receipt and verification of trafficked persons, especially for self-returned people. These limitations include a lack of information exchange between the authorities, difficulty in determining what exactly happened in trafficking cases that occurred overseas, and delays in the government receiving trafficking victims. These findings underpin the argument made by Duong (2014) and Hoang (2013) that the statistics on the numbers of official trafficking victims underestimate the problem. Secondly, the government has paid limited attention to supporting victims’ physical safety and privacy. For example, during criminal proceedings, many victims and their families face risks posed by traffickers, but
receive inadequate protection from government agencies. There is no assistance available if individuals and their relatives want to relocate to a safer place. As a result, trafficked persons often have to live in an unsafe environment and face many difficulties during their rehabilitation and reintegration. Thirdly, the research has also clarified the challenges of providing medical and psychological support, including limited access to health treatment for infectious diseases and assistance with mental illness. The government’s approach to providing physical support, for example, is consistent with Duong’s (2014) evaluation.

Regarding training and financial support, respondents in this study reported that financial assistance provided by the government focuses on disadvantaged people rather than trafficked persons in general. Due to the limited inter-agency cooperation and budgetary resources, only a small number of victims receive vocational training and financial support. This study also found that the economic empowerment programmes run by government agencies do not work well because of the lack of business training, ineffective economic plans, and inadequate monitoring of the programmes. The support, therefore, does not satisfy rehabilitation and reintegration requirements. While Duong (2014) and Surtees (2013) discuss some aspects of the protection measures, there is no available information on government partnerships in providing training and financial support.

Surtees (2013) finds that in countries of the Greater Mekong Sub-region the access to protection measures was limited because of inadequate provision of information or barriers around administrative requirements and procedures. In the context of Vietnam, this thesis has also explored the limited support services for victims, especially male trafficking victims. Many individuals who have returned to their communities are not fully informed about their legal status and the criminal proceedings of their cases. For example, in criminal trials, many victims do not know how to claim compensation for the damage. However, government staff are not willing to provide the necessary information and advice to the trafficked persons. There is also a lack of beneficial information and guidance on legal and administrative issues. Moreover, there is a gap in support services for male victims. In the period from 2011 to 2015, while 2,173 trafficked women were assisted to reintegrate back into their communities, local agencies in Vietnam only supported 40 male victims (MOLISA 2015). Research participants also admitted that trafficked men only access limited assistance, including support for essential needs through a short-term allowance (Women’s union 4; Social welfare staff 4).
The support programmes sponsored by NGOs could fill the gap created by the lack of government capacity in protecting victims (Duong 2014; Hoang 2013). This research also explored effective models that have been implemented in some areas, including shelters/safe houses and self-help groups. The groups are effective because they help victims build self-confidence, improve victims’ self-efficacy and self-esteem, provide valuable economic assistance, and use victim experiences to provide trafficking intelligence to communities, which is helpful in preventing further trafficking. Peer support groups are an effective practice that could potentially be expanded elsewhere.

6.6 CONCLUSION

A wide range of strategies are applied by inter-agency teams to protect victims in Vietnam. Respondents in this study identified several successful strategies for providing services to trafficking victims. The first successful activity is the identification of rescued victims and trafficked persons returning from abroad through an overseas Vietnamese representative agency or under international bilateral agreements. Under the collaboration between provincial DOLISA, the DPS, DND, VWU, DOF, and local governments, victims accommodated in shelters are supported with crucial needs, including living and travelling expenses, medical treatment of common illnesses, psychological support, and legal aid. Disadvantaged trafficked persons also have opportunities to receive a short-term allowance, educational and vocational training, and financial support. Moreover, the Vietnamese Government has established good cooperation with IGOs and NGOs to operate some assessment centres/shelters/safe houses and other support programmes in origin communities.

However, research participants also identified challenges involved in providing protection services. These include: a lack of information exchange between the authorities in victim identification, difficulty determining what exactly happened in trafficking cases that occurred overseas, delays in government receipt of trafficking victims, limited services to support victims’ physical safety and privacy, limited access to health treatment for infectious diseases as well as mental health assistance, a lack of job training, and ineffective economic empowerment programmes. The weakness of inter-agency cooperation was indicated as one element that affects the restricted access to support
services for victims. The next chapter discusses some recommendations for improving partnerships to prevent human trafficking and protect victims.
Chapter 7: Recommendations

7.1 INTRODUCTION

Important objectives of criminological research are identifying the root causes of crime and victimisation as well as suggesting appropriate solutions to eliminate risk factors, thereby, for example, preventing human trafficking and protecting future victims. This chapter suggests some solutions to tackle the root causes of human trafficking in the context of Vietnam. Three types of solutions are identified and explained: overall recommendations, recommendations for trafficking prevention, and recommendations for victims’ protection.

7.2 OVERALL RECOMMENDATIONS

7.2.1 Re-establishing the Network for Information Exchange

As discussed in Chapter 5, the network of anti-trafficking agencies created in 2012 at the national level was a successful model of inter-agency cooperation. Interviewees who participated in the inter-agency system suggested re-establishing the anti-trafficking network at the national level. The members should include both agency leaders and specialists from all existing anti-trafficking agencies (Women’s union 1; Police officer 1). At the regional level, authorities also need to improve the partnership’s effectiveness by setting up local networks of service providers. Depending on the conditions in each locality, the network may encompass all anti-trafficking departments or only some key offices. Both national and local staff concurred that the networks must include operational staff who directly deliver collaborative projects (Border guard 1; MIC staff 4). The primary responsibility of the network is to update and exchange information on human trafficking. Furthermore, the members could provide a connection between agencies in implementing anti-trafficking strategies, for example mobile counselling or community-based campaigns. A national actor who is a former anti-trafficking network member recommended:

[…] the network [the system of national government staff] was dissolved in 2013. After that, we did not retain regular meetings and other activities … I still keep contact information for some state actors and call them directly when necessary. However, some actors have transferred to other departments and I do not have a
good relationship with the new staff … I think the government should set up the network again and continue its activities for a longer time. (Women’s union 1)

An MIC staff member also recommended establishing a similar system at local levels, as discussed in the following explanation:

[…] to improve the information exchange, we need to set up a network of local authorities. Members include not only leaders in the SC [Steering Committee] but also some actors who work on anti-trafficking strategies and the cooperation. Those people are very important because they handle daily anti-trafficking activities … Key departments must participate in the system, including the DPS, DND, DIC, DOLISA, VWU and so on. (MIC staff 4)

Research participants also mentioned that the government should disseminate statutes delineating principles of cooperation, methods of network operation, the respective roles and responsibilities of each anti-trafficking agency, and network activities (Border guard 4; Police officer 1). For example, each office currently has different objectives for, and applies different approaches to, dealing with human trafficking. Therefore, networks should organise regular meetings in which members exchange trafficking information as well as share their experiences in fighting the crime and supporting victims. The regulations can help develop a common understanding of the anti-trafficking programmes’ policies and the objectives of the different agencies. The networks will significantly contribute to a connection between parties and build trust and cooperative relationships. One national police officer suggested:

In 2012, we [anti-trafficking offices] had an official memo which defined methods to organise the network’s activities and tasks of its members. If we established both national and provincial anti-trafficking networks, we have to develop a regulation guiding how to organise networks … Depending on local conditions, local offices need to have specific guidance to guarantee efficient operation of the network. (Police officer 1)

7.2.2 Enhancing the Morale and Professional Skills of Staff and Collaborators

Shinkle (2007) argues that capacity building is a critical component of effective trafficking prevention and victim support. However, Vietnamese agencies, as previously discussed,
lack the necessary training courses that should be provided for anti-trafficking actors. In the context of Vietnam, Duong (2014) concludes that government staff lack professional skills, knowledge, and sufficient tools to tackle human trafficking.

Research interviewees affirmed that the low morale and inadequate anti-trafficking skills of many staff were key reasons for the limited results of anti-trafficking strategies (Women’s union 2; MIC staff 1; Border guard 2). Their views were triangulated by government reports which also highlighted this issue (SC 2015; VWU 2015; DOLISA An Giang 2014). At the local government level agencies have many socio-economic development missions, and the fight against human trafficking is not the primary priority. State officers have to address many different responsibilities, not only combat trafficking (Women’s union 2; MIC staff 1). This problem is also investigated by Duong (2014). For example, members of local anti-trafficking steering committees are also members of committees involving other crimes, as well as boards to implement socio-economic missions. Additionally, the financial resources dedicated to fighting trafficking are very limited (MIC staff 4). In these circumstances staff morale is an important element affecting anti-trafficking outcomes. A national women’s union staff member who has worked with many government actors in delivering the NPA for ten years confirmed:

> Our country is still poor and the state budget has to cover many socio-economic programmes, not only anti-trafficking measures. Human resources are limited so many staff are in charge of different positions. Implementing the NPA, therefore, has many difficulties, in the past, right now, and in the future. However, in departments where actors had high morale, the anti-trafficking activities received good results. Otherwise, the outcome was restricted. (Women’s union 2)

Furthermore, the lack of professional skills have an adverse effect on anti-trafficking strategies. For example, officers who have little experience in organising awareness campaigns are tasked with creating awareness activities. Some participants noted that the campaigns in their provinces only provided information, and did not include some of the most effective awareness strategies, such as knowledge competitions and artistic performances. The campaigns, therefore, “did not attract many people” or “had limited influence” (Police officer 5; Women’s union 5). Other strategies to support victims, such as psychological support and economic empowerment, do not achieve their intended results because the staff lack psychological knowledge, therapeutic communication skills,
and expertise in managing micro-credit programmes (Women’s union 4; Social welfare staff 4).

Interviewees therefore recommended that training government actors should be a primary objective of anti-trafficking programmes (MIC staff 1; Border guard 2; Police officer 4). This approach is consistent with the suggestions from other research, such as that by Isaac et al. (2011), Renzetti et al. (2015), and Wilson et al. (2006). Because different anti-trafficking agencies have different responsibilities, and state actors in the same department could have a range of different duties, staff training should provide multiple types of skills and knowledge depending on the needs in the local context (MIC staff 1; Border guard 2; Social welfare staff 2). Training courses for legal aid providers, for example, should focus on legal knowledge and legal counselling competence (Police officer 4; Women’s union 5). Officers who run awareness campaigns need to be trained in project implementation, communication, presentation skills, and staff management (MIC staff 1; Border guard 2). For staff protecting trafficked persons, training should focus on victim identification, psychological support, and legal counselling. The actors also need to gain experience in managing empowerment programmes if they have responsibilities for assisting disadvantaged people and victims to overcome economic difficulties (Social welfare staff 2; Women’s union 4). The following are examples of anti-trafficking actors’ recommendations:

[...] The training courses for officers who run awareness campaigns need to educate them how to develop and implement the campaigns, and how to communicate with different at-risk people. (Border guard 2)

Importantly, shelters’ staff and we [social welfare staff] have to learn how to receive victims and how to gain trust from different types of trafficked persons. We also need to improve [our] knowledge of psychological and legal assistance so that victims can confide in us. The training should focus on social skills and knowledge, such as life skills and financial management skills which we can teach victims when they stay in the shelters. (Social welfare staff 2)

The participants also highlighted the value of practical and participatory methods in the training courses. They emphasised that classes should adopt both didactic and participatory training methods, including lectures, experience sharing, discussions, case studies, problem-based learning, role-play, and practice. These techniques are critical for
Vietnamese officers to achieve the necessary competence in implementing prevention strategies and providing victim protection services efficiently (MIC staff 1; Border guard 2). A state officer who attended some training courses organised by both government agencies and NGOs suggested:

There are not many qualified officers and social workers in Vietnam. One of the reasons is that most of the training courses only use traditional methods in providing information. Those methods were ineffective in improving the necessary skills, for example, counselling or case management … I attended some courses organised by IOM and UNICEF. Using participatory methods, they taught us how to interview victims, organise meetings between trafficked persons, plan support services, among other things. In the courses, they also showed us factors leading to trafficking, the effect on victims, and the complicated reality of the reintegration. I felt these training sessions were critical, and we should apply for courses run by the government (MIC staff 1).

Wilson, Walsh, and Kleuber (2006) argue that “general attitudes that would not promote a proactive and informed response to this crime” are common. In Vietnam, there is a need to raise staff morale, perhaps through regular anti-trafficking network meetings. In most offices, leaders should organise meetings for staff weekly, fortnightly, or at least monthly. In these sessions, authorities could report on their work activities, provide information about outcomes achieved, exchange information, and discuss future plans. Participants suggested that anti-trafficking information and experiences should be distributed and explained in these meetings in a positive manner to facilitate knowledge growth and build on successes. The chairpersons should commend and reward employees' productive efforts in combatting trafficking. Things that are not working also need to be discussed in a non-threatening way (MIC staff 3; Border guard 1). These discussions can arouse enthusiasm among government officers. The regular meetings, therefore, could result in effectively improving the morale.

7.2.3 Mobilising and Allocating Financial Resources for Anti-trafficking Strategies

In the context of resources, research commissioned by the ILO (2005: 49) indicates that “a programme aimed at combating trafficking as well as its implementation and the monitoring and evaluation of the implementation cannot be carried out without adequate
financial and human resources”. Helms (2013) and Aiesi (2010) also argue that a lack of resources may produce stressful working environments, low staff morale, and restrict the breadth of anti-trafficking organisations’ work. The following section discusses how inadequate financial resources are an important factor limiting the outcomes of anti-trafficking strategies. It also recommends possible approaches to address this problem.

Most of the national and local official reports on trafficking in Vietnam have observed that scarce government expenditure and inefficient budget allocation have limited the results of trafficking prevention programmes and anti-trafficking collaborations (SC 2015; MIC 2015; MOLISA 2015; DOLISA Bac Giang 2014). For example, some women’s union staff members who have been working on Component 1 of the NPA (period 2011–2015) explained that the public budget could only cover prevention strategies in a few chosen localities. Only 30 to 40 per cent of communities had activities or awareness campaigns (Women’s union 4, 5; MIC staff 4). Some interviewees stated:

[…] some localities did not have enough money to buy a camera, camcorder, laptop, and so on. Therefore, they could not keep pictures of the campaigns. It limited sharing about prevention experiences and duplicating good anti-trafficking models … When we [women’s union staff] needed specialists to design a campaign or write a speech, we paid them according to the national policies. Due to the low payment, it was difficult to get good experts. (Women’s union 4)

We [MIC staff] could not produce many films on human trafficking because of the low budget. Some TV channels asked us to pay to broadcast at prime viewing times. We could not pay for those times so the programmes had fewer viewers. (MIC staff 4)

Similarly, interviewees (Social welfare staff 1; Women’s union 5) claimed that they encountered difficulties in providing support for victims’ rehabilitation and reintegration due to a lack of funding. These views were confirmed by government reports (SC 2015; MOLISA 2015). Some participants revealed assistance gaps at the shelters because of the restricted resources provided for essential needs, medical care, psychological support, and vocational training. Friesendorf (2007) argues that the limited budget is problematic in terms of providing financial assistance and interactions between government staff and

72 Component 1 of the NPA is “Strengthening information communication and legal education to raise awareness and skills in preventing and combating human trafficking”. 
trafficked persons. In Vietnam, similar problems were affirmed by study participants (Social welfare staff 4; Social welfare staff 5; Women’s union 5). For instance, service providers “lacked the funding to travel to the homes of victims who lived in distant villages” (Social welfare staff 4). Another example is the short-term allowance for overcoming financial hardship. Although the authorities recognised that the small amount of financial support had very limited results, they were not able to provide a higher allowance due to restricted funding from the government (Social welfare staff 5).

To improve this situation the Vietnamese Government needs to allocate a higher budget to anti-trafficking programmes, as recommended by participants (Border guard 2; MIC staff 5; Social welfare staff 4; Women’s union 5) and in national conferences (SC 2012; MPS 2013). At both central and provincial government levels, funds have to be reallocated to high-risk areas and people who need comprehensive services such as awareness campaigns, education, and job training (Border guard 2; MIC staff 5). Study interviewees also suggested that government funding for some protection measures should be available for all types of trafficking victims—not only for disadvantaged individuals (Social welfare staff 4; Women’s union 5). This solution is very consistent with the suggestions from previous studies to allocate government funding for anti-trafficking programmes in Vietnam (Duong 2014; Hoang 2013; Tucker et al. 2009).

Moreover, additional funding sources should also be sought from NGOs and different economic entities (Women’s union 3; Social welfare staff 5). As Trees and colleagues (2012: 48) argue, “government regulations related to supporting trafficked persons are limited and restricted to specific support”; some anti-trafficking measures cannot continue without external funding assistance. Therefore, external funding support would significantly contribute to building, developing, and implementing anti-trafficking activities. Local actors recommended techniques for raising external anti-trafficking funding:

The government fund for anti-trafficking strategies was limited. If there was no support from NGOs, some models could not be implemented. The local governments did not mobilise effective support from the private sector … In my opinion, the government should mobilise the societal resources for trafficking prevention and victims’ support, for example, private companies or businessmen. (Women’s union 3)
[...] authorities should build up public funds sponsored by local business and individuals. At communication campaigns or meetings of local residents, we can obtain contributions from enterprises and individuals … The funds raised could be used to prevent human trafficking and other crimes as well as support victims. (Social welfare staff 5)

7.2.4 Improving Economic Empowerment Strategies

As discussed in chapters 5 and 6, economic difficulties are the main contributing factor to human trafficking in Vietnam. Financial hardship also limits the results of rehabilitation and reintegration processes where the trafficked person’s lack of income continues post-trafficking. Raising the living standards of high-risk people and trafficking victims is therefore an essential component of any anti-trafficking programme. However, economic empowerment strategies cannot be implemented by individuals or any single government agency. The implementation of economic empowerment measures requires close cooperation between multiple government offices. Recommendations for economic empowerment strategies from this study focus on vocational training and financial support.

First, study participants argued that government agencies should provide practical professional training and job placement programmes (Police officer 1; Women’s union 5; Social welfare staff 4). As noted previously, people at high risk of being trafficked and trafficking victims in Vietnam often lack professional skills. However, job training courses are only available for limited occupations. Therefore, interviewees suggested that vocational training should align with at-risk people and trafficking victims’ current abilities and market realities (Women’s union 5; Social welfare staff 4). In each province DOLISA needs to cooperate with the DOF, VWU, and other government departments in inspecting and identifying local job market requirements. Based on these local labour market needs the appropriate vocational training programmes could be designed and offered to at-risk residents and trafficking victims. Market analysis can also assist those individuals to understand which occupations may best match their current skills and employability, as well as help them to decide which training courses to undertake. During job training sessions, trainees need to be provided with not only practical job skills but also employability skills, life skills, and interpersonal skills, as recommended by interviewees (Social welfare staff 4, 5) and in conferences (MPS 2014; MOLISA 2014a). Moreover,
vocational training is only the first step towards job placement or business development. Study participants recommended that government officers should contact local businesses to find employment positions for trainees (Police officer 1; Women’s union 5). These suggested activities could lead to increased employment opportunities for high-risk individuals and trafficked persons, effectively reducing their vulnerability. Some local authorities involved in vocational training courses recommended:

[...] Before running vocational training sessions, local government departments need to examine market needs. For example, they need to contact local companies or industrial parks to understand which types of jobs the market needs. Depending on the results, government agencies should run different vocational training courses which are in line with market requirements … The training also needs to include various types of jobs so people can choose which one is suitable for their skills and abilities … At the end of the courses, government departments also need to introduce trainees to local companies or industrial parks, so learners have more chances to find suitable jobs. (Women’s union 5)

[...] To improve the quality of vocational training for trafficked persons, service providers need to discuss the market needs and victims’ desire with them carefully. Then, we [government officers] advise trafficking victims to choose suitable courses [vocational training courses]. They need tuition fees, living expenses, and travelling expenses paid … During the courses, they are also trained in necessary skills, such as teamwork, organising, communication, problem solving, personal safety, and so on … Anti-trafficking actors need to help them find jobs or run a small business after the training course. It is very important because many trafficking victims do not know where and how they can apply for jobs. (Social welfare staff 4)

Second, interviewees suggested that the government should provide micro-loans as start-up capital to people at high risk of being trafficked and trafficking victims if they want to establish a small business in order to become economically self-sufficient (Social welfare staff 3; Women’s union 4). This recommendation is strongly consistent with suggestions made at previous conferences (SC 2012; MPS 2014) as well as in international research (Surtees 2013; Wheaton et al. 2010). As study participants suggested, micro-loans should not be limited to disadvantaged trafficked persons only. The support should be made
available to any trafficking victim who requires capital to run their business. Micro-loans should be associated with no or low-interest rates. A provincial MOLISA employee recommended that the anti-trafficking agencies, for example, DOLISA and the VWU, could act as surety for victims when they need to borrow money from banks (Social welfare staff 3). To guarantee the loans are used for an appropriate purpose, government agencies could also provide business equipment and supplies rather than cash loans. Additionally, to minimise the financial risk due to an adverse economic environment for new businesses, an economist or experienced entrepreneur could provide training courses or advice on running a business. Such advice, for example, could include how to manage a business through different market situations, how to maximise profit, how to reinvest in the business, and how to solve financial problems (Women’s union 4; MIC staff 3; MOLISA 2014a). Some local government staff recommended:

Anti-trafficking agencies need to cooperate with the Social Policy Bank in considering loan applications of at-risk people and trafficking victims. I think not only poor trafficked persons but also all types of victims should be allowed to borrow money from the bank … The interest rates should be low, for example, from zero to two per cent. If trafficked persons do not have collateral, we [social welfare staff] or the VWU need to act as a guarantor for the debtor. (Social welfare staff 3)

[…] to help borrowers in running a small business successfully, state actors need to provide ongoing support and mentoring for them. Government agencies can organise workshops within communes or have one-on-one discussions with the debtors. Advisors could be state officers or financial professionals … In the workshops, individuals are able to discuss their difficulties and concerns. Counsellors will let them know how to run suitable businesses and deal with challenges. (Women’s union 4)

7.3 RECOMMENDATIONS FOR TRAFFICKING PREVENTION

7.3.1 Strengthening Awareness of Trafficking Issues through Community-based and Mass Media Campaigns
Omar Mahmoud and Trebesch (2010: 175) argue that “awareness campaigns could play an important role in reducing trafficking risks. The incidence of trafficking is considerably lower in regions where awareness of the phenomenon of human trafficking is high”. As discussed in Chapter 5, in Vietnam both community-based and mass media campaigns experience many problems that could be ameliorated. Study participants indicated that the improvement of those campaigns would be a long and complicated process that included multiple different activities. The activities suggested include: updating and exchanging trafficking information, identifying at-risk communities, choosing suitable communication methods, close cooperation across organisations in organising awareness campaigns, and providing practical anti-trafficking skills.

Firstly, anti-trafficking agencies need to frequently update and exchange trafficking information. In some provinces government departments did not have up-to-date trafficking information to use for awareness campaigns due to a lack of close cooperation in information sharing between local authorities (see section 5.2.1, 5.2.2, and 5.2.4). Therefore, both interviewees and government sources recommended that each anti-trafficking office should collect regular and reliable data on trafficking. As recommended by study participants (MIC staff 1; Border guard 5) and government documents (MIC 2015; SC 2012), anti-trafficking agencies need to discuss collected data internally as well as share their data with other offices. This is also consistent with the previous recommendations of Rankin and Kinsella (2011) and David (2006).

Another necessary activity in running awareness campaigns is identifying appropriate target communities. This not only helps to improve campaign effectiveness but also saves government resources. For example, local governments can only choose a small number of areas to raise public awareness about trafficking during each year due to limited resources. Meanwhile, community-based campaigns can only reach a limited number of people in selected localities. For that reason, in each annual anti-trafficking plan, local authorities should identify high-risk communities in their regions and choose suitable target communities in which to raise trafficking awareness each year (Police officer 1; Women’s union 2).

Anti-trafficking awareness campaigns should use multiple communication methods, including: face-to-face communication; group discussions; artistic performances; knowledge contests; publishing printed material, such as brochures, posters, and flyers; and
disseminate anti-trafficking messages on t-shirts, bags, or notebooks (Police officer 2; Women’s union 3). These methods of information dissemination are consistent with the suggestions of previous studies by Shinkle (2007) and The Asia Foundation (2008). Regarding mass media campaigns, authorities have to develop and broadcast television and radio programmes which highlight anti-trafficking news, reports, and documentary films (MIC staff 3). Each type of awareness campaign should be applied flexibly to vulnerable communities, depending on their local living conditions and the capacity of local anti-trafficking offices. Some interviewees also believed that there is a need for a combination of community-based and mass media campaigns (Border guard 5; MIC staff 2). For instance, when organising large community-based campaigns, anti-trafficking actors need to record the awareness activities and broadcast them on television or radio. State actors who run awareness campaigns said:

[...] anti-trafficking messages need to be delivered to communities via interesting ways to attract people’s attention. In the campaigns, anti-trafficking experts should give speeches and answer questions from attendees. Local residences can receive flyers, handbooks, or t-shirts which include trafficking information or short anti-trafficking slogans. Artistic performances, such as performing anti-trafficking songs or plays, will influence attendees. (Women’s union 3)

Some large campaigns run by national agencies have different activities. They should be used as good lessons learned. Authorities should record them and broadcast them on TV, radio, or show them at local meetings. Both local anti-trafficking actors and residences can get the necessary information from the videos. (MIC staff 2).

Regarding ethnic minorities in remote areas, anti-trafficking information should be provided in their languages through speeches at local meetings or leaflets. As interviewees explained, the best way to raise awareness is to use village patriarchs or people with high social status as awareness-raising collaborators. Those people are good at convincing local residents in preventing human trafficking. An actor who runs campaigns in remote villages near the border said:

It is not easy for us [anti-trafficking actors] to persuade ethnic minorities if we cannot speak their language. It should be noted that ethnic minorities always trust their village patriarchs or people with high social status. Therefore, we need to
establish good relationships with those people. Then, we need to provide them with trafficking information, including flyers, handbooks and so on. At local meetings, they will impart that information to local residents. (Border guard 4)

Study participants also emphasised the importance of close cooperation between agencies and individuals in organising awareness campaigns. When making awareness campaign plans, agencies need to consult other office programmes. Anti-trafficking officers must have discussions to allocate responsibilities to each government office in running awareness campaigns through Steering Committee meetings. One women’s union staff member expressed:

It is better if, in one year, my office raises awareness in one district and two or three communes while DND and DPS take responsibilities in other areas. So, up to three districts and nine communes are getting raised awareness. In the next year, we [government office] will choose vulnerable communities in other places to raise awareness … This method helps to save money and Human Resources because it avoids repetition in specific areas [different agencies run campaigns in the same communities in one year]. (Women’s union 4)

One border guard also suggested:

In my opinion, government departments need to inform other offices about their anti-trafficking programmes and awareness-raising plans, including communication methods and places that we [government officers] intend to run campaigns. We should also have further discussions about campaigns and areas where we will work together or separately … Because my province has too many districts and communes, I think different agencies need to raise awareness in various given localities to help avoid repetition … (Border guard 4)

Finally, awareness campaigns need to focus more on providing practical skills, including how to recognise trafficking cases, to protect themselves and other people from risks, to get away from dangerous situations, and how to contact service providers:

In discussions about awareness campaigns, we [government authorities] should provide case studies for attendees. They will discuss the way to recognise and prevent the crime … Printed materials and mass media instruments also need to
contain instructions regarding how to solve problems when people get involved in a human trafficking case. (MIC staff 1)

7.3.2 Strengthening School-based Anti-trafficking Awareness

Tucker et al. (2009) found that school-based anti-trafficking awareness has a multiplier effect not only on children but also their families and communities. The Trafficking in Persons Report 2016 also reported the benefits of “after-school curriculum” on anti-trafficking in China, and “anti-trafficking curriculum for secondary school students” in Japan, Italy, and Cyprus (USDOS 2016). In Commonwealth countries it was recommended that education on trafficking, at primary and secondary level, “should be guaranteed and made accessible to all young people” (Commonwealth Secretariat 2003).

As discussed in Chapter 5, school-based education on human trafficking in Vietnam has not been developed in a significant number of academies, while anti-trafficking educational activities in many schools are ineffective. To improve the situation, study participants suggested that two main solutions should be applied at academies: build up anti-trafficking school-based programmes for all educational institutions, and use diverse communication methods to raise trafficking awareness among students.

Firstly, trafficking awareness campaigns need to be institutionalised immediately for students at all secondary and high schools, colleges, and universities (Police officer 2; Border guard 1; Women’s union 4). This approach is consistent with the suggestions from government reports (SC 2015; VWU Bac Giang 2014). In each school year, the academies should arrange official school curriculum or after-school, extracurricular activities for trafficking awareness campaigns. The programmes need to provide education about human trafficking in general, offer anti-trafficking guidance, and inform students about the anti-trafficking services that are available. If the programmes are appropriately implemented they will raise children's awareness of human trafficking and how to seek help. Additionally, educators should encourage young people to share the anti-trafficking

73 The Commonwealth is “a voluntary association of 53 independent and equal sovereign states. It is home to 2.2 billion citizens, of which over 60% are under the age of 30. The Commonwealth includes some of the world’s largest, smallest, richest and poorest countries, spanning five regions. Thirty-one of its members are small states, many of them island nations”, for more information, see: http://thecommonwealth.org/about-us (accessed 7 August 2016).
particulars with their families, so that family members of potential victims will also know how to seek assistance from government officers (Police officer 2; Border guard 1). Some local official staff also emphasised the importance of educating rural communities and ethnic minorities (Border guard 1; Women’s union 4). As one state actor explained:

From the secondary school level, pupils aged over 11 years need to learn about human trafficking. The programme should take the form of a few lessons in each school year, so it does not significantly affect the time for other subjects. The government could provide students with information about what trafficking is, how to prevent it, and how to ask for authorities’ support … Particularly, educational programmes need to be implemented in rural and remote areas. It could improve children’s opportunities to gain knowledge about human trafficking and anti-trafficking measures. (Border guard 1)

Secondly, diverse communication methods should be applied to raise trafficking awareness among students. The suggested measures include professional speeches, discussions, artistic performances, case studies, and contests (Police officer 3; Border guard 3; Women’s union 4). For instance, educational institutions can show films or perform plays about human trafficking; this is a good way to attract the students’ attendance and attention. Another example of a successful curriculum could include discussions between pupils and guest speakers or former trafficking victims, as the following quote recommended:

[…] to get pupils’ attention on the human trafficking problem, the extracurricular needs to include different types of activities. The primary method is through lectures or speeches from anti-trafficking experts. Guest speakers can invite trafficking victims to have a chat with students about the trafficking problem and their experience … However, in my opinion, students like playing games and knowledge competitions, watching films and plays rather than listening to a speech. Educational managers and anti-trafficking officers need to choose suitable communication methods depending on pupils’ ages and school conditions. (Police officer 3)

In sum, a wide range of activities need to be applied to improve public awareness campaigns. These campaigns help to exchange trafficking information effectively, identify
high-risk communities, choose appropriate communication methods, and provide practical skills for attendees (Overholt 2013; Shinkle 2007; USAID 2009).

7.3.3 Applying Successful Prevention Models to Different Localities

Sutton, Cherney, and White (2008), as well as Shelley (2010), suggest that successful anti-trafficking models should be considered for application in different areas. However, the extension of those models needs to be flexible in different places because the same prevention strategies “will not work everywhere” (Shelley 2010: 132). In Vietnam, as discussed in Chapter 5, successful prevention models include Clubs for Trafficking Prevention, the Happy Family Club, Sympathetic Club, Girl’s Club, Taxi Driver Club in Fighting Crime, Centres for counselling and support for foreign-involved marriage, and other strategies to manage borders, conditional business services, and people with criminal records. The next section discusses specific recommendations to apply successful prevention models nationally.

Study participants recommended that the government should establish and develop a national network of anti-trafficking clubs adapted from successful established programmes (Police officer 3; Women’s union 5). In “hot localities” at high risk of trafficking the clubs would mainly focus on trafficking prevention. Meanwhile, in other areas the models could combine anti-trafficking efforts with campaigns to prevent other crimes. For example, local authorities can persuade members of Clubs for Crime Prevention to participate in anti-trafficking activities (Women’s union 5). Interviewees also emphasised the importance of engaging taxi drivers, motorbike taxi drivers, bus drivers, restaurant staff, guesthouse workers, hotel staff, and travel agency employees in efforts to prevent human trafficking. Government agencies need to provide those people with incentives as a reward for reporting information (Police officer 4; Border guard 4). This solution is strongly consistent with the suggestion of previous studies on implementing anti-trafficking clubs (Tucker et al. 2009; Viuhko 2010). As one local police officer stressed:

[…] depending on local conditions, government officers should set up anti-trafficking clubs which could assist the actors a lot. For example, *Taxi Driver Clubs in Fighting Crime* need to be set up in towns and cities, especially areas near airports, coach and train stations … We [government officers] have to teach them how to recognise trafficking cases and report to authorities. When they
provide trafficking information, we give them a little money. The incentives show that their jobs are important and the money may be important to someone. (Police officer 4)

Moreover, *Centres for counselling and support for foreign-involved marriages* need to be enhanced so that they can give proper counselling and support for the registration of marriages between Vietnamese citizens and foreigners. Centre managers should update the information database about culture and customs in different countries. This will help counsellors to “understand places where customers [people who get married to foreigners] will come” and “provide convincing explanations” (Women’s union 2). Women’s union staff and centre managers also need to cooperate with academies to provide training courses in different languages. As one interviewee explained, “if individuals know the foreign languages of the countries they travel to, they can protect themselves and ask for help when necessary” (Women’s union 5). Lastly, strategies to manage borders, conditional business services, and people with criminal records have to be applied widely and be improved. For instance, the DPS collaborates with other departments to crack down on prostitution through raids of conditional business services, such as massage and karaoke bars (Police officer 2).

### 7.4 RECOMMENDATIONS FOR TRAFFICKING VICTIMS’ PROTECTION

#### 7.4.1 Protecting Victims’ Physical Safety and Privacy

A key requirement of protecting victims’ physical safety and privacy is “making an effort to protect victims from harm, threats or intimidation by traffickers or their associates” (Zimmerman and Borland 2009: 92). A wide range of measures should be applied for safety and security protection. In Vietnam, Duong (2014) argues that very little information on good practices to protect victims’ physical safety and privacy is available. Solutions to this important intervention are also seldom described in government reports or conference proceedings (Police officer 2; Social welfare staff 5). In research fieldwork for this study, participants discussed some solutions that could be used to strengthen protection and improve the safety of trafficking victims.

In the long term, as explained by two key informants, the government needs to establish victim protection programmes for trafficked persons depending on the potential dangers
faced by individual victims (Police officer 2, Border guard 3). Protection tools might include specific security precautions, safe places, and financial support for victims and their relatives in extreme circumstances. For example, authorities could help trafficking victims and their families to move to a new location. However, due to a lack of public funding and security personnel, interviewees admitted that it was challenging to implement such methods immediately. Therefore, in the short term, local governments have to identify potential safety problems in each individual trafficking case and provide suitable protection strategies depending on the local context (Police officer 4; Border guard 2). A number of key activities are recommended. First, anti-trafficking actors must listen carefully to learn about the specific security risks associated with trafficked persons. Second, authorities can encourage victims to proactively protect themselves, to communicate concerns via relevant office phone numbers or hotlines, and to be alert to their surroundings. Finally, officers should arrange emergency shelter for trafficked persons until the potential dangers are eliminated to prevent re-victimisation. A police officer who participated in some trafficking protection activities recommended:

[…] it takes time to build up programmes to protect trafficking victims, especially during the criminal justice process. In the meantime, we [anti-trafficking agencies] have to try our best to protect them depending on our funding and personnel. There are some things we need to do: discuss with them about their risks, give advice about how to protect themselves or contact authorities in an emergency, and send them to a shelter if necessary. (Police officer 4)

Regarding victims’ privacy, it is essential to protect trafficking victims from reprisals by traffickers, as well as from potential stigma from within their own communities. As Zimmerman and Borland (2009) argue, anti-trafficking officers need to maintain strict confidentiality about victims and trafficking cases. Trafficked persons’ information, including their identity and whereabouts, must always be protected (Border guard 1; Women’s union 5). Government staff need to have well-communicated rules to shield victims from the attention and abuses of uninvolved third parties. For example, service providers should not discuss victims and their circumstances with the media, friends, and families or in other public arenas.

7.4.2 Providing Medical and Psychological Support
Zimmerman and Borland (2009: 199) argue that there is an urgent need for “evidence on the best ways to return health and wellbeing to those who have been harmed by traffickers”. In Vietnam, most research, for example that of Duong (2014) and Surtees (2013), focuses on analysing the situations in which trafficking victims access medical and psychological support. These studies have not focused on making recommendations to government agencies about how to improve victims’ overall well-being and health. Therefore, there is a limited knowledge-base on which to propose specific solutions for medical and psychological support.

It is essential to provide medical and psychological support as soon as government agencies identify trafficking victims (Social welfare staff 1; Women’s union 3). The importance of this intervention is also stated by Dovydaitis (2010) and Zimmerman et al. (2008). This assistance needs to be available to all victims, including individuals accommodated in both communities and victim support centres. Therefore, government agencies should consider increasing the funding available for physical and psychological support. For example, the medical allowance for non-serious diseases should not be limited to 100,000 VND (USD 5) as is currently the case. State offices need to provide victims with funding equal to the treatment costs for services provided by public health organisations or hospitals. Study participants also admitted that in the short term, it is not easy for the government to cover all payment of medical and mental health treatment. However, anti-trafficking agencies could buy healthcare insurance for victims. The insurance would benefit trafficked persons when they need medical check-ups or health services. This and other methods could help ease the economic burden on the anti-trafficking budget, as suggested by the following interviewees:

I think we [government] should buy health insurance for all victims. We can use the government anti-trafficking budget or social funds. It is only around 600,000 VND per victim per year [USD 30]. When they have insurance, they will be covered for health checks and treatment by medical health funds. (Women’s union 3)

[…] policies related to funding for physical and psychological support need to be improved. All trafficking victims should be supported … I know the government budget is limited, and there are many things to do. But, we [government agencies]
have to increase funding for health services. At least, it needs to equal the price of public services. (Social welfare staff 5)

Moreover, psychological support services are needed to help renew victims’ trust and support them following the trauma of trafficking (Social welfare staff 1; Women’s union 5). Each trafficked person has different trafficking experiences. They also have distinct trauma effects as well as abilities and resources for dealing with these difficulties. Government agencies need to offer a wide range of specialised counselling and psychological assistance, including formal and informal counselling sessions, short- and long-term support. For example, some trafficked persons could recover from the initial trauma after attending a counselling session over several days or having conversations with professionals. Meanwhile, some victims who have acute post-traumatic stress disorder, anxiety, or depression may need to receive long-term or formal psychological support. Additionally, victim peer support mechanisms are also recommended by interviewees (Social welfare staff 1; Social welfare staff 5) and a government report (DOLISA Tay Ninh 2014) as being effective psychological assistance tools. As mentioned in Chapter 6, at regular meetings of self-help groups, members are able to discuss their trafficking experience, difficulties, and approaches to dealing with issues. Self-help group members can also help trafficking victims outside the group through personal conversations organised by agency officers. After talking with people who have experienced similar situations, trafficking victims may feel better about their circumstances and share their feelings and opinions with others. Interviewees recommended that anti-trafficking actors should apply the peer support model on a larger scale to assist trafficking victims’ mental issues. In areas where there is no self-help group, the peer support mechanism should be implemented through unofficial gatherings of trafficking victims (Social welfare staff 1; Social welfare staff 5).

In conclusion, limited evidence is available in the extant research about best practices for supporting trafficking victims’ physical and mental health (Hossain et al. 2010; Ostrovschi et al. 2011). However, respondents in this study offered preliminary recommendations about how to satisfy victims’ needs. They advised that Vietnamese Government agencies have to cooperate with health care services to provide a wide range of health support to victims of trafficking. Mental health support services need to renew victims’ trust and stabilise their emotions in the aftermath of trauma (Vijeyarasa 2010). Victim peer support mechanisms, for example self-help groups, could be applied on a larger scale.
7.4.3 Developing a Network of Victim Support Centres/Shelters and Community Support Groups

As discussed in Chapter 6, the Vietnamese Government, NGOs, and IGOs have been successful at running some shelters and community support groups. Assessment centres are well-established and reportedly provide a safe and healthy living environment for trafficking victims. In contrast, some victim support centres have been established using only government funding, without the involvement of NGOs and IGOs. These centres have been less capable of providing a full range of support services to victims due to a lack of funding and inadequate facilities, as study participants explained (Social welfare staff 2). Gallagher and Pearson (2010) argue that trafficking victims may not want to stay in shelters. In these cases, trafficked persons “may withdraw their co-operation with staff or refuse to take part in vocational training …” (Lee 2014: 2010). Meanwhile, community support groups, such as self-help groups, are only available in some communes. Based on these realities, participants in this study provided the following suggestions focusing on expanding existing promising programme models throughout the country and improving the success of those models.

Firstly, participants argued that successful shelters and community support groups need to be expanded nationally, especially in locations where large numbers of people are known to be trafficked and later return to their communities (Women’s union 5; Social welfare staff 4; Social welfare staff 5). Participation and leadership by DOLISA, as well as cooperation between DOLISA and other anti-trafficking agencies, were thought to be important factors in the success of established anti-trafficking programme models. Therefore, provincial DOLISA needs to actively participate and lead other departments to establish anti-trafficking support models and further develop existing models’ activities (Social welfare staff 5). This solution is strongly consistent with the suggestion of a previous study (Trees et al. 2012).

Regarding victim support centres, there is still a need to improve the quality of their services. Study participants recommended that shelter managers should provide a wide range of protection services, including a sufficient living allowance, comfortable living conditions, privacy protection, legal counselling, medical and mental health support, and vocational training (Social welfare staff 4; Women’s union 5). For instance, shelter
managers can regularly inform trafficked persons of their rights, such as the right to receive or decline support services. In addition, government officials should develop specific reintegration plans depending on the particular victim’s needs and aspirations (Social welfare staff 5; Police officer 5). For example, to make vocational training plans successful, support staff should consider trafficked persons’ interests, expectations, and abilities, as well as local job market requirements. Finally, shelter residents should have the right to participate in decisions about running the support centres. Trafficking victims “are directly influenced by centres’ activities” and “could know what is good for them”; authorities should therefore “collect their suggestions about how to run the centres” (Social welfare staff 1). This approach is consistent with recommendations from one of the few earlier studies on the requirements and recommendations for support made by trafficking victims (Gallagher and Pearson 2010).

For community support groups, respondents in this study made suggestions about ways to further enhance the effectiveness of group activities. Firstly, anti-trafficking actors need to develop effective models for how to operate the groups, including recording details about how to offer financial advice, psychological counselling, and listing the topics discussed in the regular meetings (Social welfare staff 3; Women’s union 3). This recommendation is also found in a conference proceeding (MOLISA 2014a). Additionally, both staff and victims need to attend more training courses geared to their levels of expertise. Trafficking victims need to be able to develop their own plans with assistance and advice from trained official counsellors. While group members may have low levels of education, group organisers also do not have much professional experience in providing this type of assistance (MOLISA 2014a). The training courses could therefore potentially improve the “quality of group activities” and “impact of the groups” (Social welfare staff 1). Next, funds for reintegration plans should be allocated not only from international funding but also national budgets; IOM funds which currently assist the self-help group may be terminated in near future. The groups should thus be more independent and not rely on one external funding source to ensure the future continuation of their activities. In the meantime, available funds should be leveraged to benefit more victims (Social welfare staff 1; Social welfare staff 3). One staff member recommended a way to operate the self-help group activities:

Most trafficking victims are poor, have poor education and experience unemployment. Therefore, they do not know how to apply for financial support
and how to help other victims … Group organisers have to advise victims how to start a small business or get a job. In regular meetings, group members should share their difficulties, and business plans with other people. Those activities will help attendees to earn a stable living … Group members need to discuss other topics, including life skills, health care, and family happiness. Cooking and singing together also are beneficial activities which improve relationships between group members. Those activities are critical for psychological support. (Social welfare staff 3)

It can be seen that support services of successful shelters and community support groups need to be strengthened and enhanced. Those models need to be expanded in major source locations. Other recommendations for implementation include preparing specific plans, providing diversified support services, and delivering training and education to the models’ organisers and beneficiaries (Le, Trinh, and Cao 2015; Trees et al. 2012). The recommendation for the victims’ participation in running those models could be seen as a progressive outlook.

7.5 CONCLUSION

To answer the research question: how can inter-agency collaboration to prevent human trafficking and protect trafficking victims be improved, this section has provided three sets of recommendations to help prevent human trafficking and support victims.

With regard to the first set of recommendations, it is observed that there are some root causes leading to the challenges of inter-agency collaboration around anti-trafficking activities. These fundamental challenges include: weak tools and mechanisms for information exchange, low morale and inadequate competency in key skills related to anti-trafficking efforts, scarce government resources and limited expenditure on anti-trafficking activities, and a lack of effective economic empowerment programmes for victims. Recommendations to tackle those causes include: (1) re-establishing the network for information exchange, (2) enhancing the morale and professional skills of staff and collaborators, (3) mobilising and allocating financial resources for anti-trafficking strategies, and (4) improving economic empowerment strategies. First, there is a need to establish anti-trafficking networks, which include agency leaders and operational staff, as well as creating statutes delineating principles of cooperation, methods to operate the
cooperative networks, outlining the respective roles and responsibilities of each anti-trafficking office, and describing network activities. Second, the staff training courses should provide multiple types of skills and knowledge through practical, participatory methods. Next, a higher budget for anti-trafficking programmes needs to be allocated from government and from NGOs and other sources. Finally, it is essential to provide professional training, job placement programmes, and start-up capital to high-risk people and trafficking victims.

The second group of recommendations focus on specific strategies to prevent human trafficking. These include: strengthening community awareness about trafficking issues through community-based education, mass media campaigns, and school-based anti-trafficking awareness activities. These strategies should draw from established, successful prevention models, adapting them to the specific circumstances in different locations. There are many ways that work in this area could be improved, including: updating trafficking information; identifying at-risk communities; developing curricula and plans for awareness campaigns; using diverse communication methods to raise trafficking awareness; providing practical anti-trafficking skills; developing and sharing a system of anti-trafficking models nationally; and more effectively managing borders, conditional business services, and people with criminal records in trafficking.

The last group of recommendations are related to trafficking victims’ protection. These include: (1) protecting victims’ physical safety and privacy, (2) providing medical and psychological support, and (3) developing a network of victim support centres/shelters and community support groups. There are plenty of activities that could be conducted in this area. These include: discussing security risks faced by trafficked persons, encouraging victims to actively protect themselves, arranging safe places for trafficked persons until potential dangers are reduced, increased funding allocation for physical and psychological support, buying healthcare insurance for all victims, making and sharing specific plans for each shelter and community support group, and providing diversified support services for beneficiaries.
Chapter 8: Conclusion

This chapter sums up the information presented in this research and the main contributions to knowledge that have emerged from this study. Finally, some further avenues for research on human trafficking are suggested.

8.1 SUMMARY

To reiterate, the overarching objective of this study was to acquire an empirically-based, detailed and systematic understanding of inter-agency cooperation to prevent human trafficking and support trafficking victims in Vietnam. Based on this study, I sought to make contributions to the knowledge of human trafficking and anti-trafficking strategies in Vietnam. This thesis sought to answer in depth two research questions:

1. What is working well and what is not working in cooperation between Vietnamese Government agencies to prevent human trafficking and protect trafficking victims?

2. How can inter-agency collaboration to prevent human trafficking and protect trafficking victims be improved?

It was found that much of the existing literature focuses on examining general information regarding the trafficking problem, counter-trafficking strategies, and international or regional coordination in anti-trafficking activities (see section 1.3 of Chapter 1). However, those research projects overlook government partnerships in preventing crime and protecting trafficking victims. This research, however, examines not only a wide range of anti-trafficking measures conducted by Vietnamese agencies but also the inter-agency cooperation involved in implementing those activities. Based on a qualitative study involving interviews with 25 key stakeholders, triangulated with government reports and other evidence, the major findings and contributions of the study are outlined in this chapter.

Chapter 1 is designed to introduce the background and history of counter-trafficking activities in Vietnam, including inter-agency cooperation to prevent crime and support victims. This chapter concludes that there are still significant gaps in the research on inter-
agency collaboration to counter human trafficking. There have been no systematic and in-depth studies of governmental cooperation in counter-trafficking activities in Vietnam.

Chapter 2 provides an overall picture of global human trafficking, as well as examines international legal frameworks and responses to human trafficking. Firstly, it addresses the significance of the first comprehensive international definition of “trafficking in persons” in the *Trafficking Protocol 2000*. It is concluded that the *Trafficking Protocol 2000* creates a global language to address the crime of trafficking in persons at a transnational level. The chapter then reviews literature on responses to human trafficking. Although there have been some positive developments in responses to the crime, counter-trafficking activities have some challenges. This chapter also looks at inter-agency cooperation in preventing crime and supporting victims, including the understanding of the term “inter-agency cooperation”, the need and importance of the cooperation, and the challenges facing inter-agency collaboration. Some important factors which affect inter-agency cooperation have been indicated in the extant literature, including: the conflicting interests among local actors, corruption, legal systems, the need for highly-trained personnel for government staff, funding, and required capacity. In practice, there is a lack or absence of coordination between different authorities within a single nation-state, including police, law enforcement, border control, customs and immigration, health care workers, outreach workers, and other service providers.

Chapter 3 offers background information about the context of Vietnam. It indicates that human trafficking in Vietnam has become more established than ever before. The number of reported cases and victims has been increasing and that situation has not been successfully ameliorated. This chapter then examines the understanding of trafficking in Vietnam and national policies on trafficking prevention and victim protection. It determines that the trafficking definition under the Vietnamese legal framework is narrow in comparison with the *Trafficking Protocol 2000*. In terms of the national policies on trafficking prevention and victim protection, it is recognised that the regulations related to prevention are vague, while some policies of victim protection are not tailored to the needs of the trafficking context. In practice, the Vietnamese Government has recently devoted some attention to responses to human trafficking and applied a wide range of anti-
trafficking measures. However, a lack of clear progress in trafficking prevention, prosecution and victim protection remains. Regarding anti-trafficking partnerships, much of the current literature has described international or regional coordination. Limited information is available about partnerships between key anti-trafficking actors within Vietnam. There has been no systematic research on inter-agency cooperation in human trafficking prevention and victim protection in Vietnam to date.

Chapter 4 outlines the methodological approaches adopted to conduct this research. Firstly, the chapter justifies the way that the study design was developed. To address the research question, a triangulation methodology, which combined semi-structured interviews and critical policy analysis, was used to enhance the validity of the research findings. For research purposes, the Vietnamese capital and four other provinces were selected for collecting the majority of data at both the national and local levels. State actors from five key agencies that are responsible for components and sub-projects in the NPA for combating human trafficking were chosen for the semi-structured interviews. The chapter then details the techniques used to collect the data. Numerous official documents, including annual reports, summations, and conference proceedings, released by the Vietnamese state agencies were collected. Meanwhile, primary qualitative data were gathered through 25 semi-structured interviews. In the analysis stage, collected data were analysed by using thematic analysis in combination with comparative and content analysis techniques. Lastly, an explanation of ethical issues and the limitations of the research methods are offered.

Chapter 5 presents the detailed outcomes of the investigation into awareness raising and economic empowerment strategies which are the main Vietnamese approaches to trafficking prevention used by inter-agency teams. The findings on the inter-agency cooperation to prevent human trafficking presented in Chapter 5 is considered as one of this study’s three most significant contributions to knowledge. Through examining a wide range of prevention measures conducted by Vietnamese anti-trafficking agencies, this thesis identifies the successes and challenges of inter-agency cooperation in organising awareness campaigns and implementing socio-economic empowerment strategies.
Several successful prevention strategies targeting awareness were identified, namely: establishing a national network, holding competitions to develop community performances to educate about trafficking, school-based education, mass media campaigns, setting up a hotline, and tourism industry campaigns. Regarding socio-economic empowerment, the programmes that appeared to be successful included: providing micro-credit loans for people in low-income households, developing vocational skills for low-educated and unemployed people, suppressing marriage cases through illegal intermediaries and guaranteeing voluntary unions, developing some anti-trafficking models, and managing conditional business services that could be misused for trafficking in some hot areas. This study has analysed some successful prevention activities which are not applied in most countries and not examined in existing research, namely anti-trafficking networks, artistic performances, contests on human trafficking knowledge, anti-trafficking club models, and supervising conditional business and persons with criminal records on trafficking. These findings are consistent with the argument made by Liu (2009: 4) that “crime control methods in different Asian countries vary considerably”.

This research also provides a significant understanding of the challenges facing inter-agency cooperation in implementing prevention programmes in Vietnam. These included limited cooperation due to uneven uptake of collaboration, a lack of communication down the chain of command to share up to date and accurate information, inflation of estimates of participation due to data collection by multiple agencies at the same event, and ineffective partnerships due to minimal implementation of cooperation. Other identified challenges also help to explain why the awareness raising on human trafficking in Vietnam has only achieved limited results, specifically: overly generic information included in educational campaigns, limited access to electronic media to access information, lack of translation of materials into the required languages, and short campaigns rather than ongoing education. Regarding the efficacy of socio-economic programmes, this chapter examines the ineffective collaboration in providing financial support for families outside the poor household list, supplying vocational training which meets market requirements, arranging suitable jobs, and running mobile counselling sessions in at-risk localities. These findings not only reflect the situation of trafficking prevention in Vietnam but also indicate roles of the economic empowerment strategies in preventing trafficking. Furthermore, anti-trafficking clubs, where established, worked well but were not established in many provinces. Meanwhile, the strategy of managing conditional business services, border
areas, and people with criminal records achieved limited results in some locations. In addition, the professional training courses for staff and collaborators provided general trafficking information rather than practical skills.

Chapter 6 examines victims’ protection strategies that have been applied by inter-agency teams in Vietnam. This study provides a concrete example of the limits of borrowing and adapting criminological theories from the Anglo-centric worlds of the global north (Carrington, Hogg, and Sozzo 2015; Liu 2009). In collectivist societies, such as Vietnam, responses to the victims of trafficking encounter a completely different set of obstacles than say in the US, where victims are able to access more individual support for example (USDOS 2011-2016). It is found that the Vietnamese Government has applied a number of protective measures from the victim identification stage to the community rehabilitation and reintegration stages. The empirical evidence outlining the victims’ support strategies as presented in Chapter 6 brings about the second key knowledge contribution of this research.

The chapter identifies several successful strategies for providing services to trafficking victims. The first successful activity is the identification of rescued victims and trafficked persons returning from abroad through an overseas Vietnamese representative agency or under international bilateral agreements. Under the collaboration between government agencies, victims accommodated in shelters are supported with crucial needs, including living and travelling expenses, medical treatment of common illnesses, psychological support, and legal aid. This chapter also provides in depth information on the support provided to disadvantaged trafficked victims. Those people have the opportunity to receive a short-term allowance, educational and vocational training, and financial support. Moreover, the Vietnamese Government has established good cooperation with IGOs and NGOs to operate some shelters and other support programmes in origin communities. In Vietnam a major constraint is the backdrop of poverty and its continuing impact of making repatriated victims vulnerable to re-victimisation (Kneebone and Debeljak 2012; Shelley 2010). However, the collectivist culture has benefits in that source communities appear to be willing to support victims, to generate social funds, and to provide a nurturing context for successful reintegration.
Some challenges involved in providing protection services are also identified. In particular, some problems encountered in collaborating to prevent trafficking have not been identified in other research. These include: a lack of information exchange between the authorities in victim identification, difficulties determining what exactly happened in trafficking cases that occurred overseas, and delays in government receipt of trafficking victims. Other identified challenges are the limited services available to support victims’ physical safety and privacy, limited access to health treatment for infectious diseases as well as mental health assistance, a lack of job training, and ineffective economic empowerment programmes. The weakness of inter-agency cooperation is indicated as one element that restricts victims’ access to support services. Vijeyarasa (2010) has claimed that there is a dearth of literature on rehabilitation and reintegration of trafficking victims in Vietnam; these research findings could help fill this gap by exploring the limitations of protection strategies, as well as the inter-agency partnerships that exist.

Chapter 7 provides answers to the second research question: how can inter-agency collaboration to prevent human trafficking and protect trafficking victims be improved? Three groups of recommendations to prevent human trafficking and support victims are analysed. The first set of recommendations includes: re-establishing the network for information exchange, enhancing the morale and professional skills of staff and collaborators, mobilising and allocating financial resources for anti-trafficking strategies, and improving economic empowerment strategies. The second group focuses on specific recommendations to prevent human trafficking, such as strengthening awareness of the trafficking issue through community-based, mass media campaigns, and school-based anti-trafficking awareness, as well as applying successful prevention models in different localities. The last group, which is related to victims’ protection, involves the following recommendations: protecting victims’ physical safety and privacy, providing medical and psychological support, and developing a network of shelters and community support groups.

The recommendations presented in Chapter 7 are seen as this study’s third significant contribution to knowledge. Their objective is to eliminate root causes of trafficking problems in the context of Vietnam. Those recommendations will help to curtail the crime
and provide necessary protection services to trafficking victims in Vietnam. It is also possible to apply those suggestions to anti-trafficking programmes in other countries.

In sum, in an Asian country such as Vietnam, where criminology is not yet widely considered as an academic discipline (Carrington et al. 2015; Liu 2009), there is a lack of research on anti-trafficking intervention. This leads to a need to strengthen research on the human trafficking problem (Winterdyk and Reichel 2010). This study fills this gap in the current literature on human trafficking, making a valuable contribution in regards to inter-agency cooperation in trafficking prevention and victims’ protection in Vietnam. This research firstly contributes, theoretically and practically, to the understanding of the collaboration between authorised agencies in the fight against human trafficking. Furthermore, by exploring insights into government and key stakeholder opinions towards these problems, this study explores the impacts of agency cooperation on the ability of Vietnamese authorities to prevent human trafficking and protect its victims. The research also identifies how government agencies could improve this cooperation.

The research in this thesis has made a substantial contribution to understanding human trafficking and the governmental anti-trafficking system in Vietnam which enriches “human knowledge based on Asian contexts” and offers “opportunities for comparative studies between the West and Asia” (Liu 2009: 6). Some research findings on counter-trafficking activities make distinctive contributions to Asian criminology (Liu 2009; Winterdyk and Cao 2004) and promote the development of southern criminology by showing how collectivist societies have different solutions to social problems than the individualised and formal criminal justice and welfare system-based approaches of northern countries (Carrington et al. 2016; Mignolo 2012). Those anti-trafficking activities include establishing anti-trafficking club models, implementing artistic performances and contests on human trafficking knowledge, and supervising conditional businesses. Establishing public funding, for example, for the “Businesswomen Budget” or “piggy banks”, has made a significant contribution to counter-trafficking activities in a developing country where the government budget is limited and has to cover different political priorities. These successful initiatives can be applied in other underdeveloped countries experiencing similar issues with human trafficking.
While the thesis points to some practices that have been useful in northern countries, such as coordinated community responses or coalitions in which different groups involved in anti-trafficking activities meet regularly to share information, education, and ideas, the unique community-based approaches in Vietnam leverage culturally-appropriate communal responses. Hence, the original research underpinning this thesis has made a unique contribution to the development of Asian criminology (Braithwaite 2015; Liu 2009; Liu, Hebenton, and Jou 2013) and southern criminology (Carrington et al, 2016), in addition to making an important new contribution to trafficking prevention and victim protection.

8.2 AREAS FOR FUTURE RESEARCH

While it can be seen that human trafficking in Vietnam has become an urgent and pressing problem, to date very little empirical research has been published on trafficking in Vietnam (Duong 2014; Hoang 2013). This single, exploratory investigation of inter-agency cooperation to prevent human trafficking and support victims cannot fill all the existing knowledge gaps. Therefore, a number of important avenues for future research exist.

First, this study has only presented an investigation into inter-agency collaboration. Future research, therefore, can examine other partnerships in anti-trafficking interventions, including public–private partnerships and international cooperation. For example, the research may focus on the international partnerships between Vietnam and neighbour countries to prevent human trafficking across borders.

Second, more research needs to focus on trafficking prosecution, including strategies implemented in the prosecution process to discover which approaches enhance successful prosecutions. One obstacle to undertaking this research, however, as Liu argues, is that Asian governments “consider crime-related data to be politically sensitive and are reluctant to disclose them to researchers” (2009: 6). Researchers need to have feasible plans for data collection and develop relationships with key end-user stakeholders to enhance their willingness to provide data on trafficking prosecutions.

This study presents only general information on the financial and human resources used for anti-trafficking activities. Due to a serious lack of official data it was not possible to quantitatively analyse the amount of government funding and personnel, or the amount
needed to be reallocated. Future research could address this gap by using a combination of qualitative and quantitative techniques to capture this data.

Furthermore, this research has not focused on different types of trafficking, for instance it does not include data on each type of trafficking, suitable prevention strategies for each form of the crime, and specific protection services suited for various types of victims. Future research can fill this gap by exploring in detail different types of trafficking, such as labour trafficking, male trafficking, child trafficking, trafficking for fraudulent marriages, international trafficking, and domestic trafficking. Another possible area of research could be a comparison of anti-trafficking measures between different types of trafficking.
**APPENDIX A: INTERVIEW LIST**

<table>
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APPENDIX B: PENAL CODE 1999


(Extract)

Article 119.

Trafficking in women

1. Those who traffic in women shall be sentenced to between two and seven years of imprisonment.

2. Committing the crime in one of the following circumstances, the offenders shall be sentenced to between five and twenty years of imprisonment:
   a) Trading in women for the purpose of prostitution;
   b) In an organized manner;
   c) Being of professional characters;
   d) For the purpose of sending them overseas;
   e) Trafficking in more than one person;
   f) Trafficking more than once.

3. The offenders may also be subject to a fine of between five million and fifty million dong, to probation or residence ban for one to five years.

Article 120

Trading in, fraudulently exchanging or appropriating children

1. Those who trade in, fraudulently exchange or appropriate children in any form shall be sentenced to between three and ten years of imprisonment.

2. Committing such crimes in one of the following circumstances, the offenders shall be sentenced to between ten and twenty years of imprisonment or life imprisonment:
a) In an organized manner;
b) Being of professional character;
c) For despicable motivation;
d) Trading in, fraudulently exchanging or appropriating more than one child;
e) For the purpose of sending them abroad;
f) For use for inhumane purposes;
g) For use for prostitution purposes;
h) Dangerous recidivism;
i) Causing serious consequences.

3. The offenders may also be subject to a fine of between five million and fifty million dong, a ban from holding certain posts, practicing certain occupations or doing certain jobs for one to five years or subject to probation for one to five years.
APPENDIX C: LAW ON HUMAN TRAFFICKING PREVENTION AND COMBAT  
No. 66/2011/QH12

THE NATIONAL ASSEMBLY  
SOCIALIST REPUBLIC OF VIET NAM  
Independence - Freedom – Happiness  

Hanoi, March 29, 2011

LAW  
ON HUMAN TRAFFICKING PREVENTION AND COMBAT

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10;  
The National Assembly promulgates the Law on Human Trafficking Prevention and Combat.

Chapter I  
GENERAL PROVISIONS  

Article 1. Scope of regulation  
This Law provides the prevention, detection and handling of human trafficking acts and other acts in violation of the law on human trafficking prevention and combat: receipt, verification and protection of and support for victims; international cooperation in human trafficking prevention and combat; and responsibilities of the Government, ministries, sectors and localities for human trafficking prevention and combat.

Article 2. Interpretation of terms  
In this Law, the terms below are construed as follows:

1. Sexual exploitation means forcing a person to prostitution or to be the subject of a pornographic publication or show or to sexual slavery.

2. Sexual slavery means forcing a person, due to his/her dependence, to satisfy the sexual demand of another person.

3. Forced labour means using force or threatening to use force or using other tricks to force a person to work against his/her will.

4. Victim means a person who is infringed upon by an act specified in Clause I. 2 or 3. Article 3 of this Law.

Article 3. Prohibited acts
1. Trafficking in persons under Articles 119 and 120 of the Penal Code.
2. Transferring or receiving persons for sexual exploitation, forced labour or removal of human organs or other inhuman purposes.
3. Recruiting, transporting or harboring persons for sexual exploitation, forced Labour, removal of human organs or other inhuman purposes or for committing an act specified in Clause 1 or 2 of this Article.
4. Forcing others to commit an act specified in Clause 1. 2 or 3 of this Article.
5. Acting as a broker for others to commit an act specified in Clause 1.2 or 3 of this Article.
6. Taking revenge or threatening to take revenge on victims, witnesses, reporting persons, denunciators or their relatives or persons stopping the acts specified in this Article.
7. Taking advantage of human trafficking prevention and combat activities for self-seeking purposes or for committing unlawful acts.
8. Obstructing the reporting, denunciation and handling of the acts specified in this Article.
9. Stigmatizing or discriminating against victims.
10. Disclosing information on victims without their consent or their lawful representatives'.
11. Impersonating victims.
12. Committing other violations of this Law.

**Article 4. Principles of human trafficking prevention and combat**

1. To comprehensively take measures to prevent, detect and handle the acts specified in Article 3 of this Law.
2. To promptly rescue, protect and receive, accurately verify, and support victims. To respect the rights and legitimate interests of victims and neither stigmatize nor discriminate against them.
3. To bring into play the roles and responsibilities of individuals, families, communities, agencies and organizations for human trafficking prevention and combat.
4. To prevent, detect and strictly, promptly and properly handle the acts specified in Article 3 of this Law.
5. To promote international cooperation in human trafficking prevention and combat in accordance with the Constitution and laws of Vietnam and international laws and practices.

**Article 5. State policies on human trafficking prevention and combat**

1. Human trafficking prevention and combat are part of the program on prevention and combat of crimes and social evils and are combined in the implementation of other socio-economic development programs.
2. To encourage domestic and overseas agencies, organizations and individuals to participate and cooperate in and finance activities to prevent and combat human trafficking and support victims: to encourage domestic individuals and organizations to set up victim support establishments under law.

3. To commend and reward agencies, organizations and persons with outstanding performance in human trafficking prevention and combat: to ensure regimes and policies under law for persons who die or suffer health or property damage when participating in human trafficking prevention and combat activities.

4. The State shall annually allocate budget funds for human trafficking prevention and combat work.

**Article 6. Rights and obligations of victims**

1. To request competent agencies, organizations or persons to take measures to protect them or their relatives when they have or are threatened to have their life, health, honor, dignity or property infringed upon.

2. To receive support and protection under this Law.

3. To be compensated for damage under law.

4. To provide information relating to violations of the law on human trafficking prevention and combat to competent agencies, organizations and persons.

5. To comply with requests made by competent authorities concerning human trafficking cases.

**Chapter II**

**HUMAN TRAFFICKING PREVENTION**

**Article 7. Information, communication and education about human trafficking prevention and combat**

1. Information, communication and education about human trafficking prevention and combat aim to raise awareness and responsibilities of individuals, families, agencies, organizations and communities for human trafficking prevention and combat; to enhance their vigilance against human trafficking and active participation in human trafficking prevention and combat.

2. Information, communication and education cover:

   a/ Policies and laws on human trafficking prevention and combat;
   
   b/ Tricks and harms of the acts specified in Article 3 of this Law;
   
   c/ How to behave in cases suspected of human trafficking;
   
   d/ Measures for and experience in human trafficking prevention and combat:
Responsibilities of individuals, families, agencies and organizations for human trafficking prevention and combat:

- Anti-stigmatization and discrimination against victims;
- Other contents related to human trafficking prevention and combat.

3. Information, communication and education are carried out through:

- Face-to-face meetings and talks;
- Provision of written materials;
- The mass media;
- Activities at educational institutions:
- Literary, arts, community and other cultural activities;
- Other lawful forms.

4. To develop a network of grassroots communicators: to mobilize active participation of mass and social organizations.

5. To increase information, communication and education for women, young people, teenagers, children, pupils, students and inhabitants of border, island, deep-lying and remote areas, areas with socio-economic difficulties and areas with lots of human trafficking cases.

**Article 8. Counseling on human trafficking prevention**

1. To provide legal knowledge on human trafficking prevention and combat.

2. To provide information on human trafficking tricks and train in behaviors in cases suspected of human trafficking.

3. To provide information on rights and obligations of victims and perform how to perform these rights and obligations.

**Article 9. Management of security and order**

1. To monitor demographic and household registration status through residence administration, increasingly examine permanent and temporary residence, slay and temporary absence stains in localities.

2. To supervise persons with previous criminal records on human trafficking and others showing signs of committing the acts specified in Clauses 1. 2. 3. 4 and 5. Article 3 of this Law.

3. To effectively manage and use information on personal archives, identity and judicial records in service of human trafficking prevention and combat.
4. To increase patrol and combat at border gates, in border and island areas and at sea to promptly detect and stop the acts specified in Clauses 1, 2, 3, 4 and 5. Article 3 of this Law.

5. To furnish technical devices at international border gates for identifying persons and promptly and precisely detecting forged papers and documents: to upgrade control and inspection equipment and devices at control posts and border gates.

6. To manage the grant of personal and entry-exit papers: to apply advanced technologies to making, granting, managing and controlling personal and entry-exit papers.

7. To coordinate with functional agencies of bordering countries in border patrol and control in order to prevent, detect and stop the acts specified in Clauses 1, 2, 3, 4 and 5. Article 3 of this Law.

**Article 10. Management of business and service activities**

Support in marriage between Vietnamese citizens and foreigners: child adoption, job recommendation, sending of Vietnamese workers or learners abroad, recruitment of foreigners to work in Vietnam, cultural and tourist services and other conditional business and service activities vulnerable to abuse must be regular and closely managed and inspected to promptly detect and stop the abuse of these activities to commit the acts specified in Clauses 1, 2, 3, 4 and 5. Article 3 of this Law.

**Article 11. Incorporation of human trafficking prevention into socio-economic development programs**

The Government, ministries, sectors and localities should incorporate human trafficking prevention into programs on prevention and combat of crimes and social evils, vocational training, employment generation, poverty reduction, gender equality and child protection, program for the advancement of women and other socio-economic development programs.

**Article 12. Human trafficking prevention by individuals**

1. To participate in human trafficking prevention activities.

2. To promptly report and denounce the acts specified in Article 3 of this Law.

**Article 13. Human trafficking prevention by families**

1. To provide family members with information on human trafficking tricks and human trafficking prevention and combat measures.

2. To collaborate with schools, agencies, organizations and mass and social organizations in human trafficking prevention and combat.

3. To care for and assist victim family members to integrate into families and communities.

4. To encourage victim family members to cooperate with competent agencies in human trafficking prevention and combat.
Article 14. Human trafficking prevention by schools and educational and training institutions

1. To closely manage learning and other activities of pupils, students and trainees.

2. To carry out extra-curricular activities to communicate and educate about human trafficking prevention and combat appropriate to each educational level and discipline.

3. To create favorable conditions for victim pupils, students and trainees to follow general education or vocational training and integrate into the community.

4. To coordinate with families, agencies and organizations in taking measures to prevent and combat human trafficking.

Article 15. Human trafficking prevention at business and service organizations and establishments

1. Organizations and establishments doing business or providing services in marriage between Vietnamese citizens and foreigners, child adoption, job recommendation and sending of Vietnamese workers and trainees abroad, recruitment of foreigners to work in Vietnam, cultural and tourist services and other conditional business and service activities vulnerable to abuse for committing the acts specified in Clauses 1, 2, 3, 4 and 5. Article 3 of this Law, shall:

   a/ Sign labour contracts with employees; register employees with local labour management agencies;

   b/ Get information on those receiving their services and report it to competent authorities at their request for coordinated management;

   c/ Commit to observing the law on human trafficking prevention and combat;

   d/ Coordinate with and create conditions for competent agencies to inspect and examine their activities.

2. Employees of the business and service establishments specified in Clause 1 of this Article shall observe regulations on residence administration and commit not to violating the law on human trafficking prevention and combat.

Article 16. Human trafficking prevention by mass media agencies

1. To promptly and accurately cover policies and laws on human trafficking prevention and combat; to truthfully reflect the situation of human trafficking and human trafficking prevention and combat; to praise persons with outstanding performance in human trafficking prevention and combat and effective models of human trafficking prevention and combat.

2. To keep confidential information on victims.

3. To incorporate human trafficking prevention and combat into other information, communication programs.
Article 17. Human trafficking prevention by the Vietnam Fatherland Front and its member organizations

1. To organize, and coordinate with concerned agencies and organizations in, public information work to disseminate policies and laws on human trafficking prevention and combat; to mobilize people to observe the law on human trafficking prevention and combat and actively detect, report, denounce and stop the acts specified in Article 3 of this Law.

2. To recommend to competent state agencies necessary measures to prevent, detect and handle the acts specified in Article 3 of this Law.

3. To counsel on human trafficking prevention and combat.

4. To participate in vocational training, employment generation and other support activities to assist victims to integrate into the community.

5. To oversee the observance of the law on human trafficking prevention and combat.

Article 18. Human trafficking prevention by the Vietnam Women's Union

1. To conduct communication and education to mobilize women and children to raise their sense of observance of the law on human trafficking prevention and combat.

2. To develop a network of grassroots communicators for human trafficking prevention and combat.

3. To perform the responsibilities provided in Article 17 of this Law.

Chapter III

DETECTION AND HANDLING OF VIOLATIONS OF THE LAW ON HUMAN TRAFFICKING PREVENTION AND COMBAT

Article 19. Reporting and denouncing violations

1. Individuals shall report and denounce the acts specified in Article 3 of this Law to police offices and People's Committees of communes, wards and townships (below referred to as commune-level People's Committees) or to any agencies or organizations.

2. Agencies or organizations which detect or receive information on the acts specified in Article 3 of this Law shall process such information according to their competence or promptly report it to competent agencies under law.

Article 20. Detecting violations through examination and inspection

1. An agency or organization shall regularly examine the performance of its own functions and tasks, when detecting an act specified in Article 3 of this Law, it shall handle such act according to its competence, or propose to handle it under law.

2. A competent agency or organization which detects through examination or inspection an act specified in Article 3 of this Law shall handle such act according to its competence or propose to handle it under law.
Article 21. Detecting and stopping violations through professional crime prevention and combat

Agencies, units and persons under the People's Police and the People's Army assigned to prevent and combat human trafficking shall:

1. Assume the prime responsibility for, and coordinate with concerned agencies and units in, detecting, stopping and handling the acts specified in Clauses 1. 2, 3, 4 and 5. Article 3 of this Law in areas assigned to them:

2. Take professional reconnaissance measures under law to detect and stop the acts specified in Clauses 1. 2, 3, 4 and 5. Article 3 of this Law;

3. Request individuals, agencies and organizations to provide related information and documents for detecting, investigating and handling the acts specified in Clauses 1. 2, 3, 4 and 5. Article 3 of this Law;

4. Take necessary measures to protect victims, reporting persons and witnesses and their relatives when these persons have or are threatened to have their life, health, honor, dignity or property infringed upon.

Article 22. Processing reported information on and denunciations about violations

1. Reported information on human trafficking crimes shall be processed under the Criminal Procedure Code.

2. Denunciations about violations of the law on human trafficking prevention and combat shall be settled under the law on denunciations.

Article 23. Handling violations

1. A person who commits an act specified in Article 3 of this Article shall, depending on the nature and severity of his/her violation, be administratively handled or examined for penal liability. If causing damage, he/she shall compensate under law.

2. A person who takes advantage of his/her position or powers to cover up, tolerate, improperly handle or not to handle the acts specified in Article 3 of this Law shall, depending on the nature and severity of his/her violation, be disciplined or examined for penal liability. If causing damage, he/she shall compensate under law.

3. A person who impersonates a victim shall, apart from being handled under law, repay the funds he/she has received as a victim.

Chapter IV

RECEIPT, VERIFICATION AND PROTECTION OF VICTIMS

Section I: RECEIPT AND VERIFICATION OF VICTIMS

Article 24. Receipt and verification of domestically trafficked victims
1. A victim or his/her lawful representative may report on his/her trafficking to the commune-level People's Committee of the nearest locality or the nearest agency or organization. The receiving agency or organization shall promptly send this person to the commune-level People's Committee of the locality in which it is headquartered. The commune-level People's Committee shall promptly report such to the district-level Labour, Invalids and Social Affairs Division. When necessary, the receiving commune-level People's Committee shall provide support to meet essential needs of the victim.

2. Within 3 days after receiving a notice of a commune-level People's Committee, a district level Labour, Invalids and Social Affairs Division shall receive and assist the victim and coordinate with the police office of the same level in checking initial information on the victim when such person does not have any papers and documents specified in Article 28 of this Law.

3. After receiving the victim, based on the papers and documents specified in Article 28 of this Law or verifications on the victim, the district level Labour, Invalids and Social Affairs Division shall consider paying travel expenses for the victim to return to his/her place of residence by himself/herself. For a child victim, it shall notify a relative to receive the victim or assign a person to take the victim to his/her place of residence. For a victim who needs medical or psychological care and wishes to stay at a social security or victim support establishment or who is a helpless child, it shall carry out procedures to transfer the victim to the social security or victim support establishment. For a person who does not have papers or documents proving he/she is a victim, the district-level Labour, Invalids and Social Affairs Division shall request the police office of the same level to make verification.

4. Within 20 days after receiving a request of the district-level Labour, Invalids and Social Affairs Division, the district-level police office shall make verification and issue a written reply to the former. For a complicated case, the verification duration may be extended, but for not more than 2 months. If having sufficient grounds to determine the person as victim, the verifying agency shall grant a certificate of victim to such person.

Article 25. Receipt and verification of rescued victims

1. The police office, border guard or marine police which has rescued a victim shall provide support to meet essential needs of the victim when necessary and promptly send him/her to the district-level Labour, Invalids and Social Affairs Division of the locality near the place the victim is rescued.

The rescue agency shall grant a certificate of victim to the rescued person before the transfer. When the rescued person has not been certified as victim due to lack of grounds, the district-level Labour, Invalids and Social Affairs Division shall request the police office of the same level to make verification under Clause 4, Article 24 of this Law.

2. After receiving the victim, the district-level Labour, Invalids and Social Affairs Division shall comply with Clause 3, Article 24 of this Law. If the rescued person has not been
certified as victim by the rescue agency, before paying travel expenses or transferring him/her to a social security or victim support establishment, the district-level Labour, Invalids and Social Affairs Division shall coordinate with the police office of the same level in checking initial information on such person.

**Article 26. Receipt and verification of victims returning from abroad**

1. The receipt and verification of a victim returning from abroad through an overseas Vietnamese diplomatic mission, consulate or another agency authorized to perform consular functions (below referred to as overseas Vietnamese representative agency) are conducted as follows:

   a/ The overseas Vietnam representative agency shall receive and process information and documents on the victim and coordinate with the Ministry of Public Security in verifying the victim, grant necessary papers and carry out procedures to send him/her home;

   b/ The competent agency of the Ministry of Public Security or the Ministry of National Defense shall receive the victim and pay travel and food expenses for him/her to return to his/ her place of residence by himself/herself, and guide the victim in carrying out procedures to receive the supports provided in Articles 34 thru 38 of this Law. If the victim has no place of residence or wishes to stay at a social security or victim support establishment, it shall transfer the victim to such establishment. For a child victim, it shall notify a relative to receive the victim or assign a person to take the victim to the relative's place of residence. If the victim is a helpless child, it shall carry out procedures to transfer the victim to a social security or victim support establishment.

2. The receipt of a victim who is trafficked abroad and fully meets the conditions to return Vietnam under a bilateral international agreement complies with that agreement.

3. The receipt and verification of a victim who is trafficked abroad and returns home by himself/herself complies with Article 24 of this Law.

**Article 27. Bases for identifying victims**

1. A person may be identified as victim when:

   a/ He/she is trafficked or transferred or received under Clause 1 or 2. Article 3 of this Law; or

   b/ He/she is recruited, transported or harbored under Clause 3, Article 3 of this Law.

2. The Government shall detail Clause 1 of this Article.

**Article 28. Papers and documents proving victims**

1. Certificates of police offices of rural districts, urban districts, towns and provincial cities provided in Clause 4. Article 24 of this Law.

2. Certificates of rescue agencies provided in Article 25 of this Law.
3. Certificates of investigation agencies, agencies assigned to conduct investigation. People's Procuracies and People's Courts.

4. Papers and documents proving victim status issued by foreign authorities which are consularly legalized by overseas Vietnamese representative agencies or the Vietnamese Ministry of Foreign Affairs.

Section 2 PROTECTION OF VICTIMS

Article 29. Rescue and protection of victims

When having grounds to believe that a person is trafficked, an agency, unit or person specified in Article 21 of this Law shall take necessary measures to rescue that person. When that person has or is threatened to have his/her life, health, honor, dignity or property infringed upon, protection measures shall be taken.

Article 30. Safety protection of victims and their relatives

1. Safety protection measures for victims and their relatives include:
   a/ Providing temporary shelter for victims and their relatives when they are threatened to have their life or health infringed upon;
   b/ Keeping confidential places of residence, working and learning of victims and their relatives;
   c/ Measures to prevent acts of infringing upon or threatening to infringe upon the life, health, honor, dignity and property of victims and their relatives under law;
   d/ Other protection measures under the criminal procedure law.

2. The Government shall detail the safety protection of victims and their relatives.

Article 31. Protection of confidentiality of information on victims

1. Agencies, organizations and individuals shall keep confidential information on victims, unless otherwise provided by law.

2. Courts shall consider and decide on behind-closed-door trial of human trafficking cases at the request of victims or their lawful representatives.

Chapter V

SUPPORT FOR VICTIMS

Article 32. Support beneficiaries and regimes

1. Victims who are Vietnamese citizens or stateless persons permanently residing in Vietnam may, depending on the cases specified in Articles 33 thru 38 of this Law, enjoy the following regimes:
   a/ Support to meet essential needs and for travel expenses;
   b/ Medical support:
c/ Psychological support;
d/ Legal aid;
e/ Support in general education and vocational training:
f/ Initial difficulty allowance, support in loan borrowing.

2. Victims who are foreigners trafficked in Vietnam may, depending on the cases specified in Articles 33 thru 36 of this Law, enjoy the supports specified at Points a. b. c and d. Clause 1 of this Article.

3. Accompanying minors of victims may, depending on the cases specified in Articles 33, 34 and 35 of this Law, enjoy the supports specified at Points a. b and c. Clause 1 of this Article.

4. The Government shall detail support regimes and the order and procedures for providing supports to victims.

**Article 33. Support to meet essential needs and for travel expenses**

When necessary, victims may be provided with temporary shelter, clothes, food and other essential personal articles based on practical conditions and the age, gender and health status of victims. Victims who wish to return to their places of residence but cannot afford travel and food expenses may receive support for these expenses.

**Article 34. Medical support**

During their stay at social security or victim support establishments, victims who need healthcare for recovery may be considered for receiving support for healthcare expenses.

**Article 35. Psychological support**

Victims may receive support for psychological stabilization during their stay at social security or victim support establishments.

**Article 36. Legal aid**

1. Victims may receive legal counseling to avoid being trafficked again and legal aid to register residence and civil status, receive supports, claim compensation, participate in judicial proceedings and carry out other legal procedures related to human trafficking cases.

2. The order and procedures for legal aid comply with the law on legal aid.

**Article 37. Support in general education and vocational training**

1. Victims who are minors of poor households and continue their schooling may be provided with school fees and expenses for textbooks and learning aids in the first school year.

2. Victims returning to their localities who are members of poor families may be considered for vocational training support.
Article 38. Initial difficulty allowance and loan borrowing support
1. Victims who are members of poor households returning to their localities may receive a lump-sum initial difficulty allowance.
2. Victims who wish to take loans for production and business may be considered and created conditions for taking loans under law.

Article 39. Victim support agencies and organizations
1. Commune-level People's Committees which receive victims and police offices, border guard and marine police which rescue victims shall provide support to meet essential needs of victims.
2. District-level Labour, Invalids and Social Affairs Divisions shall support travel expenses for victims who return home by themselves.
3. Social security and victim support establishments shall provide support to meet essential needs of and psychological and medical support for victims.
4. State legal aid centers and organizations engaged in legal aid shall provide legal aid for victims.
5. Provincial-level Labour, Invalids and Social Affairs Departments shall provide initial difficulty allowances for victims: and coordinate with provincial-level Health Departments and Education and Training Departments in providing medical support and general education and vocational training support for victims.

Article 40. Social security and victim support establishments
1. Public social security establishments shall provide the following supports to victims:
   a/ Receiving and providing lodging for victims:
   b/ Providing support to meet essential needs and medical and psychological support suitable to the age, gender and expectations of victims and the establishments' capacity;
   c/ Training in living skills and providing vocational orientations for victims:
   d/ Assessing victims' ability to integrate into the community: providing information on support policies, regimes and services for victims in the community:
   e/ Providing necessary information for functional agencies to prevent and tight the acts specified in Article 3 of this Law:
   f/ Coordinating with concerned agencies in sending victims to their places of residence:
   g/ Coordinating with police offices in verifying, victims.
2. Victim support establishments shall be set up by Vietnamese organizations or individuals to perform the jobs specified in Clause 1 of this Article in accordance With their establishment licenses. The setting up and operations of these establishments are not funded by the state budget.
The Government shall specify conditions, order and procedures for setting up victim support establishments.

Chapter VI

RESPONSIBILITIES OF THE GOVERNMENT, MINISTRIES, SECTORS AND LOCALITIES FOR HUMAN TRAFFICKING PREVENTION AND COMBAT

Article 41. State management responsibilities for human trafficking prevention and combat

1. The Government shall uniformly perform the state management of human trafficking prevention and combat.

2. The Ministry of Public Security shall assist the Government in performing the state management of human trafficking prevention and combat and perform the tasks and powers provided in Article 42 of this Law.

3. The Ministry of National Defense, the Ministry of Labour, Invalids and Social Affairs, the Ministry of Health, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Culture, Sports and Tourism, the Ministry of Education and Training, the Ministry of Information and Communications and other ministries and ministerial-level agencies shall, within the ambit of their tasks and powers, coordinate with the Ministry of Public Security in performing the state management of human trafficking prevention and combat, and perform the tasks and powers under Articles 43 thru 50 of this Law and related laws.

4. People's Committees of all levels shall, within the ambit of their tasks and powers, perform the state management of human trafficking prevention and combat in their localities and perform the tasks and powers provided in Article 52 of this Law.

Article 42. Responsibilities of the Ministry of Public Security

1. In performing the state management of human trafficking prevention and combat, the Ministry of Public Security shall:

a/ Propose the Government to elaborate and improve the law on human trafficking prevention and combat and sign or accede to treaties concerning human trafficking prevention and combat;

b/ Formulate and propose competent agencies to promulgate or promulgate according to its competence legal documents, programs and plans on human trafficking prevention and combat;

c/ Assume the prime responsibility for, and coordinate with concerned ministries and sectors and direct provincial level People's Committees in, implementing legal documents, programs and plans on human trafficking prevention and combat;
d/ Assume the prime responsibility for, and coordinate with concerned agencies and organizations in. promulgating and implementing regulations on training and retraining of personnel in charge of human trafficking prevention and combat;

e/ Assume the prime responsibility for, and coordinate with concerned agencies and organizations in. making statistical reports on human trafficking prevention and combat; summarize practical experience in and expand models of human trafficking prevention and combat:

f/ Inspect and examine the implementation of the law on human trafficking prevention and combat;

g/ Carry out international cooperation in human trafficking prevention and combat according to its competence.

2. In preventing and combating human trafficking, the Ministry of Public Security shall:

a/ Arrange forces to prevent and combat human trafficking;

b/ Manage security and order to prevent human trafficking;

c/ Direct police offices in receiving, verifying and supporting victims under Articles 24, 25 and 26 of this Law;

d/ Launch campaigns for all people to participate in the crime prevention, detection and combat to maintain social order and safety.

Article 43. Responsibilities of the Ministry of National Defense

1. To assume the prime responsibility for. and coordinate with concerned ministries and sectors in. conducting information, communication work to mobilize inhabitants of border areas and islands to participate in human trafficking prevention and combat activities.

2. To direct border guard and marine police forces in preventing and combating human trafficking in border areas and at sea under law. to receive and support victims under Articles 25 and 26 of this Law.

3. To manage security and order in border areas and islands and at sea to prevent human trafficking.

4. To carry out international cooperation in human trafficking prevention and combat according to its competence.

Article 44. Responsibilities of the Ministry of Labour, Invalids and Social Affairs

1. To formulate and propose competent authorities to promulgate victim support policies; to guide victim support measures according to its competence.

2. To manage, guide, examine and inspect victim support activities.
3. To direct the incorporation of human trafficking prevention and combat into programs on poverty reduction, vocational training, employment generation, social evil prevention and combat, gender equality and child protection.

4. To guide social security and victim support establishments in supporting victims.

5. To coordinate with the Ministry of Health and the Ministry of Education and Training in supporting victims in health, general education and vocational training.

6. To manage, guide, examine and inspect activities related to job recommendation, sending of Vietnamese workers abroad and recruitment of foreigners to work in Vietnam to prevent and combat the abuse of these activities for human trafficking.

7. To carry out international cooperation in human trafficking prevention and combat according to its competence.

**Article 45. Responsibilities of the Ministry of Health**

To direct and guide health establishments in coordinating with social security and victim support establishments in providing medical support for victims.

**Article 46. Responsibilities of the Ministry of Foreign Affairs**

1. To direct and guide overseas. Vietnamese representative agencies in protecting Vietnamese citizens who are trafficked abroad: to coordinate with competent Vietnamese and foreign agencies in making verifications and carrying out necessary procedures to send Vietnamese victims home.

2. To coordinate with the Ministry of Public Security and other competent agencies in carrying out international cooperation in human trafficking prevention and combat.

**Article 47. Responsibilities of the Ministry of Justice**

1. To coordinate with the Ministry of Public Security and concerned agencies in formulating, improving, and monitoring the implementation of, the law on human trafficking prevention and combat.

2. To organize and guide the popularization of and education about the law on human trafficking prevention and combat.

3. To manage, guide, examine and inspect marriage support and child adoption activities in order to prevent and combat the abuse of these activities for human trafficking.

4. To guide state legal aid centers and organizations engaged in legal aid in providing legal aid for trafficking victims under law.

5. To coordinate with the Ministry of Public Security and other competent agencies in carrying out international cooperation in human trafficking prevention and combat.

**Article 48. Responsibilities of the Ministry of Culture, Sports and Tourism**
1. To direct the incorporation of human trafficking prevention and combat into cultural, tourist and family programs.

2. To manage, guide, examine and inspect domestic and overseas tourist activities, activities of tourist lodging and tourist service establishments in order to prevent and combat the abuse of these activities for human trafficking.

3. To organize and guide information, communication on human trafficking prevention and combat and in business activities of tourist lodging and tourist service establishments.

**Article 49. Responsibilities of the Ministry of Education and Training**

1. To direct the incorporation of knowledge on human trafficking prevention and combat into extra-curricular programs appropriate to each education level and discipline and communication on and education about human trafficking prevention and combat for pupils, students and trainees.

2. To direct schools and other educational institutions of the national education system in performing the tasks provided in Article 14 of this Law.

3. To manage, guide, examine and inspect the sending of trainees abroad in order to prevent and combat the abuse of this activity for human trafficking.

**Article 50. Responsibilities of the Ministry of Information and Communications**

1. To direct mass media agencies in performing the tasks provided in Article 16 of this Law.

2. To closely manage and regularly examine and inspect Internet service providers in order to prevent and combat the abuse of this service for human trafficking.

**Article 51. Responsibilities of People's Procuracies and People's Courts**

1. People's Procuracies and People's Courts shall, within the ambit of their functions, tasks and powers, promptly and strictly handle violations of the law on human trafficking prevention and combat: and coordinate with concerned agencies and organizations in preventing and combating human trafficking.

2. The Supreme People's Procuracy shall make statistics on human trafficking crimes.

**Article 52. Responsibilities of People's Committees of all levels**

1. Within the ambit of their functions, tasks and powers. People's Committees of all levels shall:

   a/ Incorporate human trafficking prevention and combat into socio-economic development programs;

   b/ Organize human trafficking prevention and combat work;

   c/ Allocate budget funds for human trafficking prevention and combat:
d/ Promptly and strictly handle violations of the law on human trafficking prevention and combat;

e/ Manage security and order to prevent and combat human trafficking.

2. In addition to the responsibilities provided in Clause I of this Article, commune-level People's Committees shall:

a/ Assume the prime responsibility for, and coordinate with commune-level Vietnam Fatherland Front Committees and their member organizations in, organizing and facilitating the counseling on human trafficking prevention and combat at grassroots level;

b/ Receive and support victims under Clause 1, Article 24 of this Law:

c/ Create conditions for victims to integrate into the community.

Chapter VII

INTERNATIONAL COOPERATION IN HUMAN TRAFFICKING PREVENTION AND COMBAT

Article 53. International cooperation principles

The Vietnamese State implements the policy on international cooperation in human trafficking prevention and combat on the principles of equality, voluntariness and respect for independence and sovereignty.

Article 54. International cooperation

1. Pursuant to this Law and related treaties to which the Socialist Republic of Vietnam is a contracting party, competent Vietnamese agencies shall cooperate with concerned agencies of other countries, international organizations and foreign organizations and individuals in improving legal capacity, communication, technology and training in human trafficking prevention and combat.

2. Coordination among concerned agencies of Vietnam and other countries in settling human trafficking cases complies with treaties to which the Socialist Republic of Vietnam is a contracting party.

When Vietnam and an involved country are not concurrently contracting parties to a treaty, competent Vietnamese agencies shall carry out international cooperation on the reciprocity principle and in accordance with Vietnamese laws and international laws and practices.

Article 55. International cooperation in rescue and repatriation of victims

1. The Vietnamese State shall create conditions for Vietnamese functional agencies to cooperate with concerned foreign agencies in rescuing and protecting victims.

2. The Vietnamese State shall create favorable conditions for foreign victims to repatriate to their countries of citizenship or countries of last residence; and take measures to ensure
repatriation of victims in accordance with law and treaties between Vietnam and other countries and assure safety of life, health, honor and dignity of victims.

**Article 56. Mutual legal assistance**

Mutual legal assistance between Vietnam and an involved country complies with treaties to which Vietnam and that country are contracting parties or the reciprocity principle in accordance with Vietnamese laws and international laws and practices.

The Vietnamese State shall prioritize mutual legal assistance in human trafficking prevention and combat to countries which sign bilateral agreements with Vietnam.

**Chapter VIII**

**IMPLEMENTATION PROVISIONS**

**Article 57. Effect**

This Law takes effect on January 1, 2012.

**Article 58. Implementation guidance**

The Government shall detail articles and clauses of this Law as assigned; and guide other necessary contents of this Law to meet state management requirements.

*This Law was passed on March 29, 2011, by the XII*th *National Assembly of the Socialist Republic of Vietnam at its 9th session.*

**CHAIRMAN OF THE NATIONAL ASSEMBLY**

Nguyen Phu Trong
APPENDIX D: NATIONAL PLAN OF ACTION AGAINST HUMAN TRAFFICKING, PERIOD 2011-2015

PRIME MINISTER

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom - Happiness

No. 1427/QD-TTg

Ha Noi, 18 August 2011

DECISION

Approving the National Plan of Action against Human Trafficking, period 2011-2015

PRIME MINISTER

Pursuant to the Law on Organization of the Government of Vietnam dated 25 December 2001;

Pursuant to the Law on Anti-human Trafficking adopted by the National Assembly on 29 March 2011;

Pursuant to the Law No. 37/2009/QH12, dated 19 June 2009 on Amending and Supplementing a Number of Articles of the Penal Code 1999;

Considering the proposal of the Minister for Public Security,

DECIDES:


 Article 2. This National Plan of Action is awarded with the same financial mechanism as the National Target Programme.

 Article 3. This Decision is effective for execution from the date of its signing for promulgation.

 Article 4. The Ministry of Public Security takes the lead to manage and has responsibility to control and supervise this National Plan of Action.

229
Ministers, Heads of Agencies of Ministerial level, Heads of Agencies under the Government, Chairpersons of local People’s Committees of provinces, centrally governed cities have responsibilities to execute this Decision.///.

To recipients:
- Central Committee’s Secretariat of the Communist Party of Vietnam;
- Prime Minister, Deputy Prime Ministers;
- Ministries, ministerial-level agencies, governmental agencies;
- Office of the Central Steering Committee for Anti-Corruption;
- Local People’s Councils, People’s Committees of provinces and centrally governed cities;
- Office of the Party Central Committee and Functional Commissions of the Party;
- Office of the President;
- Ethnic Council and Functional Committees of the National Assembly;
- Office of the National Assembly;
- Supreme People’s Court;
- Supreme People’s Procuracy;
- State Audit of Vietnam;
- National Financial Supervisory Commission;
- Vietnam Bank for Social Policies;
- Vietnam Development Bank;
- Central Committee of Vietnam Fatherland Front;
- Central Offices of Mass

PRIME MINISTER

(Signed and sealed)

Nguyen Tan Dung
Organizations, Unions;
- Government Office: Minister – Chairperson, Vice Chairperson, Government Web Portal, Departments, units under and affiliations to the Government Office, Official Gazette;
- For records: Archives, NC
THE NATIONAL PLAN OF ACTION ON ANTI HUMAN TRAFFICKING, PERIOD 2011 -2015

Part I
GUIDING PRINCIPLE AND OBJECTIVE OF THE NATIONAL PLAN OF ACTION

I. Guiding principles
1. The National Plan of Action (NPA) on Counter Human Trafficking (2011-2015) is considered as one of the most important political tasks of the Government, at both the central and local levels, to ensure public security and social order, and in turn, socio-economic development.

2. The Party and the Government, at both the central and local levels, must identify counter-trafficking work as a priority that requires a committed response to be integrated into other socio-economic development programs. Resources and cooperation from society as a whole and the international community also needs to be mobilized.

3. Prevention should be the core action, with counter trafficking efforts prioritizing the prevention and reduction of human trafficking. Support for social reintegration of the victims should also be a priority.

II. Objectives

1. Overall objectives
To significantly increase awareness in society on the issues of prevention and combating human trafficking, in addition to the provision of reintegration assistance for victims.

2. Specific objectives
   a) Objective 1: Strengthen education to raise awareness and encourage community participation in preventative and prosecutorial human trafficking work.

   b) Objective 2: Strengthen the effectiveness of investigations, prosecutions and trials of human trafficking cases.

   c) Objective 3: Strengthen the effectiveness of victim identification, reception arrangements, protection and community reintegration.
d. Objective 4: Finalize the legislative framework on counter trafficking to ensure effective implementation and enforcement of the new Law on Prevention and Suppression Against Human Trafficking.

d) Objective 5: Promote international cooperation and collaboration on counter trafficking.

**Part II**

**TARGETED GROUPS, SCOPE AND DURATION OF THE NPA**

**I. Targeted groups**

Vietnamese citizens and foreigners lawfully residing in Viet Nam.

**II. Scope**

The program will be implemented throughout the country with priority given to human trafficking hot spots, the most established routes, large cities, and bordering provinces with China, Laos and Cambodia.

**III. Duration**

The NPA will run for a period of five years, from 2011 to 2015.

**Part III**

**SOLUTIONS FOR IMPLEMENTATION**

1. Promote the direction and management of the Party and the Government at all levels to counter human trafficking. Improve the capacity of government officials and encourage the finalization and implementation of legislation and policy on combating human trafficking.

2. Utilization and mobilization of resources for the NPA needs to be diverse. Investment into human resources is required to ensure that officers in charge are qualified to perform their assigned duty.

3. Promote inter-agency coordination and cooperation on the implementation of sub-projects. Encourage and facilitate the mobilization of all agencies, sectors, and social organizations for a stronger, consistent and more comprehensive effort in preventing and combating human trafficking.

4. Promote international cooperation to mobilize funds and technical assistance to combat human trafficking. Priority must be given to the development of bilateral and multilateral MOUs with international organizations, regional countries (especially those sharing borders with Vietnam) and major human trafficking destination countries.

5. Develop monitoring and evaluation mechanisms with realistic indicators outlined in simple and accessible data collection forms. Develop guidelines and instructions for data collection, data entry and reporting. Ensure effective implementation of the monitoring and evaluation mechanisms, according to each sub-project and the NPA as a whole.

**PART IV**
SPECIFIC PROJECTS

1. Component 1: “Strengthening information communication and legal education to raise awareness and skills in preventing and combating human trafficking”

1. Responsible agency: Ministry of Information and Communication

2. Specific Indicators

   a) Indicator 1: By 2013, 85 percent; and by 2015, 100 percent of legal documents on counter trafficking are compiled into IEC materials for use at the commune level.

   b) Indicator 2: By 2013, 70 percent; and by 2015, 85 percent of local level government personnel have adequate knowledge of anti-trafficking legislation and policy.

   c) Indicator 3: By 2013, in 100 percent of Vietnamese provinces, there are at least ten educators at the provincial level, five educators at the district level and ten communicators at the communal level.

   d) Indicator 4: By 2013, 70 percent; and by 2015, 85 percent of the general public understand the modalities, risks and consequences of human trafficking, as well as the preventive measures and relevant protection mechanisms.

   e) Indicator 5: 100 percent of interior-focused journalists from central and provincial levels have qualified knowledge and skills in writing news articles on human trafficking.

   f) Indicator 6: The annual rate of people in the community reporting suspected cases to the relevant authorities increases by 10-15 percent as compared with the previous year.

3. Sub-projects

   a) Sub-project 1: “Communication and awareness raising on preventing and combating human trafficking through mass media channels at the central and local levels”

   Content:

   - Timely provision and coverage of: the Party’s orientation, policy and legislation on counter human trafficking; situation, risks and consequences of human trafficking; results and good practices of preventing and combating trafficking in persons; individuals with merit and lessons learned.

      - The mass media (including The Viet Nam Television, The Voice of Viet Nam, newspapers, websites, web portals, mobile networks and commune cultural houses) to develop and disseminate in-focus pages on counter human trafficking;
• Cultural, tourism-managed agencies and grassroots organizations to communicate and disseminate information on counter human trafficking through cultural, tourism and service activities.

** Responsible agency:** Ministry of Information and Communications;

** Coordinating agencies:** Ministry of Public Security (MPS), Ministry of Defence (MOD), Ministry of Culture, Sports and Tourism, Ministry of Labour, Invalids and Social Affairs (MOLISA), Viet Nam Women’s Union, The Viet Nam Television (VTV), The Voice of Viet Nam (VOV), news agencies and other related agencies; and

** Implementation budget:** Total of VND15 billion from the national budget, of which VND4 billion will be allocated to the central ministries and the remaining VND11 billion will be allocated to the localities.

b) **Sub-project 2: “Communication and education to raise awareness and skills on counter human trafficking through community–based activities.”**

** Content:**

• Development of IEC materials on: the Party’s orientation; government policies and regulations on human trafficking; modalities and consequences of human trafficking; preventive measures and information on how to respond to suspected cases through, *inter alia*, the development of banners, slogans, brochures and posters;

• Develop and strengthen the network of educators, communicators and collaborators on human trafficking.

• Develop new and/or adapt effective preventive modules in high risk areas

• Organize awareness raising campaigns in addition to joint communication campaigns with countries in the region, especially those sharing borders with Vietnam.

** Responsible Agencies:** The Women’s Union.

** Coordinating agencies:** MPS, MOD, MIC, MOLISA, MOJ, MCST, MOET, Fatherland Front and other related agencies

** Implementation budget:** VND40 billion to come from national budget, of which VND6 billion will be allocated to the central ministries and the remaining VND34 billion allocated to the localities.

**II. Component 2:** “Strengthening the effectiveness of combating and suppressing trafficking criminals”.

1. **Responsible agency:** MPS

2. **Specific Indicators**
a) Indicator 1: Professional conduct is deployed in 100 percent of hotspots for prevention and detection of trafficking cases.

b)Indicator 2: Annually, 100 percent of trafficking-related information is forwarded to the relevant agencies for screening, with 100 percent of suspected cases investigated in accordance with the law.

c) Indicator 3: Annually, the rate of detection, investigation and prosecution of trafficking cases is increased by at least 2 percent.

d) Indicator 4: Annually, 95 percent of investigated cases are prosecuted.

e) Indicator 5: Annually, 100 percent of all human trafficking cases resulting in guilty verdicts come in to practice and ensure the transparency and injustice – free judgments on human trafficking crimes

3. Sub-projects

a) Sub-project 1: “Enhance capacity to combat internal trafficking”

Content:
+ Implementation of basic investigation techniques and other professional methods for prevention, detection, victim rescues and capture crimes
+ Investigation and protection of victims during the investigation period; + Operating suppression campaigns with a special focus on the border areas;
+ Provision of education for traffickers and brokers;
+ Establishment of anti-trafficking units within the Police and Military forces;
+ Implementation of professional investigation techniques for the prevention and detection of all human trafficking cases; and
+ Screening of all information reported and sharing of documentation and information on trafficking-related offences.

Integration of human trafficking education into the curriculum of Police and Border Command training systems.

**Responsible agency:** MPS

**Coordinating agencies:** MOD, MOFA, MOJ, The People’s Supreme Court, Supreme Procuracy Office.

**Implementation budget:** VND100 billion to come from the national budget, of which VND25 billion will be allocated to central agencies and the remaining VND75 billion will be allocated to the localities

b) Sub-project 2: Enhance capacity to combat and suppress human trafficking in border, coastal and island areas
Content

+ Implementation of professional investigation techniques to pursue human trafficking rings, to rescue victims and arrest offenders in border, coastal and island areas.
+ Collaboration with police to organize suppression attack campaign
+ Provision of education for traffickers and people affected by trafficking in border, coastal and island areas
+ Establishment of anti-trafficking units within the Border Command
+ Collection of evidence in accordance with the law, to support the prosecution of traffickers and protection of victims
+ Application of professional measures for the prevention, detection and suppression of human trafficking in border, coastal and island areas
+ Information screening and sharing of documentation on trafficking-related offences.

**Responsible agency:** Ministry of Defense (Border Guard Command)

**Coordinating agencies:** MPS, MOFA, PSC and SPO

**Implementation budget:** VND30 billion will be used for activities 1-5, of which VND10 billion will be allocated to the central agencies and the remaining VND20 billion will be allocated to the localities. Additional activities will be calculated into the annual financial budgets of ministries, sectors and localities

c) Sub-project 3: “Promote trafficking prosecutions and trials”

Content:

+ Implementation of victim protection methods during prosecution and trial.
+ Implementation of roving prosecution of sound human trafficking cases
+ Prosecution and trial of trafficking cases.
+ Development of anti-trafficking database.

**Responsible agency:** Supreme Prosecution Office

**Coordinated agencies:** MPS, MOD and SC

**Implementation budget:** VND5 billion will be used for activities 1st to 2nd, of which VND2 billion will be allocated to the central agencies and the remaining VND3 billion will be allocated to the localities. Additional activities will be calculated in the annual financial budgets of ministries, sectors and localities

III. Component 3: “Reception, identification, protection and support of victims of trafficking”

1. **Responsible agency:** Ministry of Labour, Invalids and Social Affairs (MOLISA)
2. Specific Indicators

a) Indicator 1: 100 percent of all cases received must submit to the required verification and identification procedures for victim of human trafficking in line with policy

b) Indicator 2: 100 percent of identified cases/victims receive regular assistance

c) Indicator 3: 100 percent of victims are provided with the option of legal aid assistance, free of charge.

d) Indicator 4: By 2015, adequate facilities are established to receive and protect victims in provinces that are particularly susceptible to human trafficking (i.e. border and coastal areas)

3. Sub-projects

a) Sub-project 1: “Reception, identification and protection of victims”

Content:

- Receive victims, support family tracing and collect data and evidence; assist in issuing legal document and certification; and provide support to victims in accordance with the relevant laws.
- Ensure measures are taken to protect the victim and apply confidentiality of information at the victims’ wish, and ensure preventative measures are taken in cases where victims are particularly vulnerable to being re-trafficked.
- Draft and submit legal documents to the competent authorities; providing instructions on the processes and procedures relating to the receipt, verification, identification and protection of victims of trafficking.

Responsible agency: MPS

Coordinating agencies: MOD, MOFA, MOLISA, SPO, SC, provincial People’s Committee and other relevant agencies

Implementation budget: VND16 billion will be used for activities 1st to 2nd, of which VND4 billion will be allocated to the central agencies and the remaining VND12 billion will be allocated to the localities. Additional activities will be calculated in the annual financial budgets of ministries, sectors and localities

b) Sub-project 2: “Support the reintegration of victims”

Content:

- Ensure facilities and the provision of assistance to victims is regulated through monitoring and evaluation mechanisms.
- Collaborate with the relevant ministries to provide health care, education, vocational training and legal aid assistance in accordance with the law.
• Draft and submit guidance and policy recommendations that support victims, policy implementation processes and procedures and support victims as well as conditions, process and procedures on establish supporting centers to competent authorities.

** Responsible agency: MOLISA**

**Coordinating agencies:** MPS, MOD, MOFA, MOH, MOET, MOJ, WU, provincial People’s Committee and other relevant agencies.

**Implementation budget:** VND16 billion will be provided for activities 1st to 2nd, of which VND4 billion will be allocated to the central agencies and the remaining VND12 billion will be allocated to the localities. Additional activities will be calculated in the annual financial budgets of ministries, sectors and localities.

**IV. Component 4:** “Develop and improve the current legislation on counter trafficking and monitor the implementation of the Law on Prevention, Suppression Against Human Trafficking”

1. **Responsible agency:** MPS

2. **Specific Indicators**

   a) Indicator 1: 100 percent of all legal documents must be issued immediately after the Law on Prevention, Suppression Against Human Trafficking comes in to force on 1 January 2012

   b) Indicator 2: By 2012, all legal documents on human trafficking will be documented and systematized to allow for regular review process.

   c) Indicator 3: The effectiveness of all adopted legal documents on human trafficking will be regularly monitored and evaluated.


3. **Contents**

   • Develop circulars and subsequent submissions to the competent authorities for approval.

   • Amend and supplement (where necessary) legal documents to strengthen the effectiveness of human trafficking prevention and control.

   • Systematize and revise the current legal documents on counter human trafficking
• Study and report to Government to submit President to approve and implement TOC as well as the Protocol on Prevention, Suppression and Punishment of human trafficking crime as supplemented to Convention

• Monitor and evaluate the implementation of the anti-trafficking law

**Coordinating Agencies:** National Office of Assembly, Office of Government, MOJ, MOD, MOFA, MOLISA, SPO, SC and other relevant agencies.

**Implementation budget:** The budget for this component is allocated to the annual financial budgets of the ministries, sectors and localities

V. **Component 5:** “Strengthen international cooperation on combating human trafficking”

1. **Responsible agency:** MPS

2. **Specific indicators**

   a) Indicator 1: All international Conventions signed and/or ratified by Viet Nam will be implemented. Implementation will be complemented with an effective monitoring and evaluation mechanism.

   b) Indicator 2: Increase international collaboration and cooperation with countries most affected by human trafficking by at least 5 percent per annum.

   c) Indicator 3: 100 percent of internationally funded projects are implemented as planned.

   d) Indicator 4: By 2013, at least 2; and by 2015, at least 5 MOUs on counter human trafficking to be signed with other countries.

3. **Content**

   - Monitoring the implementation of all Conventions on counter human trafficking either signed and/or ratified by the Vietnamese Government

   - Actively participate in all regional and international activities on counter human trafficking

   - Develop, strengthen and mobilize a coordinated mechanism on counter human trafficking with other countries, international agencies, and particularly with regional and Greater Mekong Sub-region countries.

   - Strengthen external information sharing through the development of, *inter alia*, a website, an educational handbook and a documentary film in English.

   - Exchange information and lessons learned to enable greater capacity and knowledge building in the area of human trafficking

   - Appeal for technical and financial assistance from international communities on counter trafficking
- Implementation of joint projects between MPS and international organisations, and international and local NGOs on counter human trafficking in accordance with Vietnamese law

- Support the Government in monitoring, supervising and synthetizing the implementation of all other international joint projects on counter human trafficking carried out by ministries, sectors and localities

- Provide recommendations to the government regarding the development/signing/ratification of bilateral and multilateral agreements and international counter trafficking conventions.

**Coordinating agencies:** MOFA, MOJ, MOLISA, MOD, SPO, SC, WU, and other relevant ministries, social organizations

**Implementation budget:** The budget for this component is allocated to the annual financial budgets of ministries, sectors and localities.

**PART V**

**PLAN BUDGET**

1. The total budget for this NPA will amount to VND270 billion (VND54 billion per annum), of which VND74 billion will be funded through investment development capital, and VND196 billion through business capital.

In addition, the total budget will receive annual funding from local ministry budgets, international aids and other legal sources.

2. The mechanism for use of NPA budget as a NTP is established according to Decision No.135/QD-TTg, endorsed by the Prime Minister on 4 November 2009.

**PART VI**

**IMPLEMENTATION OF THE NATIONAL PLAN OF ACTION**

**I. Coordination and Management Mechanism**

- Strengthen the Steering Committee 130/CP through additional designation of relevant ministries and agencies to the committee, led by the Deputy Prime Minister.


**II. Assignment of Responsibilities**

1. Ministry of Public Security will act as the focal point, advising the Government on management and instructing relevant ministries, agencies, and People’s Committees of provinces or centrally-run cities on how to organize the implementation of the NPA;

- Act as the focal point for Component 2, Component 4 and Component 5; design and implement Project 1/Component 2 and Sub-component 1/Component 3;
- Cooperate with the Ministry of Information and Communication, Ministry of Defense, Ministry of Labour, Invalids and Social Affairs, the Supreme People’s Procuracy and Vietnam Women’s Union in designing and implementing the remaining components.

- Collaborate with the Ministry of Finance, Ministry of Planning and Investment and other relevant ministries to appraise project proposal before submitting to the competent authority for final approval

2. The Ministry of Defense (The Border Guard Command) acts as the focal point in designing and implementing Project 2/Component 2.

- Collaborate with MPS and MOLISA in designing sub-project 1/Project 3 and taking the lead in the reception and provision of basic support for returned victims in border areas.

- Collaborate with Vietnam Women’s union and the Ministry of Communications and Information in raising greater awareness of human trafficking with border, coastal and island communities.

- Collaborate with MPS to implement Project 5.

3. The Ministry of Labour, Invalids and Social Affairs will act as the focal point for Component 3 to cooperate with the Ministry of Public Security, Ministry of Justice, Ministry of Health and the Ministry of Education and Training and other relevant ministries and agencies in designing and organizing the implementation of Sub-component 2/Component 3;

- Ensure the integration of human trafficking into programs on poverty reduction, vocational training and employment;

- Manage, guide, examine and inspect the place of employment of Vietnamese workers abroad to minimize the risk of trafficking in persons.

4. The Ministry of Information and Communication will act as the focal point for Component 1 to cooperate with the Vietnam Women’s Union, Ministry of Public Security and other relevant ministries and agencies to develop and implement Sub-component 1/Component 1.

5. The Ministry of Finance will develop a mechanism to use and manage the budget of the NPA, as part of the National Targeted Programme. Collaboration with MPS (as the leading implementation agency of the NPA) in planning and budget allocation for the approval of the competent authorities to then allocate budget to ministries, sectors and localities according to the current Law on National Budgetary

6. The Ministry of Planning and Investment acts as the joint focal point with the Ministry of Finance, responsible for budget allocation and the implementation of all planned activities as a part of the National Targeted Programme

7. The Ministry of Justice, works in cooperation with the Ministry of Public Security and other relevant ministries and agencies to develop and implement the program.
Strengthening law enforcement and increasing the provision and access of legal aid to victims. Manage, guide and examine activities related to marriage brokering and child adoption to combat the misuse of such activities for trafficking in persons.

8. The Ministry of Foreign Affairs provides guidance to foreign-based Vietnamese organisations on the protection of Vietnamese citizens whom have been trafficked across international borders; and cooperates with the competent domestic and foreign authorities to verify victims and apply the appropriate procedures to enable the voluntary return of Vietnamese victims.

9. The Ministry of Culture, Sports and Tourism in cooperation with the Ministry of Information and Communication, Ministry of Justice, Vietnam Women’s Union and other relevant ministries and agencies, will be responsible for the implementation of Component 1:
   - To integrate human trafficking into cultural and tourism programs; and
   - To manage, instruct and examine tourism and cultural activities with a view to preventing and combating trafficking of persons in said industries.

10. In cooperation with the Ministry of Information and Communication, Ministry of Culture, Sports and Tourism and other relevant ministries, the Vietnam Women’s Union acts as the focal point for developing and implementing Sub-component 2/Component 1.

11. In cooperation with the Ministry of Public Security, the People’s Supreme Court acts as the focal point for developing and implementing Sub-component 3/Component 1, and participates in Project 1 and 2/Component 2, Component 4 and Component 5.

12. In cooperation with other ministries and agencies, the People’s Supreme Procuracy will participate in Component 2, Component 4 and Component 5, and compile statistics on human trafficking.

13. Ministerial and Government agencies will participate in the NPA in accordance with the functions and tasks assigned.

14. The Provincial People’s Committees will provide overall guidance on the implementation of the NPA at local levels; integrate the NPA into socio-economic development activities; and monitor and evaluate implementation in the localities.

15. The Vietnam Fatherland Front and its member organizations, within the scope of their functions and responsibilities, will participate in the monitoring implementation of the NPA, promoting awareness and dissemination of policies and laws, thus encouraging the people to comply with the Law on Prevention, Suppression of Human Trafficking.

PRIME MINISTER

Nguyen Tan Dung
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