

Casting Light in the Shadows:

Child and youth migration, exploitation and trafficking in Vietnam

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Contents

CONTENTS	2
ACKNOWLEDGEMENTS	4
ACRONYMS	5
1. INTRODUCTION	6
2. METHODOLOGY	7
2.1. RESEARCH OBJECTIVES	7
2.2. METHODS	7
2.2.1. <i>Qualitative research</i>	7
2.2.2. <i>Quantitative research</i>	8
2.3. LIMITATIONS	14
3. TOWARDS A CONCEPTUAL FRAMEWORK FOR DEFINING AND MEASURING (CHILD) TRAFFICKING	15
3.1. THE EMERGENCE OF ‘HUMAN TRAFFICKING’ AS AN ISSUE OF INTERNATIONAL CONCERN	15
3.2. UNPACKING TRAFFICKING: DEFINITIONAL CHALLENGES AND DEBATES	17
3.3. IMPLICATIONS FOR RESEARCH	19
4. THE PREVALENCE OF (CHILD) TRAFFICKING IN VIETNAM	20
4.1. CALCULATING THE PREVALENCE OF ‘TRAFFICKING INDICATORS’	21
4.2. TOTAL ESTIMATED PREVALENCE OF CHILDREN WITH INDICATORS OF TRAFFICKING	25
4.2.1. <i>Prevalence of child trafficking indicators: basic patterns and trends</i>	28
5. RECRUITMENT DYNAMICS: HOW TRAFFICKING HAPPENS	31
5.1. INITIATING TRAFFICKING: (FALSE) PROMISES OF OPPORTUNITY	31
5.2. THE RECRUITMENT PROCESS	32
5.3. UNPACKING CONSENT AND COERCION: YOUNG PEOPLE’S AGENCY IN RECRUITMENT	34
5.3.1. <i>The influence of parents and families</i>	35
5.3.2. <i>‘I was drugged’: Stories of coercive recruitment</i>	38
5.4. RECRUITMENT AND VULNERABILITY	42
6. TRAFFICKING (RELATED) EXPERIENCES: WHAT TRAFFICKING LOOKS LIKE	47
6.1. FORMS OF EXPLOITATION	47
6.2. UNDERSTANDING CHILDREN’S EXPERIENCES OF TRAFFICKING	49
6.2.1 <i>Mechanisms of coercion and control</i>	51
7. SURVIVING TRAFFICKING: EXPERIENCES OF REINTEGRATION AND ACCESS TO SERVICES	57
7.1. REDUCED WELLBEING	57
7.2. CHALLENGES WITH REINTEGRATION	59
7.3. ACCESS TO SERVICES	62
7.4. BARRIERS TO ACCESS: LIMITED RECOGNITION	63
7.5. DEMAND SIDE BARRIERS TO ACCESS	65
7.6. EXPERIENCES OF SERVICES	67

8. CONCLUSIONS AND RECOMMENDATIONS 70

8.1. KEY FINDINGS AND CONCLUSIONS 70

8.2. IMPLICATIONS FOR TRAFFICKING PREVENTION AND RESPONSE EFFORTS 72

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About Coram International: Coram International is an internationally renowned multi-disciplinary consultancy team specialising in child rights. We are based within Coram Children's Legal Centre (CCLC), which is a leading children's charity in the UK and is committed to promoting and protecting children's rights in the UK and worldwide. Coram International works around the world in partnership with governments, UN bodies and (I)NGOs in over 80 countries, to promote the rights of children through the reform of law, policy and practice. For the past 20 years, Coram International has conducted in-depth qualitative and quantitative research, supported and led child rights system reform, and has published widely on topics related to children's rights and gender issues.

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Home Office

Acronyms

CCLC	Coram Children’s Legal Centre
CP	Child Protection
DoLISA	Department of Labour, Science and Social Affairs
ICT	Indicators of child trafficking
IFEM	Indicators of force or exploitation during migration
IHS	Institute of Human Studies
ILSSA	Institution of Labour, Science and Social Affairs
IOM	International Organisation for Migration
INGO	International non-governmental organisation
MoLISA	Ministry of Labour, Invalids and Social Affairs
RCFLG	Research Centre for Female Labour and Gender
UNICEF	United National Children’s Fund
VOT	Victim of Trafficking

1. Introduction

This report presents findings from a 2 ½ year research study, led by a team of socio-legal researchers at Coram International, aimed at strengthening the evidence base on child trafficking and labour exploitation in Vietnam. The report explores patterns and dynamics in child trafficking and labour exploitation, identifies particular factors that increase children’s vulnerability to trafficking, and examines survivors’ experiences of reintegration and access to support services. The research was conducted in partnership with UNICEF Viet Nam and UNICEF UK and supported by the UK Home Office’s Child Trafficking Protection Fund.¹

Human trafficking has received considerable global attention over the past two decades, culminating in the adoption of the UN Convention Against Transnational Organised Crime, and its accompanying protocol, the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, by the UN General Assembly on 15 November 2000. Since then, numerous research studies have been undertaken on child trafficking: with the Mekong Delta region receiving particular attention, given the prominence of the sex industry in the region. Still, significant gaps in knowledge and understanding of child trafficking remain, due to challenges gathering evidence on what are often illicit and clandestine activities, and, equally, challenges defining and measuring a contested and politicised concept.

This research was designed to contribute to existing knowledge and evidence on child trafficking in Vietnam. It aims to increase understanding of the phenomenon from the perspectives of children and young persons who have experienced trafficking. Our approach, described in greater detail in the methodology below, is inductive and empirically driven, developing analytical conclusions from the particular lived-experiences and realities of children and young people in Vietnam.

The research forms a part of a larger 2 ½ year project aimed at strengthening child trafficking prevention and response in Vietnam. In addition to implementing socio-legal research, the project involved two further components. The first consisted of a series of multi-disciplinary consultation workshops aimed at strengthening coordination amongst key stakeholders, sharing good practice and identifying challenges and gaps. The second involved the development and delivery of child-specific capacity building for authorities and practitioners involved in trafficking prevention and response.

The study was designed and implemented by Coram International, in partnership with UNICEF Viet Nam and UNICEF UK. Data collection for the study was carried out by Coram International, the Research Centre for Female Labour and Gender (RCFLG), Institute of Labour Science and Social Affairs (ILSSA), Ministry of Labour, Invalids and Social Affairs (MoLISA), and the Institute of Human Studies (IHS) in Vietnam.

¹ This research was funded by the Home Office Child Trafficking Protection Fund. The research was undertaken independently of the Home Office and any opinions expressed in this report do not necessarily represent the official views of the British Government.

2. Methodology

The study design was mixed methods: aiming to draw on the different strengths and insights of both quantitative and qualitative methods of data collection and analysis. In the context of anti-trafficking work, commentators have long raised concerns about a lack of reliable, robust, quantifiable evidence on the one hand (resulting in wild and unsubstantiated claims about the scale and nature of trafficking), and, on the other hand, have drawn attention to a lack of attention to critical reflexivity, context and complexity in evidence generation, grounded in the lived experiences of trafficking subjects themselves (Yea, 2017).

This research sought to address both pillars of concern: to gather a body of data that was simultaneously robust, measurable, comparable, and generalisable, whilst at the same time, being rich, explanatory, and able to accommodate a diversity of personal stories and individual case histories. The aim was to generate a body of complex and heterogeneous evidence, on which to ground recommendations for more effective prevention and response interventions.

2.1. Research objectives

With these considerations in mind, the research methodology was designed to achieve the following objectives:

1. To gather data on the prevalence, causes, patterns and trends of child and youth trafficking in Vietnam (quantitative strand);
2. To gather data on the lived-experiences of children and young people (aged 10-24 years) affected by trafficking (qualitative strand);
3. To gather data on trafficking survivors' access to protection and support services, their perceptions/experiences of these services and any related outcomes (qualitative and quantitative);
4. To generate a body of evidence to inform interventions, aimed at strengthening systems and services to most effectively prevent and respond to trafficking, and reduce children's vulnerability to being trafficked (qualitative and quantitative).

2.2. Methods

2.2.1. Qualitative research

The qualitative component of the research focused on exploring research objectives 2, 3 and 4. Data was gathered through a series of (n=103) semi-structured and life history interviews with stakeholders involved in anti-trafficking work, as well as young survivors with lived experiences of trafficking, and their caregivers/family members.

The majority of the qualitative data was gathered by staff from the Institute of Human Studies (IHS): interviews were conducted in Vietnamese, as well as other local languages (e.g. Hmong), and transcripts were translated into English, before being coded and analysed using Nvivo software. A small number of interviews were conducted by Coram International researchers, through the use of local interpreters.

Semi-structured interviews

A total of 54 individual, semi-structured interviews were undertaken with government stakeholders at the national, provincial, district and commune level. These included: border guards, police, prosecutors, members of the judiciary, representatives of the Ministry/Departments of Labour and Social Affairs (including social workers at government shelters), and representatives of the Women's Union. Eleven interviews were undertaken with representatives of INGOs, NGOs and International Organisations involved in trafficking prevention and response initiatives. Finally, eight interviews were conducted with other relevant informants including marriage brokers and karaoke club workers and recruiters.

The aim of these interviews was to capture the perspectives, capacities and concerns of those duty bearers providing protection and support to young people at risk of or subject to trafficking in Vietnam. Stakeholders for interviews were selected through UNICEF, government and (I)NGO partners, through 'key expert/stakeholder' sampling, according to their requisite level of first-hand experience of either a) working in policy areas directly related to trafficking or b) interacting with trafficking victims in the context of their professional roles. Interview guides were developed in order to provide a level of standardisation in the data collected from each key informant; however, these were implemented flexibly to allow for a participant-directed interaction.

Life history interviews

In addition, 48 in-depth, life history interviews were carried out with children and young people ages 12-24 years who had experiences of trafficking, including 20 boys/young men, and 28 girls/young women.

These interviews were intended to capture rich and detailed histories of individual trafficking experiences, including the lead-up to a victim's departure, their experiences of exploitation at their trafficking destination, the circumstances surrounding the victim's eventual departure and return, and his or her life experiences post-return. The purpose of following a life-history approach was to achieve a holistic picture of participants' life trajectories: enabling an integrated understanding of their personal and family circumstances and their experiences of trafficking, allowing the analysis to draw out any systematic patterns and themes that threaded young people's experiences before, during and after trafficking, and linking these to personal and situational characteristics. Wherever possible, the victim's own life-history interview was complemented with a separate interview with a caregiver or member of their family.

Respondents for in-depth interviews were accessed through shelters and other services providing rehabilitation and reintegration support to victims of trafficking, as well as through local representatives of the Women's Union, with localised knowledge about the experiences of children and families in their communes and villages. Respondents were selected through maximum variation sampling, with a view to maximising diversity in terms of age (within the specified range), gender, types of services received and the character ('typology') of their trafficking experience (for example, the industry into which they were recruited).

2.2.2. Quantitative research

The quantitative strand of the research focused on responding to research objectives 1 and 3. The aim was to gather some comprehensive and representative data on the prevalence of child trafficking and exploitation in Vietnam, as well as some quantifiable and measurable data on trafficking related experiences, risk factors and outcomes of trafficking, including access to services.

In order to achieve this, the team designed and delivered three separate surveys.

Survey 1: Beneficiary survey

The first survey included children and young people (aged 12-24) who had been formally recognised as victims of trafficking and who were currently, or had previously, received support services through government shelters and other programmes (hereafter ‘beneficiary survey’).

The aim of the survey was to collect some basic descriptive and standardised data that could be analysed objectively in relation to respondents’ demographic backgrounds, experiences of trafficking, the services that they had received since their return and outcomes in relation to health and wellbeing.

Respondents for the survey were selected from within shelters located in seven provinces. These provinces were chosen purposively² to reflect the geographic and ethnic diversity of known trafficking ‘hotspots’ within Vietnam and included: Lào Cai (Northwest), Bắc Giang (Northeast), Lạng Sơn (Northeast), Thừa Thiên-Huế (North Central), Đắk Lắk (Central Highlands), Cần Thơ (Mekong River Delta) and Tây Ninh (Southeast).

One shelter was then selected purposively from within each of these 7 provinces. Purposive selection of shelters was conducted with a view to maximising diversity in 1) the nature of exploitation experienced by victims; 2) the locations victims were trafficked to; and 3) the type of service provider running the shelter.³

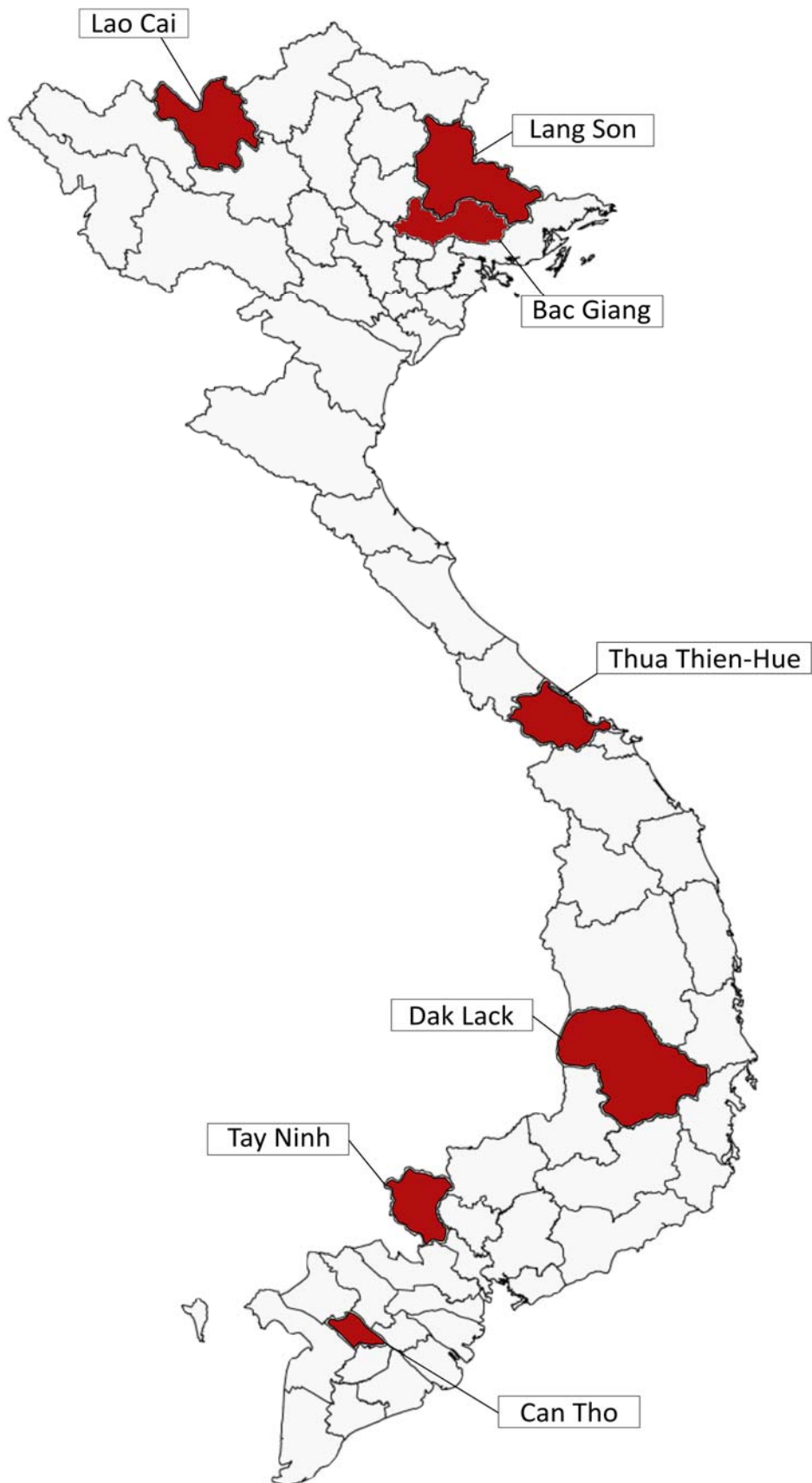
Each shelter that agreed to participate in the study provided a list of children and young people aged 12-24 who were currently receiving or had previously received services. An opportunity sampling approach was then employed, with each potential respondent on the list being approached to participate in the survey.

A total of 86 children and young people were included in the beneficiary survey, including 22 boys/young men (25.6%), and 64 girls/young women (74.4%).

² Given the inherent difficulty in obtaining access to children and young people residing in shelters, it was not feasible to conduct a comprehensive, nationally representative survey of this type of beneficiary through probability sampling.

³ Service providers approached included: state-owned social protection centres, one shelter managed by the local authority with funding from international organizations (Nhan Ai Shelter), services provided in the community through labour sector (MOLISA), support services programs funded by international organizations such as IOM (in Bac Giang, Hue, Tay Ninh).

Figure 1: Map of provinces where the beneficiary survey was conducted



Survey 2: Young people's household survey

The second survey constituted a nationally representative household survey of 12-24 year olds in Vietnam (hereafter 'young people's household survey').

This survey asked young people questions about their experiences of independent migration as well as experiences of coercion and exploitation which occurred in the context of independent migration, with the ambitious aim of gathering some *nationally representative* information about the *prevalence* of child trafficking related experiences within this age group. The survey also included questions about young people's demographic background and household circumstances, to gather information about risk factors and correlates associated with trafficking experiences, as well as questions about any experiences of access to reintegration services and support where relevant, and wellbeing outcomes.

The survey was administered through a three-stage sample design involving both stratification and clustering.

In the first stage, the probability proportionate to size (PPS) method was used to select two communes/urban wards from within 16 regional strata, created by dividing all the communes and wards within each of Vietnam's 8 second-tier regions into two separate groups: rural communes and urban wards. This resulted in the selection of 32 communes/urban wards in total.

In the second stage, four geographical 'start points' were then selected per commune at random and, beginning with each 'start point', 27 households were selected by enumerators who used a 'random walk' strategy (continuing the same side of the street and selecting dwellings according to a pre-defined skip interval). This resulted in a total sample of 108 (27 x 4) households per commune.

In the final stage, each selected household was screened to determine whether an eligible 12-24-year-old was resident. In households where more one that eligible 12-24-year-old was resident, one respondent was selected at random using the Kish grid method.⁴

The following assumptions were used to estimate the sample size: a 95% confidence interval (CI), a margin of error/level of precision of +/- 2.9%, assumed maximum variation (50%) in the population, and a sample design effect of 1.5. Following this methodology, researchers obtained an initial sample of 3,453 completed questionnaires.

Finally, during stage 1 of the sampling process, in addition to the 32 communes selected randomly, the team decided to add an additional 4 'trafficking hotspot' communes, selected *purposively*. These 'trafficking hotspots' were selected as areas where local knowledge indicated that child trafficking rates might be particularly high, and were selected precisely to test existing knowledge and assumptions about where child trafficking occurs. Stages 2 and 3 of the sampling process were repeated in the hotspot communes, resulting in a "hotspot" sample of 432 completed questionnaires.

⁴ See: Kish L. A procedure for objective respondent selection within a household. Journal of the American Statistical Association. 1949; 44:380-87.

Altogether the final sample for the young people's household survey yielded 3,885 completed questionnaires. Of the young people who participated in the survey, 2,011 (51.8%) were boys/young men, and 1,874 (48.2%) were girls/young women.

Survey 3: Head of household follow up survey

The third and final survey implemented during the research constituted a survey of 'household heads', selected from *within* the sample of household included in the young people's survey.

In these households, the head of the household was given a questionnaire to complete regarding children and young members of the household who had migrated under the age of 18 years *and had not returned*.

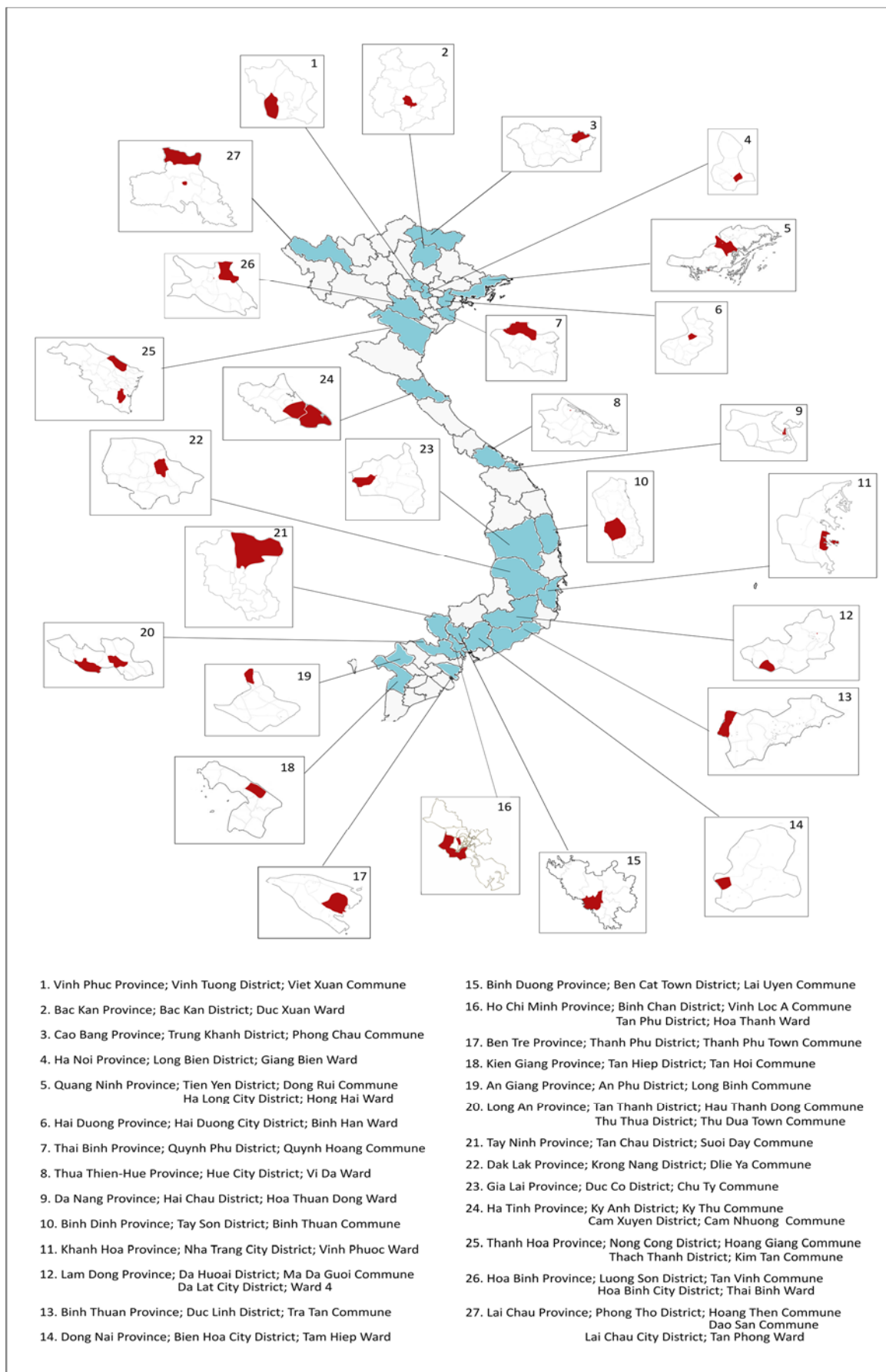
The additional information yielded from this third survey was used to ensure that the prevalence estimate of young people with child trafficking related experiences generated in the study, also captured the population of 'non-returned victims' in the 12-24 age range, who may be located overseas, or in non-household settings in Vietnam.

To complete this final survey, a subsample of 769 households was drawn from the original 3,885. This subsample was selected using a two-stage design: First, those communes/urban wards which had been selected in the first stage of the sampling for the original household survey were grouped according to six aggregated regional strata,⁵ and simple random sampling was used to select two communes/urban wards from within each of these strata to revisit: resulting in a total of 576 randomly selected households. The four hot-spot communes from the original survey were then also included in the locations to be revisited in the follow-up survey, resulting in an additional sample of 193 'hot spot' households.

In the second stage the four original enumeration areas (used in each commune for the original household survey) were assigned a random rank order. Enumerators were instructed to revisit as many of the original households as they could in the first ranked enumeration area, before moving on to the second enumeration area, and then the third, etc., following the rank order, until they reached a minimum of 48 households.

⁵ These strata were based on the three first tier regions of Vietnam (the original survey used strata based on the second-tier regions). The six strata were created by allocating all communes/wards within each region into one of two groups; urban wards or rural communes.

Figure 2: Map of provinces where household survey data was collected



2.3. Limitations

The research was affected by a number of limitations. The most significant of these was the lack of access to young survivors of (child) trafficking receiving support through (I)NGOs and other private services. Whilst the private and voluntary sectors deliver a significant proportion of the services provided to trafficking survivors in Vietnam, the majority of young people interviewed for this research were accessed through government and public authorities, due to challenges engaging (particularly) international NGOs in the research study. These constraints limited researchers' ability to gather data about services and respond to research objectives 3 and 4. In particular it should be noted that data presented from the beneficiary survey draws on a relatively small (n=86) and purposively selected sample of survivors.

In addition, given the politically sensitive nature of the research topic, it is likely that some of the evidence gathered in the household surveys, and through qualitative interviews was affected by a degree of reporting bias. Young people may have been unwilling to reveal experiences connected to illegal migration and criminal activity. They may have also been resistant to identifying themselves as 'victims' of trafficking, or even to acknowledging that they may have been subject to coercion or deception on the part of agents, recruiters or traffickers, given the stigma associated with acknowledging this, and potential associations with personal 'failure', ignorance or naiveté. This is likely to have led to under-reporting of experiences of trafficking, coercion or exploitation in the household survey, especially in relation to highly stigmatised industries such as the sex industry. To mitigate against reporting bias, researchers took care to carefully explain the purpose of the research (to improve the provision of support to prevent young people from being trafficked, or to help children and young people recover after they have been trafficked) to all respondents. Researchers also emphasised that anonymity would be protected, and that no negative personal or professional consequences would result from sharing open and honest information. Questions were asked sensitively, and interactions were flexible and participatory, to allow for the most authentic, spontaneous and participant-led exchange.

Finally, the translation of information into English, and the position of the lead research agency as an 'outsider' will have had some impact on the authenticity of the data collected. Inevitably, some information will have been lost through the translation process, particularly with regard to complex, detailed and highly context or culturally specific information. Nevertheless, measures were put in place to guard against this limitation: firstly, interpreters and translators who had strong English language skills, as well as expert technical knowledge in child trafficking dynamics in local contexts were selected. Similarly, national qualitative researchers with equally strong English language speaking abilities, as well as prior experience of interviewing vulnerable groups, were selected to carry out qualitative interviews at the provincial and local levels. Thirdly, qualitative data collection tools were developed to orient discussions, and the researchers and translators familiarised themselves with the tools in advance. Finally, a researcher from Coram International carried out a 1-day pilot prior to commencing the main data collection, to familiarise themselves with the process of interpretation, and to address any issues or concerns that arose.

3. Towards a conceptual framework for defining and measuring (child) trafficking

This chapter explores some of the theoretical challenges associated with defining and measuring human trafficking, situating these within the historical contexts in which ‘trafficking’ as a (legal) concept emerged. These theoretical considerations and debates have informed the approach taken in the research to measuring trafficking in the young people’s surveys: the framework for which is elaborated further in section 3.2 below.

3.1. The emergence of ‘human trafficking’ as an issue of international concern

‘Human trafficking’ gained prominence as a matter of major international concern in the 1990s and early 2000s. The explosion of international interest in the topic (which had previously received only marginal attention⁶) was precipitated by a number of global pressures that heightened concerns about increasing cross-border migration, insecure national borders, and threats to the security, integrity and economies of nation states.⁷

Over the last decades, significant efforts, at national, regional and international levels, have been made to establish new laws, policies, plans and programmes, capable of addressing the trans-global threat of human trafficking.⁸ These efforts have predominantly focused on seeking to address trafficking through a law enforcement and criminal justice paradigm, starting at the level of international treaty law.⁹ Most notably, in a landmark move in 2000, the UN General Assembly adopted the **Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children**, commonly known as the ‘Palermo Protocol’. The Protocol, developed as a supplement to **the Convention Against Transnational Organized Crime**, contains a comprehensive definition of human trafficking, and includes mandatory provisions pertaining to its criminalisation.

The definition of trafficking contained within the protocol is broad and diffuse, having taken shape in the context of preoccupations with a number of quite divergent concerns, including migration, prostitution and the particular vulnerabilities of children.¹⁰ Nonetheless, the Protocol has achieved widespread endorsement and support by national States: 174 out of 193 States are currently party to Palermo Protocol. Further, 134 of

⁶ Whilst in 1949 the United Nations adopted the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, this was not ratified by many states.

⁷ Anderson, B. (2014). Trafficking. In E. Fiddian-Qasmiyeh, G. Loescher, K. Long, & N. Sigona (Eds.), *The Oxford Handbook of Refugee and Forced Migration Studies* (pp. 1–15). Oxford Handbooks Online; Malloch, M., & Rigby, P. (2016). Contexts and Complexities. In M. Malloch & P. Rigby (Eds.), *Human Trafficking The Complexities of Exploitation* (pp. 1–16). Edinburgh University Press.

⁸ Anderson, B. (2014). Trafficking. In E. Fiddian-Qasmiyeh, G. Loescher, K. Long, & N. Sigona (Eds.), *The Oxford Handbook of Refugee and Forced Migration Studies* (pp. 1–15). Oxford Handbooks Online.

⁹ Lelliott, J. (2017). Smuggled and Trafficked Unaccompanied Minors : Towards a Coherent , Protection-Based Approach in International Law. *International Journal of Refugee Law*, 29(2), 238–269. <https://doi.org/10.1093/ijrl/eex024>.

¹⁰ Anderson, B. (2014). Trafficking. In E. Fiddian-Qasmiyeh, G. Loescher, K. Long, & N. Sigona (Eds.), *The Oxford Handbook of Refugee and Forced Migration Studies* (pp. 1–15). Oxford Handbooks Online.

these, including Vietnam, had developed their own domestic anti-trafficking legislation, inspired by the Treaty's provisions by 2012.¹¹

Definition of trafficking in the Palermo Protocol

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the 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'.

Definition of Human Trafficking in Vietnamese domestic law

Vietnam became a party to the Palermo Protocol on 8th June 2012.

A year prior the government enacted **Law No. 66/2011/QH12 on Human Trafficking Prevention and Combat** (HT Law), which focuses specifically on criminalising human trafficking, but lacked a clear definition of trafficking.

In 2015 the **Penal Code** was subsequently updated to include articles 150 for prosecuting 'human trafficking' and 151 'trafficking of a person under 16' (formally 'Articles 119 and 120'), but did not enter into force until 1 January 2018 and was only released in early 2019.

Finally, in January 2019 the Judicial Council of the Supreme People's Court in Vietnam issued **Decree No: 02/2019/N-HDTP**, which elaborates how Article 150 and 151 in the Penal Code should be interpreted to ensure their proper and consistent application.

The definition of (child) trafficking in Vietnamese law is narrower than is provided for in the Palermo Protocol as it appears to require a two-way exchange, involving the 'transfer' or 'receipt' of persons. This arguably fails to capture the broader criminalisation of 'recruitment', 'transportation' or 'harbouring' of persons contained within international law. Furthermore, in Vietnam, 'child trafficking' applies to under 16s only, and does not include those trafficked at the ages of 16 or 17 years.

The adoption of this new international and national legislation precipitated a proliferation of organisations working on preventing and responding to the crime of human trafficking, globally. A recent study estimated that there are at least 1,861 NGOs dedicated solely to anti-trafficking initiatives, working in 168 countries

¹¹ Limoncelli, S. A. (2016). What in the World Are Anti-Trafficking NGOs Doing ? Findings from a Global Study. *Journal of Human Trafficking*, 2(4), 316–328. <https://doi.org/10.1080/23322705.2015.1135605>.

across the world (Limoncelli, 2016). Anti-trafficking work has become a colossal global industry, (according to a 2013 estimate) generating profits of over \$32 billion dollars a year (Davidson, 2013).

Nevertheless, despite the broad international consensus around the need to prevent and respond to human trafficking, the enactment of criminal laws on slavery and trafficking in many countries, and the energy and resources mobilised behind these efforts, progress made towards identifying victims and prosecuting perpetrators remains minimal. There is still very little known about the extent and scale of human trafficking, with estimates varying dramatically, from 2.5 million – to 27 million victims worldwide.¹²

Further, statistics indicate the number of investigations, prosecutions, and convictions is very small relative to the scale of the overall problem.¹³ Of the millions of people currently thought to be living in conditions of modern slavery around the world,¹⁴ only 100,409 victims were identified globally in 2017. Furthermore, of these, only 17,880 cases were prosecuted, and just 7,045 resulted in convictions in criminal trials.¹⁵ These dynamics have raised a number of questions about the challenges associated with identifying and responding to trafficking, as well as calls for more robust evidence to prove or disprove claims about the nature, extent and location(s) of human trafficking worldwide.

The challenges associated with measuring, identifying and responding to trafficking are often attributed to the difficulties in tracking and monitoring clandestine, criminal activities. Although anti-trafficking work is undoubtedly impeded by issues of access and disclosure, commentators have pointed out that there are also political interests and agendas at play, which have arguably obscured, complicated, and excluded important dimensions and experiences of human trafficking from recognition and redress.

3.2. Unpacking trafficking: definitional challenges and debates

One of the central policy tensions that lies at the heart of anti-trafficking work is created by the definitional tie of human trafficking to migration. The first prong in the Palermo definition of trafficking defines trafficking as a *process* that involves the **movement of persons**, through ‘recruitment, transportation, transfer, harbouring or receipt’. This aspect of the definition of human trafficking relates to the context in which the Palermo Protocol was originally developed and agreed: as a supplement to the **UN Convention for Combatting Transnational Organised Crime**, together with the **Protocol against the Smuggling of Migrants by Land, Sea and Air**. It reflects States’ concerns about increasing irregular migration and border control, and has resulted in significant contestations over when and how to differentiate human trafficking from human smuggling and illegal migration.¹⁶

¹² Anderson, B. (2014). Trafficking. In E. Fiddian-Qasmiyeh, G. Loescher, K. Long, & N. Sigona (Eds.), *The Oxford Handbook of Refugee and Forced Migration Studies* (pp. 1–15). Oxford Handbooks Online.

¹³ ILO Report 2017, p.53.

¹⁴ https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf.

¹⁵ <https://www.state.gov/documents/organization/282798.pdf>.

¹⁶ Yea, S. (2017). Editorial : The politics of evidence , data and research in anti-trafficking work. *Anti-Trafficking Review*, 8, 1–14.

Indeed, given the political interests of States in controlling and restricting cross-border migration, whilst limiting their humanitarian obligations to (potentially large) populations of migrants caught up in exploitative labour relations, the distinction between trafficking and smuggling is of vital importance and concern. From a human rights perspective, however, the distinction is less clear: as Anderson writes: 'if the problem is one of prostitution or forced labour, why is migration an issue? Why is it worse to be forced to prostitute oneself abroad rather than in one's home town?' This has created a tension between those who seek to define child trafficking narrowly: as a process involving the illegal exchange, transfer or receipt of persons, and those who focus, more expansively, on the end point of trafficking: the exploitative labour or sex relation (Anderson, 2014).

Furthermore, in practice, smuggling and trafficking are often fluid, interrelated phenomena, making distinguishing between the two difficult to operationalise. Dominant narratives that depict trafficking survivors as passive victims of kidnap, imprisonment and slavery, often simplify more nuanced and complex stories of migration and exploitation: with more ambiguous trajectories, origins and ends. This may be particularly true in cases when the subjects of clandestine migration are unaccompanied children. Children are particularly reliant on adult 'agents' who help them travel large distances, evade immigration controls, and access labour 'opportunities'; meanwhile, due to their relative dependence and lack of experience, they are especially vulnerable to multiple forms of exploitation and abuse along their journeys, with instances of sexual abuse, forced labour, and forced participation in criminal activities widely reported.¹⁷

There are a number of aspects to the Palermo definition that seek to distinguish human trafficking from smuggling; however, each of these raise their own definitional challenges. The first distinguishing criteria is that the transportational element of trafficking does not have to occur across national borders, nor does the movement itself necessarily have to be illegal. Secondly, in order to constitute trafficking, the *purpose* of the transfer must be for the *exploitation* of the persons transferred. Finally, in the case of adults over 18 years (16 years according to domestic Vietnamese law), the movement of persons must be facilitated through the means of *coercion, deception or abuse of power* in the recruitment, transportation and transfer of persons. It is significant that this last criteria does not apply to children (defined as anyone under the age of 18 years in international law, or 16 years in Vietnamese law): if a child has been recruited and transported for purposes of exploitation, they have been trafficked, no matter the means through which their recruitment occurred.

Yet, each of these prongs - 'movement', 'coercion' and 'exploitation' - are both conceptually ambiguous and difficult to measure in practice. Firstly, without a clear, objective boundary or threshold for determining when 'movement' has occurred, it may be hard to distinguish trafficking from other forms of labour exploitation or abuse: to differentiate the 'process' of trafficking from its exploitative 'end'. Second, the focus on 'coercion', 'deception' and 'abuse of power' (for adults) raises questions about which types of pressures or constraints to enter or remain in work are considered legitimate and which are not, and how to identify precisely when different forms of labour become 'free', 'voluntary' or 'coercive'. Finally, the definition of 'exploitation' contained within the Protocol is left broad and open-ended, encompassing, *at a minimum*, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or

¹⁷ Lelliott, J. (2017). Smuggled and Trafficked Unaccompanied Minors : Towards a Coherent, Protection-Based Approach in International Law. *International Journal of Refugee Law*, 29(2), 238–269. <https://doi.org/10.1093/ijrl/eex024>.

practices similar to slavery, servitude or the removal of organs'. Setting a threshold for exploitation in practice involves engaging in moral and political judgement, not only about which forms of work are to be considered legitimate, and which are inherently exploitative (as can be seen in debates about the wrongs of 'prostitution' and sexual exploitation, versus the legitimacy of sex 'work'); but also judgements about under which circumstances poor working conditions, low wages, and hierarchical labour relations, are to be considered reasonable (for example to serve in the proportionate recovery of investment or profit), and when they are so poor or so low, and so disproportionate, that they are to be considered unacceptable.

In practice, therefore, identifying and locating trafficking is an ambiguous and contested project. Arguably, each of the three dimensions of trafficking – 'movement', 'coercion' and 'exploitation' – are best understood as a continuum, and indicators of each element of the trafficking definition may occur at different stages of a young person's labour or migration journey.

3.3. Implications for research

The absence of neat distinctions that can definitively distinguish young migrants from 'trafficking victims' especially without a deep understanding of the nuances and complexities of each individual's migration experience, presents a challenge for those seeking to gather reliable, objective and quantifiable data on the prevalence of human and child trafficking on a national or international scale. The following chapter of this report explains how Coram International researchers sought to build on these insights to develop a more flexible framework for measuring trafficking in the survey research: through developing a set of 'indicators' that could signal whether a migrating child had experiences that were indicative or suggestive of trafficking.

The challenges, ambiguities and tensions contained within the construction and definition of trafficking, have informed the approach taken to the research. As well informing the measurement of child trafficking in the survey research, these insights have shaped the analysis of both qualitative and quantitative data gathered during the study. The research has sought to explore when, whether and how the realities of child trafficking in Vietnam, and young people's lived experiences of exploitation and coercion in the context of migration, conform to, or depart from, dominant narratives and legal definitions of trafficking, as well as the programming priorities of those seeking to prevent and address its harmful effects.

4. The prevalence of (child) trafficking in Vietnam

This chapter describes how (child) trafficking was measured in the household survey research, and presents some ‘headline’ findings on prevalence and trends.

As discussed in the methodology (chapter 2) of this report, in order to generate an overall estimate of the prevalence of trafficking of children and young people in Vietnam, two surveys were distributed: the first to a representative proportion of young people ages 12-24 years in Vietnam (‘young people’s household survey’), and the second to a smaller proportion of ‘household heads’ (‘household heads survey’). In recognition that human trafficking is a complex and ambiguous phenomenon, and that (child) trafficking related experiences may exist along a continuum, the surveys included a range of questions developed as a series of proxy ‘indicators’ that could be used to measure whether young people had experiences that demonstrated characteristics of (child) trafficking. Indicators were grouped into three categories, which were designed to reflect the three prongs of the Palermo definition of trafficking (outlined in chapter 3 above): I. ‘movement’; II. ‘deception, coercion or abuse of power’¹⁸; and, III. ‘exploitation’.

For the purposes of this study, a child is defined as a person under the age of 18, in line with international standards.

Group I: Movement

To satisfy the ‘movement’ prong of trafficking, young people in the survey were asked whether they had ever **“gone to live/ stay in another place, away from home, without [their] parents/ caregiver, for any reason other than leisure”**. This question was designed to capture all forms of independent migration of young people, whether within Vietnam (internal migration) or internationally (‘cross-border’ migration). Only survey respondents who reported to have migrated without their parent or regular caregiver were included, to ensure that all respondents counted could be demonstrated to have exhibited a certain threshold of ‘vulnerability’ that might be consistent with their likelihood of being exploited. As UNICEF’s ‘Note on the Definition of Child Trafficking’ explains:

‘Child trafficking exists especially where the movement has rendered the child vulnerable, and that the vulnerability was planned to be exploited. Children could be rendered vulnerable by the fact that they do not have close relatives at their destination, do not have money or means to return home, cannot speak the language, are disadvantaged by their legal status, suffer a lack of access to basic services (such as education and health care), or do not know the environment.’¹⁹

¹⁸ As previously established, for those under 18, the ‘deception, coercion or abuse of power’ criteria is irrelevant to the question of whether a child has been trafficked: the criteria is automatically considered fulfilled. Nevertheless, the methodology for this study was designed to explore this aspect of children’s trafficking experiences, as this provides important evidence on *how* child trafficking happens.

¹⁹ https://www.unicef.org/southafrica/SAF_pressrelease_notetrafficking.pdf.

To obtain more information about the nature of this migration, young people were asked questions about their age at the time of migration, the purpose for which they travelled (e.g. education, work, a relationship/ to get married), whether their travel involved crossing an international border, and whether (and what) industries they ended up working in after migration.

Group II. Deception, coercion or abuse of power

A number of questions related to the second prong of trafficking under Palermo, ‘deception, coercion or abuse of power’ were included in the survey. These questions included asking young people about: whose decision it was for them to migrate, who was responsible for facilitating or arranging their travel, how safe they were in their destination location and along their journey, whether they were ever allowed to contact their family, and (if working) whether they were paid what was initially agreed.

Group III. Exploitation

Finally relating to the third prong, ‘exploitation’, indicators drew on definitions of forms of (labour and sexual) exploitation contained within national and international legislation and human rights standards. (Where international and national definitions were not aligned, researchers selected the most protective and/or most clearly defined standard). Young people who had migrated were asked a series of questions in relation to their experiences of ‘work’ at their destination location, including whether they had engaged in sex work or other exploitative forms of labour, how many hours they had worked per day and per week, and how much they were paid/compensated for their work.

4.1. Calculating the prevalence of ‘trafficking indicators’

All respondents in the young people’s survey who had migrated independently under the age of 18 years, and who reported experiences of force or exploitation in the context of this migration, were counted as having experiences **consistent with or indicative of child trafficking**. (Hereafter ‘**ICTs**’ which stands for ‘**Indicators of Child Trafficking**’)

The word ‘trafficking’ has been avoided when describing the experiences of those who were over 18 years at the time of migration, even where they reported experiencing coercion or exploitation during migration. This reflects the fact that a higher standard of proof is typically required in law to demonstrate trafficking for those over the age of 18 years. Those who migrated over 18 years are characterised as young people with experiences **consistent with or indicative of force or exploitation in the context of migration**. (Hereafter ‘**IFEMs**’ which stands for ‘**Indicators of Force or Exploitation during Migration**’)

List of child trafficking/ force/ exploitation indicators:

Respondents were counted as having experiences consistent or indicative of child trafficking (**ICTs**) IF:

- The respondent migrated independently <18 AND worked in the sex industry;
OR
- The respondent migrated independently <18 AND worked more than 8 hours per day or more than 40 hours per week (prohibited under Labour Code, Viet Nam);
OR

- The respondent migrated independently <15 AND worked more than 4 hours per day or more than 20 hours per week (prohibited under Labour Code, Viet Nam);
- The respondent migrated independently <18 AND was working in their destination location AND was not paid what was initially agreed;
OR
- The respondent independently migrated <18 AND they were paid less than the minimum legal wage set out in Vietnamese labour law;
OR
- The respondent independently migrated <18 AND they migrated primarily for work or marriage or because their parent could not care for them, AND it was not their decision to leave AND they did not arrange their own travel;
OR
- The respondent independently migrated <18 AND gave a score of less than 5 for their safety at destination (scale 1-9);
OR
- The respondent migrated independently <18 AND was never able to contact friends and family once at destination location;
OR
- The respondent migrated independently <18 AND said they had returned after being “rescued”;
OR
- The child qualified as a child victim of labour exploitation* AND the head of their household was not a parent/ grandparent/ another relative AND they were not the head of their own household;
OR
- The respondent independently migrated <18 AND a stranger arranged their travel AND they were an employee in the household they were currently living in;
OR
- The child qualified as a child victim of labour exploitation* AND was currently a migrant (not returned home).

*Respondents were counted as ‘**child victims of labour exploitation**’ IF:

- Respondent was under 13 years AND working for money/ income (prohibited under Vietnamese labour law);
OR
- Respondent was under 15 years AND working for money more than 20 hours per week (prohibited under Vietnamese labour law);
OR
- Respondent was under 15 years AND was not consistently attending school (3 or less days a week) AND said that their primary role in their household was “earner”;
OR
- Respondent was under 18 years AND working for money more than 40 hours per week (prohibited under Vietnamese labour law);
OR
- Respondent was under 18 years AND working for less than the minimum legal wage (as defined by Vietnamese labour law)
OR
- Respondent was under the age of 15 years AND doing 3+ of domestic work per day;
OR

- Respondent was under the age of 18 years AND doing 4+ hours of domestic work per day;
OR
- Respondent was the age of 18 AND attending school full time (at least 5 days a week), AND doing 3+ hours of domestic labour per day;
OR
- Respondent was the age of 13 years AND responsible for caring for elders or children.

Respondents were counted as young people with experiences consistent or indicative of force or exploitation in the context of migration (**IFEMs**) IF:

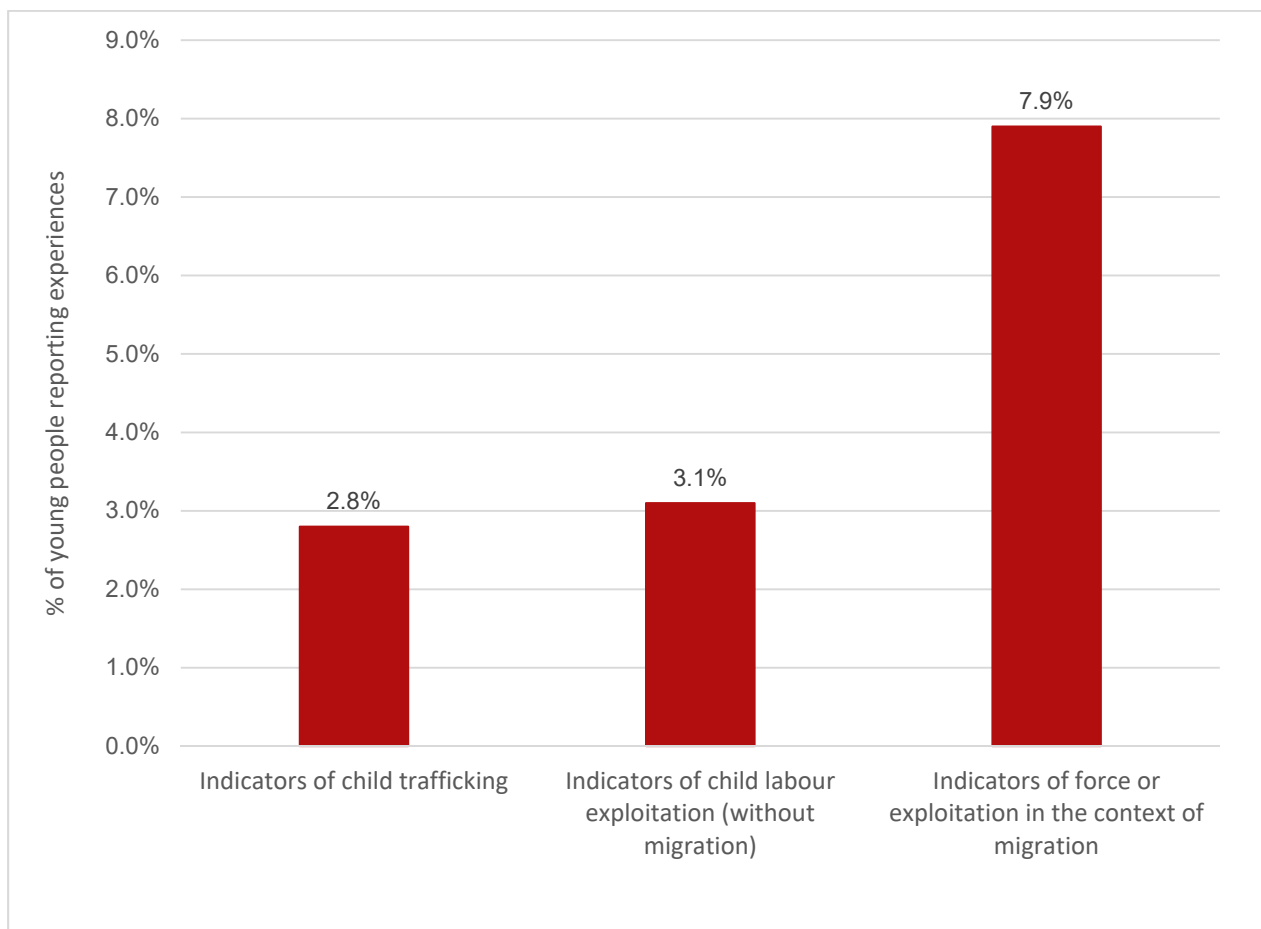
- The respondent independently migrated >17 AND was taken against their will;
OR
- The respondent independently migrated >17 AND was not paid what was agreed;
OR
- The respondent independently migrated >17 AND was never allowed to contact family;
OR
- The respondent independently migrated >17 AND said they had returned after being “rescued”;
OR
- The respondent independently migrated >17 AND was working for less than minimum wage (as defined by Vietnamese law).

Prevalence of indicators of (child) trafficking and (labour) exploitation in the context of migration: Results from the young people’s household survey²⁰

- 2.8% of respondents in the young people’s household survey were calculated as having experiences consistent with or indicative of child trafficking (ICTs)
- 3.1% of respondents in the young people’s household survey were calculated as ‘labour exploited children’ (exploited for work without having migrated or ‘moved’);
- 7.9% of youth in the young people’s household survey were calculated as having experiences consistent with force or exploitation in the context of migration (IFEMs).

²⁰ Respondents from the 4 non-randomly selected ‘hotspot’ communes were removed from the analysis when calculating overall prevalence estimates.

Chart 1 : child trafficking/ force/ exploitation indicators in the young people’s household survey



Finally, in order to estimate the total prevalence of child trafficking, these results were combined with data from the household heads survey, which asked about members of the household who had migrated and *not returned*. This was to ensure that potential trafficking victims who had not returned home to Vietnam, and/or were not living in a household setting, were also captured in estimated prevalence rates.

Information gathered during the household survey and the head of household survey were compiled as per the below equation to estimate a final prevalence rate.

Respondents from the household survey located in ‘hotspot communes’ were removed from the analysis when calculating prevalence estimates, as these locations were purposively (non-randomly) selected.

Figure 3: Equation used to calculate child trafficking prevalence

$$\left[\begin{array}{l} \% \text{ of returned} \\ \text{respondents} \\ \text{with ICTs} \\ \text{identified in} \\ \text{the} \\ \text{whole sample} \\ \text{of the original} \\ \text{HH survey}^{21} \end{array} \right] \times \left[\begin{array}{l} \text{Average} \\ \text{number of} \\ \text{household} \\ \text{members} \\ \text{aged under 18} \end{array} \right] + \begin{array}{l} \text{Average} \\ \text{number} \\ \text{of non-} \\ \text{returned ICTs} \\ \text{per} \\ \text{household}^{22} \end{array}$$

$$\begin{array}{l} \text{Average} \\ \text{number of} \\ \text{household} \\ \text{members} \\ \text{aged under 18} \end{array} + \begin{array}{l} \text{Average} \\ \text{number of} \\ \text{non-returned} \\ \text{under 18 -year-} \\ \text{old migrants} \\ \text{per} \\ \text{household}^{23} \end{array}$$

4.2. Total estimated prevalence of children with indicators of trafficking

Total estimated Prevalence of child trafficking in Vietnam

Based on these calculations, the Coram Team estimated that a total of 5.6% of children in Vietnam may have experiences indicative of, or consistent with, child trafficking.

Based on these calculations, the Coram Team estimated that a total of 5.6% of children in Vietnam may have experiences indicative of, or consistent with, child trafficking. This estimate appears high, particularly in light of official police figures on the numbers of children identified and recognised as victims of trafficking in Vietnam. Indeed, in the absence of further detail and context on the individual circumstances and contexts of each child's 'migration' journey, and experiences of exploitation, it is not possible to say that every child counted in this group would formally 'qualify' or satisfy legal definitions of trafficking. This methodology seeks to highlight, however, that a significant minority (perhaps as many 1 in 18) children in Vietnam have

²¹ The percentage of respondents under 18 across the whole original household survey who were child VOTs was 0.0231 (i.e. 2.31%).

²² Household survey data was used to calculate the percentage of those who first migrated under the age of 18 who had ICTs. Then this figure was multiplied by the total count of non-returned under 18 migrants reported by heads of households (which was 26: 10 girls and 16 boys), and divided by 576 (the number of households in the follow up survey – minus the hotspot communes) to get the estimated average number of non-returned ICTs per household.

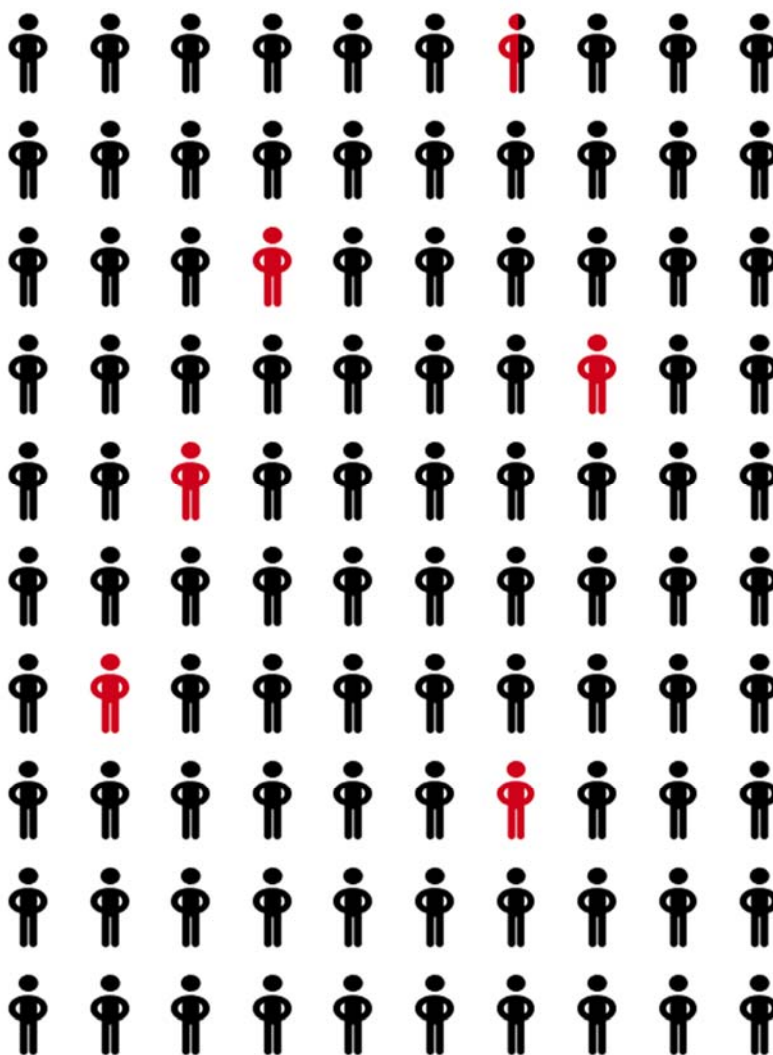
²³ This was the raw count of under 18 migrants reported by heads of households, 26, divided by the total count of follow up survey households, 576. This yielded an average of 0.044065 non returned U18 migrants per household.

experiences of coercion or exploitation in the context of migration, which are similar to, or may look like, something akin to trafficking.

Figure 4: Estimate prevalence of children with experiences indicative of child trafficking

5.6%

of children in Vietnam are likely to have experiences indicative of, or consistent with, child trafficking



powered by



4.2.1. Prevalence of child trafficking indicators: basic patterns and trends

Cross-border vs internal trafficking

The overwhelming majority, 92.3%, of young people with indicators of child trafficking (and 84.4% of young people with indicators of coercion or exploitation in the context of migration) were reported to have been trafficked *internally* (from one location to another *within* Vietnam). According to estimates from this research, cross-border child trafficking, on the other hand, appears to be a relatively rare phenomenon: with a prevalence estimate of just 0.4%. Despite the scale of the issue, research findings suggest that cases of internal trafficking are much less likely to be identified or formally recognised by authorities. This discrepancy, which was noted in the US State Department's 2019 Trafficking in Persons Report²⁴, will be explored further throughout this report.

The data indicates that the countries to which children and young people are trafficked are diverse but regionally concentrated. Cases of migration exhibiting child trafficking indicators were reported in Cambodia, China, Indonesia and Singapore, and cases where young people reported experiences indicative of force or exploitation during migration were identified in Angola, Cambodia, China, Indonesia, Japan, Norway, Russia, Saudi Arabia, Singapore, South Korea, Taiwan and Thailand.

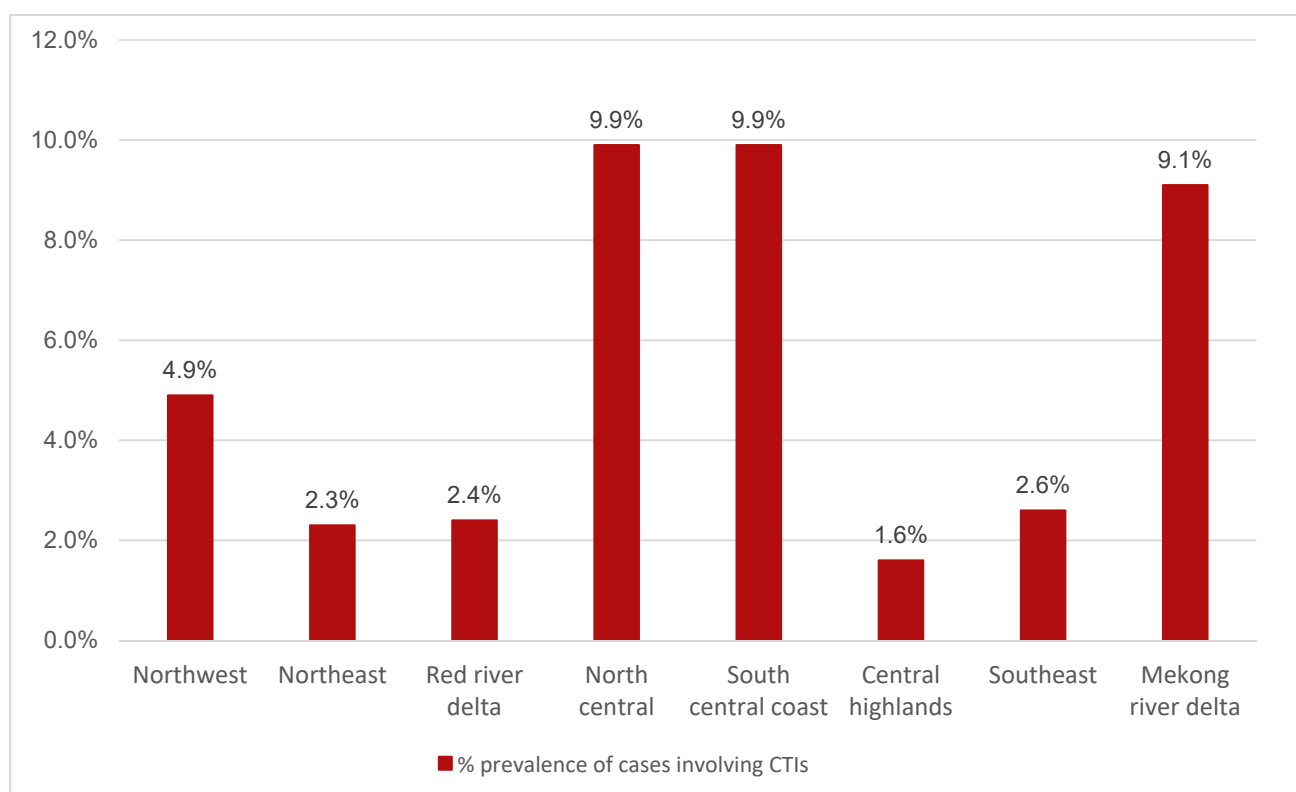
Additional countries in which young people reportedly independently migrated, identified in the household surveys, included Australia, Canada, Malaysia and the United States.

Geographical spread of ICTs

Children with experiences indicative of trafficking were found in all regions of the country, with particularly high concentrations in the central and southern provinces. Reports of child trafficking related experiences were especially high in rural communes, and those located in more economically deprived areas of the country ($p < 0.05$). At first glance, the geographic distribution of trafficking indicators appears to contradict anecdotal information about the extent of trafficking in the north of Vietnam, and particularly across the Vietnamese border to China, an issue which was raised by participants in an initial validation of research findings. However, given the fact that the majority of indicators identified throughout the country were of *internal* trafficking this finding is not necessarily inconsistent with dominant perceptions; it may be the case that *cross border* trafficking is relatively prevalent in northern provinces, whilst internal trafficking is less common than it is in other parts of the country.

²⁴ Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, '2019 Trafficking in Persons Report: Vietnam', <https://vn.usembassy.gov/2019-trafficking-persons-report/>.

Chart 2 : Prevalence of cases of migration exhibiting child trafficking indicators by province



Prevalence of ICTs in the 'hot spot' communes

Children from the 4 communes/wards which were identified as 'hot spots' for trafficking by government authorities (and purposively selected for inclusion in the survey), were almost twice as likely to have experiences of child trafficking compared to those from randomly selected communes ($p < 0.005$). The prevalence rate of trafficking in the hotspot areas was found to be as high as 10.5%, meaning that more than 1 in 10 children in known trafficking hotspot areas were found to have experiences indicative of trafficking. This finding indicates that stakeholders' anecdotal knowledge about where trafficking is likely to occur, does indeed have some basis in fact.

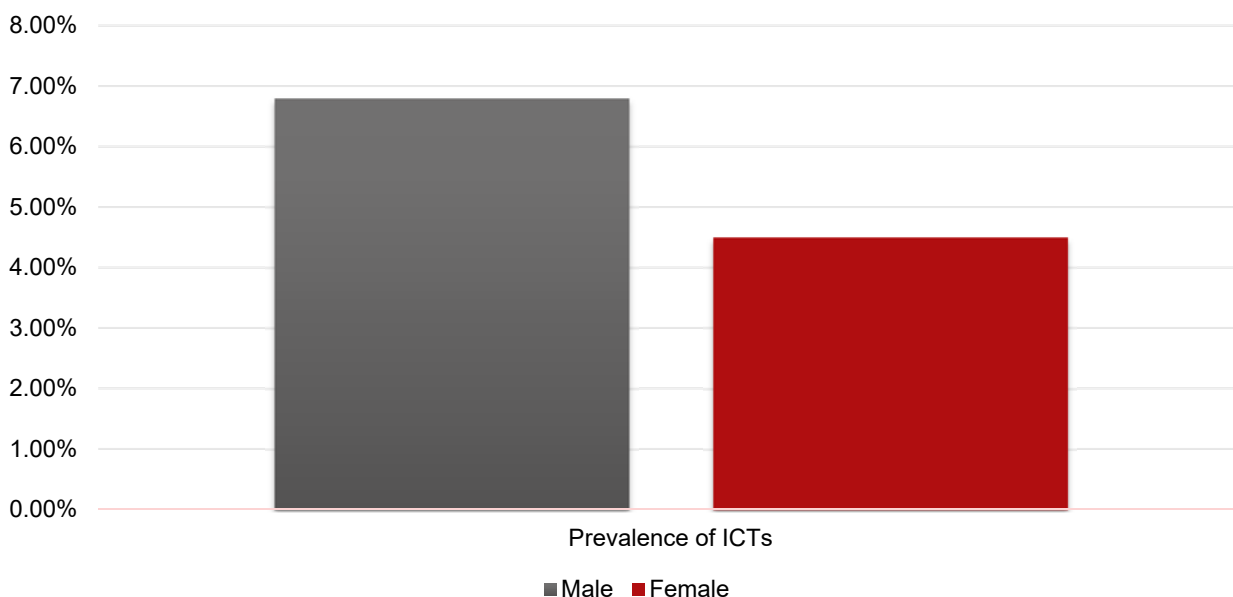
Furthermore, children in 'hotspot' communes were significantly more likely to report experiences of cross-border trafficking, with as many as 1 in 5 (20.8%) of respondents with child trafficking indicators in hotspot locations, reporting to have migrated internationally. This is unsurprising, given that all four selected hotspot communes are near Vietnam's land borders, and reflects the fact cross-border trafficking has received more attention and interest from authorities and stakeholders compared to internal forms of trafficking (the implications of this are further explored further in Chapter 7 of this report which deals with questions of 'recognition' of trafficking and trafficking survivors).

Gender and ICTs

Child trafficking related experiences were found to affect both boys and girls. The survey data indicates that a slightly higher proportion of boys (6.8%) compared to girls (4.5%) have experiences related to child trafficking. This is likely a reflection of the fact that more boys than girls appear to have experiences of independent

migration (chi-square, $p < .1$). However, the gender differences in rates of reporting of child trafficking related experiences in the young people’s household survey were found to be too small to be statistically significant. Evidence from the study does reveal differences in girls’ and boys’ experiences of trafficking and reintegration, however, which are explored further in following chapters.

Chart 3 : Rates of trafficking by gender



The findings presented above suggest that child trafficking is not an isolated phenomenon in Vietnam. It affects children from across the country, though children from rural and deprived communities may be particularly at risk. They also demonstrate that known cases of trafficking are unlikely to reflect the reality of children’s experiences of trafficking in Vietnam. The following chapter analyses these dynamics further, exploring the demographic and household trends associated with indicators of trafficking and exploitation, in greater depth, drawing on data from the household surveys. These results are embedded within a broader discussion about how child trafficking occurs in practice: the complex means and pathways through which vulnerable children and youth are ‘recruited’ into exploitative arrangements and come to be (potential) victims of trafficking.

5. Recruitment dynamics: How trafficking happens

Much of the literature on human trafficking explores the structural determinants of drivers of trafficking and the vulnerabilities that place individuals at particular risk. Whilst there are of course underlying conditions and characteristics – most notably poverty – which make people vulnerable to all types of trafficking, individual circumstances, contexts and pathways into trafficking are varied and complex. The following chapter examines these further in order to establish an in-depth understanding of why and how children come to experience trafficking. It also considers when and how trafficking occurs and which children are the most vulnerable to being trafficked, and explores the degree of agency children exercise throughout.

5.1. Initiating trafficking: (False) promises of opportunity

Q. What is the most common experience of human trafficking for the children in your shelter?

They were trafficked [at] a young age - they did not have stable jobs. The first type of case is where they were promised high-paid and easy jobs. The second is they were deceived by boyfriends, mostly through the internet...

– Social Worker²⁵

Dominant narratives about child trafficking tend to construct victims as passive, invoking stories where children are kidnapped, abducted or taken by force.²⁶ As one commentator observes, ‘*human trafficking is frequently framed as the result of the involuntary movement of victims, with stories of women [and children] who are lured or kidnapped against their will*’.²⁷ Evidence on how trafficking happens in practice in Vietnam indicates that whilst this scenario does occur, it is rare. Both qualitative and quantitative findings suggest that, in the majority of cases, trafficking victims are not forcibly taken by recruiters, but make active decisions to migrate in pursuit of opportunity or survival and become victims of exploitation in the context of these pursuits, often due to their vulnerability. Indeed, of the respondents in the survey research who exhibited indicators of child trafficking, only 13.0% (around 1 in 8) reported having been ‘taken against my will’.

Respondents described numerous ways in which traffickers recruit children and young people,²⁸ but the vast majority of these involved (often false) promises of income, employment and, to a lesser extent, education and training. Indeed: over half (50.3%) of survey respondents with indicators of child trafficking reported that the main reason they left home was for employment/earning opportunities, whilst 23.7% reported that the main reason they left was for education. This finding is clearly reinforced by case studies from the qualitative research. Whilst in most cases victims’ original reasons for migrating were multifaceted, they were almost always oriented towards earning income, or other economically motivated pursuits. For example, a young

²⁵ Individual interview, Social Worker, Nhan Ai House (victims’ shelter), Lao Cai Province, 28 November 2017.

²⁶ See for example, Davidson, J., Telling Tales: Child Migration and Child Trafficking, *Child Abuse and Neglect*, 37, 2013.

²⁷ Vijayarasa, R. (2013). Stigma, stereotypes and Brazilian soap operas: road-blocks to ending human trafficking in Vietnam, Ghana and Ukraine. *Gender, Place and Culture*, 20(8), 1015–1032.

<https://doi.org/10.1080/0966369X.2012.759905>.

²⁸ Or children are recruited into what becomes a trafficking situation.

woman who was trafficked in China as a child told researchers: *“I wanted to get money to support my family... they told me I would be able to earn money”*.²⁹ Another young woman, who had worked in exploitative conditions in the garment industry as a child, explained:

*“I strived very hard to work and go to school, but after 7th grade I had to quit – my parents asked me to go to Saigon to work and get vocational training. My aspiration is to have my own tailor shop, and run my own business.”*³⁰

In many cases, victims explained that they had been deceived by recruiters, who gave them false information about payment, working conditions, or even the purpose of their recruitment and final destination. As a young man trafficked to work in a mine at the age of 14 told researchers:

*“The recruiter told me we would go to Quang Nam Province to either work in a wood shop or to plant Cajaput – he did not mention anything about mining...They lied to us like that. [The other victims] might have thought they were only going to work for 1-2 months and if they wanted to stop they would let them go!”*³¹

Similarly, when speaking about how trafficking occurs in Vietnam, stakeholders consistently explained that traffickers may trick or deceive victims with promises of high wages and favourable working conditions. Close to half (44.2%) of respondents with indicators of child trafficking in the household survey said that they had not been paid what was originally agreed.

In other cases, victims simply did not negotiate or agree terms, relying on a description of work, which later became exploitative or highly coercive. A case worker recalled the experience of a survivor to whom she had provided support:

*“So she was just wandering around asking people for a job, and then people were asking her if she wanted a job. After a while [it was] agreed and [she] was taken to Hanoi. The family was able to contact her twice, but after that they couldn’t contact her any more...”*³²

Whilst the qualitative research did reveal cases where children were kidnapped, forcibly recruited or sold, in general the evidence suggests that in the vast majority of cases children and young people experience trafficking after, or in the context of, a decision to migrate.

5.2. The recruitment process

Findings suggest that victims are often recruited by strangers or casual acquaintances who take advantage of persons looking for earning opportunities. As a case manager working with victims of trafficking in Hanoi explained:

²⁹ Individual interview, trafficking victim, Lao Cai Province, 29 November, 2017.

³⁰ Individual interview, trafficking victim, Hue Province, 8 October 2017.

³¹ Individual interview, community member and internal trafficking victim, Hue Province, 12 December 2018.

³² Individual interview, NGO case manager, Hanoi, 3 October 2017.

“There are many cases where the victims are trafficked by a very simple trick. They come to the outskirts of Hanoi to work in the industrial zone. In the time they wait to receive an offer they just wander around in Hanoi and some woman approaches them and says, ‘do you want to earn easy money? Come to Lang Son and carry some clothing back and forth in a day’. They accept the invitation very quickly and go to China. When the victim arrives at the border gate for some reason the clothing won’t be there and they are told – ‘we have to go by boat to where the clothing is’. And they follow very easily! Once they cross the border they are already in China!”³³

In areas where the market for informal labour (and other irregular industries such as bride buying) are more established, respondents reported that recruiters frequent public gathering places, and, in some cases, are approached or sought out by victims themselves:

“The original place [where they are recruited] is usually the countryside or schools... At the school they trick the victims by flirting. In the countryside they visit the market place – each week there is a market day, a place for gathering, where young men and women meet, talk and hang out together - they follow the trick and end up being sold.”³⁴

Occasionally, respondents explained that victims are recruited through personal networks, including friends and family, who have themselves been trafficked in the past. For example:

“In 2017, there were about 10 cases where Vietnamese women who were living in China - some of whom were themselves the victims of human trafficking - lured their relatives to [China] to see their children...”³⁵

...

“There are cases when friends who were themselves victims return and deceive (their peers). They try to persuade their friends to go to Hanoi to find jobs, and say – “let’s go get more friends from Lao Cai!” And then they take them to the border... Sometimes relatives do that to the victims – sell them across the border... they want to take them across to work but they are not aware of the risks that come afterwards.”³⁶

As indicated by the latter quotation, relatives may be well-meaning: viewing recruitment as an opportunity, rather than something potentially harmful. Regardless of this, it is clear that victims who share a personal connection with recruiters are more trusting and willing to accept an offer of work. As a young woman who had been trafficked to Malaysia to work in the sex industry recalled:

³³ Individual interview, NGO case manager, Hanoi, 3 October 2017.

³⁴ Individual interview, Department of Social Evils Prevention, Lao Cai, 28 November, 2017.

³⁵ Group interview, Deputy Head, Staff, Department of General Police, Hanoi, 24 October 2017.

³⁶ Individual interview, NGO case manager II, Hanoi, 4 October, 2017.

“Q. Did your aunt tell you what the job was, how much you could earn and what the working environment was like?”

No, she just told me to work abroad so I thought I would earn a lot of money... She said I could [earn] over 10 million or 20 million, so I was excited to go. I thought she was my relative so... I just thought she was my relative, so I should go abroad. At first I was embarrassed [by the work] but since I knew that [my aunt] came here I got used to it. When I left home it was like being deceived. I thought they were relatives, I could never imagine they would force me to do such things!³⁷

As many as 40.8% of respondents with indicators of child trafficking and over a quarter, 28.7%, of young people with indicators of force or exploitation in the context of migration in the survey research said that their travel had been arranged by a relative or family member.

Finally, several key informants reported that trafficking victims may be recruited by fraudulent recruitment agencies who lure victims into exploitative (and illegal) arrangements. These agencies are often indistinguishable from their legal counterparts, other than tending to offer quicker and less costly services, and promising more generous terms and conditions. When asked whether migrant workers ever perceived there to be advantages to using informal agencies, a respondent explained:

“[There are] lower costs and quicker [processing] times, with a possibility of getting higher pay in the destination countries. If you go through the formal sector, when the employer doesn’t follow the contract, you have someone to protect you...”

[If you go through an illegal agency] It is very difficult to find out [how much you will be paid]. They will just advertise that: ‘the cost to the migrant worker is according to the law’. Migrant workers normally accept whatever recruitment agencies say because they want to go abroad.”³⁸

Whilst MoLISA is responsible for oversight of recruitment agencies, and has the power to suspend or revoke licenses, enforcement of labour standards and regulations remains a challenge. As one informant explained:

“People don’t know about the law and regulation... it is not transparent. Also, there is a lot of corruption in this area. Recruitment agencies work closely with authorities. They campaign for the local authority and do not provide reliable information for migrant workers”.³⁹

5.3. Unpacking consent and coercion: young people’s agency in recruitment

Dominant narratives often depict trafficking victims as helpless and passive victims, recruited by force, however the data from this study suggests that victims’ agency in the recruitment process is often complex and evolving. Whilst many, even the majority, of children and young people caught up in exploitative labour

³⁷ Individual interview, trafficking victim, Tay Ninh Province, 18 March 2018.

³⁸ Individual interview, ILO, Hanoi, 4 October 2017.

³⁹ Individual interview, ILO, Hanoi, 4 October, 2017.

relations may not have been ‘taken against their will’, there were certainly factors beyond their own autonomous desires and choices which influenced their recruitment. Furthermore, as is explored further in the following chapter on experiences of trafficking, exploitative arrangements often become coercive gradually, with victims initially choosing to enter a situation, and increasingly becoming less able to resist or remove themselves from that situation.

As discussed in chapter 1 (conceptual framework), recruitment through ‘coercion’ or ‘deception’ is a central prong of the definition of trafficking, except in the case of children. For those under 18, questions of force or agency are irrelevant to the question of whether a child has been trafficked. If a child has been recruited and transported for purposes of exploitation, they have been trafficked. The method used and whether or not the child consented is irrelevant. Nevertheless, when considering *how* child trafficking happens in practice, it remains important to explore the extent of children’s agency in order to understand their pathways into trafficking.

5.3.1. The influence of parents and families

Research findings demonstrate that children’s recruitment into trafficking is often influenced by their parents, families and communities. This reflects the dependency of children, who are less likely to have autonomous control over decisions affecting their lives, and are more likely to be influenced by the wishes and decisions of others.

When asked whose decision it was for them to leave home, nearly half (47.3%) of respondents with indicators of child trafficking reported that the decision was made by their parents (or, more rarely, a relative or other person). Younger children were found to exert less agency in the decision to leave home when compared to older children. Survey results reveal a significant relationship between a child’s age and his or her likelihood of identifying the decision to migrate as his or her own: with each year of age associated with a 27% increase in a child’s likelihood of saying “it was my own decision to leave [migrate]” (logistic, $p < 0.0001$).

Qualitative findings reveal the different ways in which parents influence their children’s recruitment. Respondents explained that recruiters may negotiate and reach an agreement directly with victims’ parents. As a representative of the Department of Labour, Invalids and Social Affairs explained:

“Children mainly [end up in exploitative work] through the middle man. [The middle man] will make a promise to the family, or the parents, and the family will bring the child to the workplace. There was a case of trafficking [where] a child was brought from the central highlands of Vietnam, to Ho Chi Minh City to work in [exploitative conditions in] the textile factories...”⁴⁰

In the following exchange, the mother of a trafficking victim recalls her role in her daughter’s recruitment:

⁴⁰ Individual interview, Director of Department of Children’s Affairs, MoLISA, 4 October 2017.

“My family is living in poverty, we have no money and school fees are high. The school fees for a secondary student is around eight to nine hundred thousand VND (about 40 USD). We could not afford the fees, so she left school...My family had no one to support us...

Q. Who arranged for her to leave the city and go work?

There is an intermediary person, they find people to work in the city... They met my family and asked whether I would like to allow my children to go away to work or not. If we agreed, they would help with the necessary legal process. They promised a commitment payment, and [said] that they would take care of [the children] and accompany them home for the New Year holiday.

Q. Commitment payment – what does that mean?

If she is working whilst studying, she will get one million and two or three hundred thousand VND per month...We preferred that they paid us in advanced so that we could use it to buy food for the family and pay school fees for the children.

Q. So they promised one million and two or three hundred thousand VND per month and she could learn tailoring?

Yes.⁴¹

The above exchange⁴² illustrates the considerations that influence families to send their children away to work, often under risky or informal terms. Case studies from the qualitative research demonstrate that recruiters and employers regularly fail to uphold their commitments with regard to working conditions, payment and the ‘skills training’ children will receive on the job. Furthermore, offering a commitment payment, which was found to be common practice amongst employers particularly in the garment industry, places young people at greater risk: where families are in employers’ debt it is even more difficult for young people to avoid or escape from an exploitative situation.

Even in cases where parents and families were not directly involved in recruitment, they were found to have a powerful influence on young people’s decisions. This is consistent with dominant norms in Vietnam, which promote family hierarchies and place value on respecting and supporting family. Many children and young people explained that a sense of duty to support their family had compelled them to start working or migrate in pursuit of income:

Q. Does your mum work as a guilder to take care of your whole family?

⁴¹ Individual interview, mother of trafficked child, Dak Lak Province, 9 January 2018.

⁴² Whilst the family was paid, the child was kept in exploitative conditions and received no skills training, ultimately resulting in an intervention by the Women’s Union.

*I also work as a guilder to earn 15 or 20 thousand dong. I have been working since I was 7 years old. My parents did not force me to, but they are so poor, so I want to help them.*⁴³

...

Q. What did your family think about your marriage to a Chinese man?

*My mother didn't want me to go, however I decided to go to get money for my mother's treatment. My mother cried. None of my family members wanted me to go, but my family was so poor.*⁴⁴

It is clear that in the Vietnamese context parents, families and communities have a significant influence on children's decisions to migrate for work or other opportunities, yet it is also important to acknowledge that children and young people often exhibit agency in these decisions, as demonstrated by the above exchange. As has been noted:

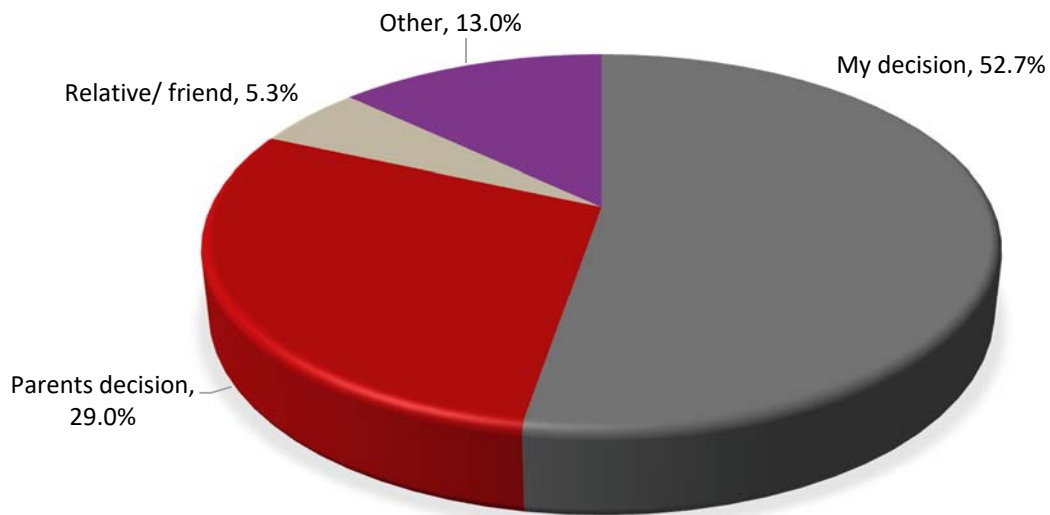
*"Although children are not necessarily the ones who initiate migration, they can be... Even older child migrants may not have been party to the decision to migrate. However, old children, especially teenagers, also have the capacity to make independent decisions about migration and so can be the authors of their own migration."*⁴⁵

⁴³ Individual interview, child labourer, Quang Binh Province, 14 February, 2017.

⁴⁴ Individual interview, trafficking victim, Tay Ninh province, 18 March 2018.

⁴⁵ Davidson, J., Telling Tales: Child Migration and Child Trafficking, *Child Abuse and Neglect*, 37, 2013, p. 1071.

Chart 4 Whose decision was it for you to migrate? – children with indicators of trafficking



5.3.2. 'I was drugged': Stories of coercive recruitment

When asked about experiences of recruitment, a number of girls and young women relayed stories of being drugged or hypnotised by their traffickers. These narratives were particularly prevalent in cases where women and girls had been trafficked to China for marriage and other forms of exploitation. As illustrated by the excerpts below, they form a striking pattern:

"I was asked by a woman to go to China for work. They took me across the border and asked me to drink wine – after that I do not remember anything."⁴⁶

...

"When the woman lured me, she brought me to a house and asked me to drink two small glasses, and I fell asleep. We spoke in Hmong before, but when I woke up she was speaking to someone else in Chinese. She said – this place does not have work for you. So, we started our trip. She brought me to a tree in the forest where two other people picked me up..."⁴⁷

...

⁴⁶ Group interview, girls and young women with experiences of trafficking, Ha Giang Province, 12 October 2017.

⁴⁷ Group interview, girls and young women with experiences of trafficking, Ha Giang Province, 12 October 2017.

“That night the woman told my daughter to go to sleep, and they kept travelling for a really long time. When they were on the boat, she gave her a cup of water to drink; after that, my daughter was unconscious until she woke up in China.”⁴⁸

...

*“That day my friend asked me to go with her to Lao Cai to play with her boyfriend; at first, I did not agree, [but] she insisted, so I went there. When it was getting dark, they turned on blinking lights so that we could not see clearly, and they poured some water for us. We didn’t notice [but they] put some anaesthetic in the cups. When we finished drinking, we saw some white powder in the bottom of the cup. After a while, I had a headache. I felt dizzy, though I was sure that I did not drink any alcohol; I had no idea how it could feel that bad. That drug appeared to be a hypnotic drug, **though I knew what I was doing, where I was going, how I was being controlled, I could not act against their words**.”⁴⁹*

These stories are consistent with findings from existing research into trafficking from Vietnam to China. For example, one study reported that *“some women said they were recruited by being invited for a drink or a cup of water and then woke up in China”*.⁵⁰

Whilst it is likely that traffickers use drugs or alcohol to influence or control their victims, in some cases young people, and particularly teenage girls, described experiences of coercive recruitment which made little sense, invoking the supernatural, and containing contradictions. For instance, several young people told recruitment stories involving ‘candies’, or a ‘cloth’ placed over their faces, compelling them to fall into a trance or hypnotic state:

“There was a woman who lived nearby. One day my dad was out in the field farming, when a woman approached us and offered us some candies. After we ate them we followed her. She asked, and we followed...”

...We walked to the border with China, and there were some Chinese women waiting for us there. On the way we met a man who asked where we are going, the woman explained that we were going with her to help with the household and look after the baby while she did some farming.”⁵¹

...

“I don’t know how it happened, but that person who took me – one day he called me, he said ‘do you want to be friends with me?’

⁴⁸ Individual interview, mother of trafficking victim, Bac Giang Province, 21 December 2017.

⁴⁹ Individual interview, girl with experiences of trafficking, government shelter, Lao Cai Province, 27 November 2017.

⁵⁰ Stockl, et al, Trafficking of Vietnamese women and girls for marriage in China, *Global Health Research and Policy*, (2017) 2:28, p.3.

⁵¹ Group interview, girls with experiences of child trafficking, Ha Giang Province, 11 October, 2018.

Q. What did you know about that person?

No idea. Nothing.

Q. How did he get your number?

I don't know. He said he got my number from facebook, but I don't use facebook! So I don't know how he got my number.

Q. What did he say?

He said first we will be friends and later on we will be boyfriend and girlfriend and then he took me out. I didn't accept the offer. I didn't agree. But I don't know – he used some kind of medicine to make me lose consciousness, so then I just followed him. He touched my shoulder and I lost consciousness. He took me on a motorbike to a house I didn't know...⁵²

In addition to making little plausible sense, several of these explanations contained contradictions. For instance, the mother of the respondent in the latter exchange told researchers that her daughter had arranged to run away with the man who recruited her, because he promised to marry her, despite her family's objections. Such recruitment stories may be shaped by victims' attempts to navigate the shame and stigma attached to their experiences: to avoid being assigned blame for their exploitation by emphasising that they had no agency or control over their recruitment. Indeed, many respondents described that they feared being judged by others or held responsible for experiences of abuse because they made an initial decision to migrate or agreed to an arrangement that led to their being trafficked. As one victim expressed to researchers:

"Not everyone deliberately goes abroad. I was affected by some people so I went abroad...people don't understand. If they don't know the story they will just think that we go abroad on purpose. Only when they hear our story, can they understand what happened to us and how we returned."⁵³

Her language invokes the importance of understanding a survivor's decisions in context: of considering the factors that shaped her decision; her alternative possibilities; how she was influenced and/or manipulated and whether she had the capacity to resist.

Choice is often considered when determining whether an individual 'qualifies' as a victim of trafficking, by both Vietnamese authorities and members of the Vietnamese public alike. As an informant from the United Nations Action for Cooperation Against Trafficking in Persons [UNACT] explained,

⁵²Individual interview, girl with experiences of child trafficking, Ha Giang Province, 12 October, 2018.

⁵³ Individual interview, young woman with experiences of trafficking, (as a child), government shelter, Lao Cai Province, 27 November, 2017.

*“People don’t see themselves as victims of trafficking, because human trafficking in Vietnam is seen as the buying and selling of people. They say, ‘no I was not sold by anyone, I decided to take that role’”.*⁵⁴

This perspective is partly rooted in the Vietnamese government’s approach to trafficking and response, which prioritises criminalising practices that are damaging to social (moral) order, over promoting individuals’ rights and wellbeing.⁵⁵ It is also likely to be rooted in the government’s efforts to regulate migration, and the legacy of strong government control of both internal and external migration in Vietnam.

Qualitative interactions with young people demonstrate the power of this dominant narrative, even on individuals who have experienced trafficking and the ambiguities around agency and consent themselves. Consider the rest of the exchange between the researcher and trafficking victim quoted above:

“Q. So, you mean human trafficking or unsafe migration happens when people are forced or deceived, it is not that they go abroad on purpose?”

Yes.

Q. What is the cause of human trafficking?”

*It is just human greed. Some of them got greedy, for material things.”*⁵⁶

Even after asserting the importance of recognising how individuals can be deceived and coerced by their traffickers, the respondent continued to place responsibility on victims who pursue risky opportunities due to personal greed. The contradiction in her reasoning reflects the larger incongruity between children’s lived experiences of trafficking and the stories told by activists, campaigners and politicians. Even whilst recognising the complexity around concepts like choice and consent - and their irrelevance to cases involving children – there remains a tendency to want to imagine a victim who bears no responsibility for having been trafficked. Several scholars have suggested that the disparity between dominant narratives and reality results in part from political agendas. According to one:

*‘Those who wish to control and restrict immigration and/or limit governments’ humanitarian obligations to migrants seek to distinguish between deserving victims of trafficking (who are imagined as having exercised absolutely no choice or agency at any stage of the process) and undeserving “smuggled” or “illegal” migrants (who are deemed to have brought suffering upon themselves through their own actions and choices)’.*⁵⁷

⁵⁴ Individual interview, representative, UFACT Vietnam, Hanoi, 5 October 2017.

⁵⁵ Vijayarasa, Ramona, “The State, the family and language of ‘social evils’: re-stigmatising victims of trafficking in Vietnam”, *Culture, Health & Sexuality*, 12:1, 2010.

⁵⁶ Individual interview, girl with experiences of trafficking, government shelter, Lao Cai Province, 27 November 2017.

⁵⁷ Davidson, J. O. C. (2013). Telling Tales : Child Migration and Child Trafficking. *Child Abuse & Neglect*, 37(12), 1069–1079. <https://doi.org/10.1016/j.chiabu.2013.10.012>.

5.4. Recruitment and vulnerability

“The girls who want to marry foreign men are the ones whose family is in extreme poverty; and they want to get married to help their parents.”

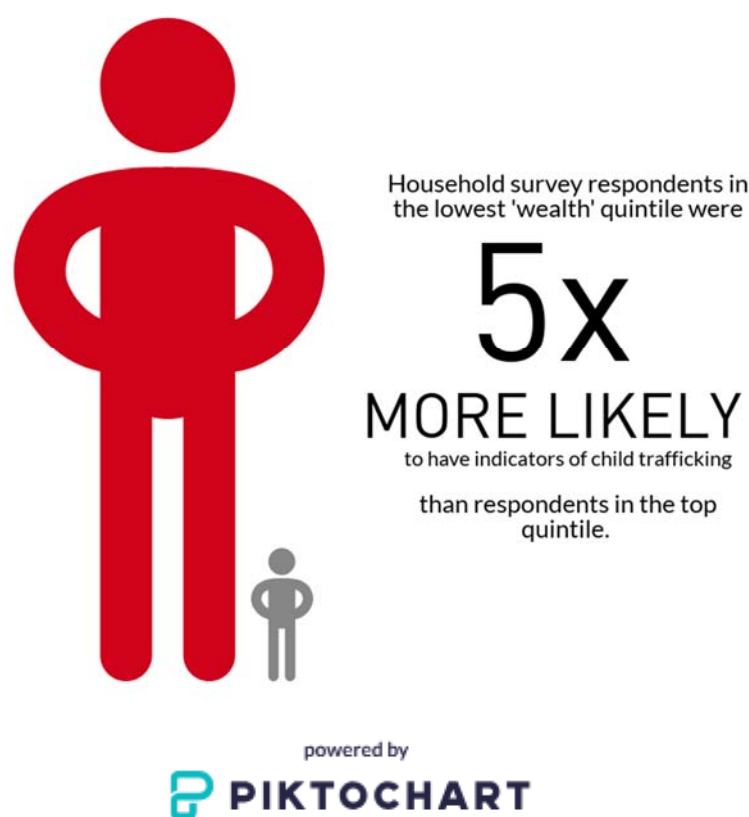
– Marriage Broker.⁵⁸

Whilst trafficking affects persons from diverse backgrounds, research findings suggest there are children and young people who are particularly vulnerable to experiencing trafficking. In particular, young people from deprived backgrounds and those experiencing poverty were found to be at particular risk. Young people in the household survey in the lowest ‘wealth’ quintile were over 2.4x more likely to have experiences of force or exploitation in the context of migration, and over 5x more likely to have indicators of child trafficking, than those in the top quintile (logistic, $p < .001$). This is consistent with findings that the majority of children and young people become victims of trafficking whilst pursuing economic opportunities or, in the case of marriage migration, economic security. Where children and young people are particularly vulnerable, they are more likely to enter a risky or potentially exploitative arrangement, and likely to have less bargaining power to negotiate that arrangement, compared to children and young people with greater capacities and resources. This places them at higher risk of experiencing exploitation. When asked who the children at greatest risk of being trafficked are, a border agent told researchers; *“it is children in poor families seeking a job”*.⁵⁹

⁵⁸ Individual interview, marriage broker, Can Tho Province, 13 January 2018.

⁵⁹ Individual interview, Border Guard, Department of Drug and Crime Prevention, 13 October 2017.

Figure 5: Wealth and likelihood of experiencing indicators of child trafficking



Qualitative data illustrates the ways in which economic vulnerability led children to accept highly risky arrangements, which often resulted in exploitation.

*Case study: Economic vulnerability and recruitment*⁶⁰

Two boys, Duc and Thanh, grew up in poverty in Dak Lak province with their parents and three sisters. The family lived in poverty, barely maintaining a hand to mouth existence; Duc and Thanh's father would often work as a day labourer assisting neighbours with farming and other tasks, whilst their mother sold candy and cookies in the market. After he completed the 6th grade, Duc (15) and his younger brother Thanh (12) went with their mother to Saigon to find work to support the family. Over the next few years the boys worked in a number of jobs: in garment factories, selling tomatoes on the street, for a packaging company and so on. The work was all informal and neither Duc nor Thanh was given an employment contract. When the boys' mother returned to Dak Lak, they stayed on in Saigon because there were more opportunities to work there, eventually securing a job with Binh Dien fertiliser company. The work was extremely physically demanding

⁶⁰ This case study is based on two interviews, one with Duc (whose name has been changed to protect his identity), and another with his mother, in their family home in Dak Lak Province, on 10 January 2018.

and both boys suffered from health problems, including infection and nosebleeds caused by the fertilizer – eventually they decided to return to Dak Lak, to look for other work. Whilst on their way back to Dak Lak, Duc and Thanh were recruited into an illegal fishing operation, stealing nets of fish from Malaysian fishing boats. Duc recalled his initial recruitment: *“We were discussing what to do, we didn’t have a job back home. My friend asked a motorbike driver, he said he knew a job, catching fish or something. So he called a guy and another man came, he gave us money, bought tickets and paid for the food, and then another man came as well...”* The boys changed hands five times, travelling accompanied by their traffickers, before they were separated, kept in exploitative conditions on two different boats, and forced to work without pay. Duc’s mother explained, *“As my sons entered the ship, they realised they had been deceived. But they were already on board, in the sea – the contract selling them had already been signed and they were trafficked that way”*.

Other household stressors and vulnerabilities were also associated with indicators of exploitation and trafficking in the survey. Research findings suggest that children with reduced parental care are particularly vulnerable to exploitation: analysis of survey data reveals that children with indicators of trafficking in the Young People’s Household Survey were significantly less likely to have been living in a household headed by a parent, than those without indicators of trafficking (chi square, $p < .05$). Furthermore, a higher percentage of respondents with child trafficking indicators were living in single parent households, particularly in households where the single parent was male (chi square, $p < .05$).⁶¹ Interviewees in the qualitative research identified lack of parental care as one of the risk factors that makes children particularly vulnerable to trafficking:

*“The risk of trafficking is high since families don’t have time to take care of their children...”*⁶²

...

*“Street children, disadvantaged children, children without parental care (who have divorced parents, or parents serving a jail sentence) are most at risk.”*⁶³

...

*“Those who most easily become victims are children from poor families. Those children have to work at an early age, and they normally are not cared for in their families, so they have a high risk of being trafficked. The second type is the children who always play on the streets, they can be victims of human trafficking.”*⁶⁴

Household size was also found to be associated with child trafficking indicators, with each additional household member increasing the odds of a respondent demonstrating indicators of child trafficking by 10% (logistic, $p < .05$). This may reflect the fact that large households are under greater financial pressure given the greater number of dependents and are therefore more likely to rely on older children as a source of income. Finally, the occupation of the household head may have an impact on vulnerability; children of domestic

⁶¹ $p < 0.05$.

⁶² Individual interview, Department of Social Evils Prevention, Hue Province, 13 December 2017.

⁶³ Individual interview, Border Guard, Department of Drug and Crime Prevention, 13 October 2017.

⁶⁴ Individual interview, Legal Support Centre, Hue Province, 13 October 2017.

workers, factory staff and agricultural labourers were especially likely to have migration experiences indicative of trafficking.

There is a strong consensus that children and young people from poor backgrounds are vulnerable to trafficking and other forms of exploitation. In addition, when asked which children are most likely to experience trafficking, key informants consistently emphasised that ethnic minorities are particularly vulnerable:

“Those who were trafficked are mostly ethnic minorities and ethnic minorities are very limited in understanding. Besides, due to their customs and practices that they are very unrestrained in the relationship between men and women, regardless of the distance, a man just asks and the woman follows and becomes his wife, or one phone call and they meet, hang out far away, and once they arrive at China, they are sold.”⁶⁵

..

“The most vulnerable to trafficking are the Hmong, followed by Dao. This might be because most of them lack literacy... or Hmong people are easy going and easy to get acquainted with and then they are lured.”⁶⁶

As in the above examples, respondents often attributed ethnic minorities’ vulnerability to their naïveté, describing them as uneducated and easy to manipulate or deceive. These views reflect a broader social discourse that is both othering of ethnic minorities and imagines trafficking victims as passive, helpless and lacking in agency. A representative of the Department of Children’s Affairs, MoLISA, described this narrative:

“Through social media we usually hear reports from cases involving ethnic minorities in remote areas, but when you look at the actual cases you see it is a minority...”

Q. Why do you think the ethnic minority cases are reported in social media?

In their mindset people generally think that ethnic minority people are easier to deceive – there is a kind of stigma.”⁶⁷

As the above excerpt suggests, the perception that ethnic minorities are particularly susceptible to trafficking may be largely based in racialised notions of intellect, agency and vulnerability. Interestingly, evidence from the study suggests that whilst young people from ethnic minority backgrounds are more vulnerable to trafficking than those from the Kinh majority, this is likely to be a reflection of their economic vulnerability rather than some cultural or personal characteristic associated with their ethnic background. According to survey data, young people from ethnic minority backgrounds are almost 3 times as likely to report child trafficking experiences than those from Kinh families (logistic, $p < .0001$), but this relationship completely disappears when controlling for household wealth.

⁶⁵ Individual interview, Legal Aid Centre staff, Lao Cai Province, 28 November, 2017.

⁶⁶ Individual interview, Social Worker, Lao Ca Province, 28 November, 2017.

⁶⁷ Individual interview, representative of the Department of Children’s Affairs, MoLISA, Hanoi, 4 October 2016.

A similar discrepancy between the characteristics of the imagined ‘archetypal’ trafficking victim and evidence on the demographic characteristics associated with trafficking experiences emerges from the research findings on mental disability. Mental disability is another form of vulnerability often associated with trafficking victims; a number of global reports suggest that children with mental disabilities or reduced mental capacity may be particularly vulnerable to trafficking.⁶⁸ Indeed, caseworkers interviewed for the study described how in some cases victims are approached by traffickers deliberately because their reduced mental capacity makes them easier to deceive, manipulate and control.⁶⁹ Notably, 18.6% of beneficiary survey respondents reported to have a mental disability, a significantly higher proportion than in the general population of Vietnam. Interestingly, however, none of the household survey respondents with indicators of child trafficking reported to have a mental disability. Whilst the reasons for this discrepancy are unclear, it may reflect the fact that child trafficking survivors with mental disabilities are more likely to receive support services due to their greater need. It may also be the case that trafficking survivors are more likely to self-identify this way.

In sum, whilst dominant narratives and expectations tend to portray trafficking victims as personally vulnerable, and lacking in agency and capacity, evidence from the study does not support these associations. Rather, research findings indicate that economic vulnerability is by far the most important factor influencing children’s likelihood of experiencing trafficking. These findings are consistent with evidence on recruitment, which suggests that the vast majority of trafficking experiences occur in the context of individuals’ pursuits of economic opportunity or security. Children and young people with limited resources are more vulnerable because they are more likely to pursue such opportunities, have access to fewer alternatives, and are more willing to enter high risk arrangements or agreements.

⁶⁸See for example: “Human Trafficking Victims with Disabilities or Mental Illness: Annotated Bibliography”, *Centre for Victim Research*, https://ncvc.dspacedirect.org/bitstream/handle/20.500.11990/1023/CVR_Biblio_Trafficking_508.pdf.

6. Trafficking (related) experiences: what trafficking looks like

Trafficking is a broad concept, which includes a diverse set of acts, practices, arrangements and relationships, from exploitative labour in industrial settings, to participation in the drug trade, to informal seasonal work in agriculture or fishing, to sex work, to forced marriage. This chapter attempts to unpack this diversity by exploring children and young people's lived experiences of trafficking (or coercion and exploitation in the context of migration) in order to develop an understanding of what trafficking looks like in practice. In particular, the chapter will consider the different types of work (and other) contexts in which trafficking occurs, the forms of coercion and control experienced by children and young people and the degrees and types of exploitation and violence that they are subjected to. Drawing on data on young people's experiences of trafficking, the chapter seeks to shed light on whether and how real life trafficking experiences align with or diverge from mainstream (child) trafficking paradigms set out in law, policy and dominant cultural narratives, and what implications this evidence has for initiatives aimed at preventing and responding to trafficking.

6.1. Forms of exploitation

'The victim of trafficking is first and foremost imagined as a migrant woman or girl forced into prostitution.'

– Anderson, 2014

Dominant narratives about trafficking tend to emphasise cases of commercial sexual exploitation. The story of the 'migrant woman or girl forced into prostitution' seems to appear whenever trafficking is considered or discussed - in media coverage, the speeches of politicians and advocates, and anti-trafficking campaigns. As one scholar has pointed out, whilst [anti-trafficking] campaign materials typically list many different settings in which trafficked children may be found – almost without exception, such materials emphasise the link "between child trafficking and sexual exploitation by starting the list with child prostitution".⁷⁰

Similarly, in Vietnam, when asked about the types of cases of child trafficking that they encounter, informants often described cases where children, nearly always girls, had been trafficked into the sex industry:

Q. What purpose are children trafficked for?

If they are female then 99% are pushed into hotels and restaurants... They are sexually exploited and turned into prostitutes.

Q. Are there male children?

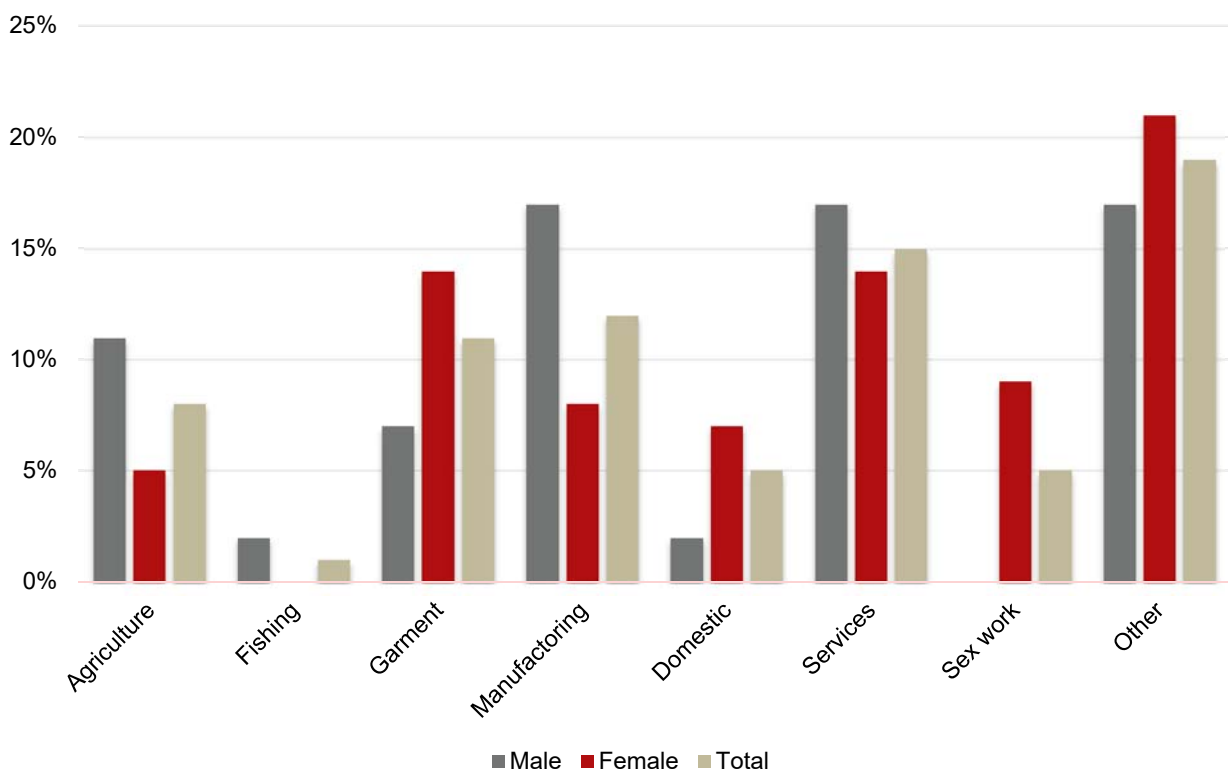
⁷⁰ Davidson J. O. C. (2013). Telling Tales : Child Migration and Child Trafficking. *Child Abuse & Neglect*, 37(12), 1069–1079. <https://doi.org/10.1016/j.chiabu.2013.10.012>.

There are but there are very few...⁷¹

Despite informants’ emphasis on the girl child in the sex industry as the archetypal trafficking victim, evidence from the study suggests that this type of trafficking case is comparatively rare: only 4.8% of respondents with indicators of child trafficking identified in the survey research reported engaging in sex work.⁷² This result may partially reflect underreporting on this variable, however it is still very low, particularly in comparison to other industries in which children and young people were (reportedly) exploited.

Rather, findings from the survey research indicate that child trafficking occurs across a number of diverse industries and takes a variety of forms. As is illustrated in the graph below, the majority of cases of migration exhibiting indicators of child trafficking occurred in the services industry, followed by the manufacturing, garment and agriculture industries. Boys are more likely to be trafficked in certain industries, particularly agriculture, fishing and manufacturing, while girls are more likely to be trafficked in the garment industry, for sex work or domestic labour, suggesting that there may be gendered dimensions to demand for children’s labour, as well as the type of work that children pursue.

Chart 5 : Types of industries in which children with indicators of trafficking were exploited



⁷¹ Key informant interview, Department of Social Evils, Lao Cai Province, 28 November 2017.

⁷² Whilst this finding may reflect underreporting on this variable, it is still very low, particularly in comparison to other industries in which children and young people were exploited.

Importantly, significant differences were observed between the samples of respondents with child trafficking indicators contained within the beneficiary survey as compared to the young people's household survey, with regard to both gender and the type of industry into which children were recruited and exploited. These discrepancies draw attention to dominant narratives and expectations about the 'ideal type' of child trafficking victim, which may not reflect the experiences of the majority of trafficked children. As discussed in chapter 3 of this report (which explores patterns and trends in the prevalence of child trafficking) a slightly higher proportion of boys in the young people's household survey was found to have experiences of child trafficking compared to girls. However, almost three quarters (73.5%) of the sample of child trafficking survivors in the beneficiary survey were girls, reflecting services providers' preoccupations with identifying and providing shelter services to female child survivors (an issue discussed further in chapter 7 below). Furthermore, whilst respondents with indicators of child trafficking in the young people's household survey tended to report having worked in the service, manufacturing and garment industries, those in the beneficiary survey were primarily sex workers, domestic labourers, or working in agriculture.

6.2. Understanding children's experiences of trafficking

Evidence from the study reveals the range of forms of exploitation, coercion and control which children were subjected to in the context of their trafficking experiences. Children and young people interviewed for the study described enduring enormous hardship: working in exploitative conditions and suffering a range of forms of violence and abuse. Many recalled working excessive hours, being denied rest or time off, even when they were unwell, and being threatened with punishment:

*"We had to work constantly, without having a break...we could not take any rest. If we did, they would scold us or threaten to beat us."*⁷³

- Young woman trafficked to China as a child for marriage and agricultural labour

...

*"[I worked] from 11am to 1-2 am on the following day, at any time clients requested."*⁷⁴

- Young woman trafficked to Cambodia for sex work

...

*"It was very hard work. Even when my whole body was in pain, they still forced me to work. You were not able to rest, even when you had a fever."*⁷⁵

- Young man trafficked as a boy to work in a gold mine in Vietnam

...

⁷³Individual interview, girl with experiences of trafficking, government shelter, Lao Cai Province, 27 November 2017.

⁷⁴Individual interview, young woman with experiences of trafficking, Soc Trang Province, 14 January 2018.

⁷⁵Individual interview, young man with experiences of child trafficking, Hue Province, 12 December 2017.

*"We woke up at 4am to cast nets. At 11am, we collected nets to take fishes out. They shouted at those who worked slowly. We worked until 3, then took a rest until 6. We worked a lot."*⁷⁶

- Young man trafficked to Malaysia to work on a fishing boat

As the above excerpts reveal, exploitative working conditions were found across the diverse industries in which children were trafficked. Indeed, survey data suggests that the majority of victims of child trafficking experience labour exploitation in some form: 88.2% of children with indicators of trafficking across both surveys reported to be working exploitative hours.

As explored in chapter 5 on recruitment, the working conditions experienced by children and young people were often highly inconsistent with the expectations they had when they were initially recruited or made the decision to migrate. In many cases these conditions violated the terms they had been promised. A number of respondents described working longer hours and receiving lower wages than had originally been agreed. As one young woman who was exploited as a child in the garment industry explained, *"when the employers first talked to me about the job I made a deal that I would work until 10 pm at most, but in reality they made me work until 2am."*⁷⁷ Another respondent, trafficked to China to work in the timber industry, recalled: *"[We agreed on] 3,500 Chinese Yuan per month...but they did not pay. They said they would pay when we returned home."*⁷⁸

Paradoxically, however, despite being subjected to dire working conditions, findings suggest that children often stay in highly exploitative arrangements voluntarily. According to survey data, the majority of children caught up in exploitative labour or sex relationships, ultimately leave their situation of their own accord: 75.2% of respondents with indicators of child trafficking⁷⁹ reported that they were allowed to leave, with less than a quarter 24.8% reporting having run away or having been rescued (either by the police or someone else).

It is important to recognise that quantitative results do not include cases where children are missing or have not yet returned, and it is reasonable to expect that children who require rescue to escape their situation might be more likely to fall into this category. Furthermore, and as will be explored further in the following chapter, those victims who reported having been 'allowed to leave' may have been subjected to forms of coercion and control which pressured them to stay in exploitative and harmful arrangements or created significant barriers to their ability to depart, even if, ultimately, they were 'allowed to leave'.

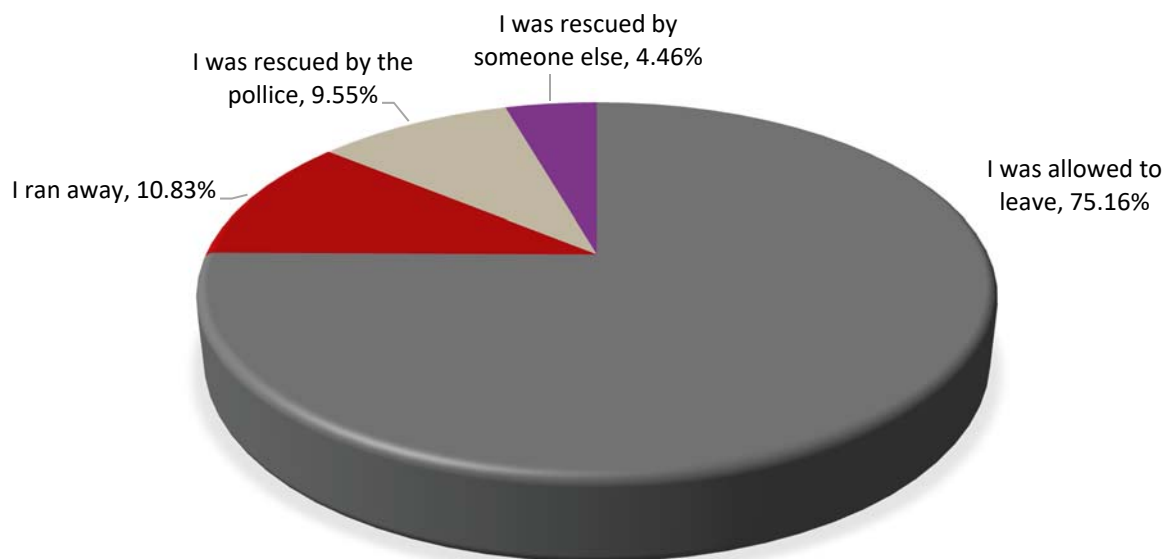
⁷⁶Individual interview, young man trafficked to work in the fishing industry, Dak Lak Province, 9 January 2018.

⁷⁷Individual interview, young woman with experiences of child trafficking, Hue Province, 8 October 2017.

⁷⁸Individual interview, young man with experiences of trafficking, Lao Cai Province, 29 November 2017.

⁷⁹ Who had left their trafficking situation.

Chart 6: How do children escape exploitative relationships?



6.2.1 Mechanisms of coercion and control

Qualitative data illustrates the forms of coercion experienced by trafficking victims; children and young people with trafficking experiences described being pressured, intimidated, coerced and controlled in multiple ways, ranging from subtle to overt. In some cases, this included explicit physical restraint: as the mother of a boy who was trafficked recalled, *“he was sold to a giant ship across Thailand. When he returned, he told me how he was put in handcuffs”*.⁸⁰ Other respondents described being kept under constant supervision, kept in a locked room or facing punishment if they attempted to leave. The experience of a young woman, ‘Linh’ who was trafficked to China is particularly illustrative of the range of ways in which victims may be coerced and controlled:

Linh migrated to China willingly, with the assistance of a Vietnamese woman who had promised her work in the restaurant industry. She remembered the moment when she began to worry that something wasn’t right: *“I couldn’t call anyone – they didn’t allow me to bring either my phone or my belongings. The lady who brought me said she would keep my stuff... that old things are not good for business and they would buy new clothes for me.”* When Linh complained, one of her traffickers promised to buy her an international sim card so that she would be able to contact her family. She remembered: *“I trusted what she said. She swore she was getting old and there was no reason to cheat me. She said she was afraid I would be arrested by the Chinese police and it would take a lot of money to bail me out!”*

Linh was then put in the care of a Chinese man, who she was promised would bring her to the restaurant to work. Linh recalled: *“The next day, I didn’t go to work. I couldn’t speak Chinese to communicate with them...I*

⁸⁰ Individual interview, mother of trafficking victim, Dak Lak Province, 9 January 2018.

didn't understand what was happening. I started to suspect there was something wrong. On the second day, I asked the man to bring me home...I pointed outside, meaning I wanted to go home."

If Linh's traffickers understood her request, they ignored it. Instead, she was taken to house where she was threatened, abused and forcibly detained. Linh described her first night there: *"In the evening, after taking my bath, I went into the room to sleep. He insisted on sleeping with me. I didn't agree. I locked the door. He knocked many times until I opened the door...He said he would kill me if I refused. He left and came back with a knife. I went out of the room, he locked all rooms in the house to stop me getting out."* Linh ultimately learned that she had been sold to this man for marriage: *"I was like a prisoner – I was always watched, there were cameras everywhere..."*

After some time, Linh was able to escape from her situation:

"I paid attention to his schedule. He went out from 1 pm to 6 pm. When he was out, he left his mother or his nephew watching me. One day his mother went out to water her vegetables far away. I often went with his mother but on that day I refused. I saw him opening the door and going out. I guessed he would go out until the afternoon...I left right away. I had money for transportation. He often gave me keys, but he hid all the keys on that day. I brought a few clothes and left the house though the back door where there was no camera..."⁸¹

The above case study illustrates how trafficking arrangements often become coercive gradually; with a victim initially cooperating with traffickers and becoming increasingly less able to resist or remove themselves from the situation. Some of the barriers on Linh's movement were subtle, such as the inability to communicate without a phone or due to language barriers, whilst others were more explicit – being surveyed, locked indoors, and physically threatened with violence. Several respondents explained that it was difficult to escape from their situation because they were isolated and unfamiliar with their environments. As one victim of child trafficking recalled:

"It was very dangerous. There were many roads that we did not know so if we wanted to go back, we did not know which road to take. There was also a big road for cars, but they took us by mountain paths. It would be much easier for us to find the way back if they had taken us by the main road."⁸²

Violence as a mechanism of control

As in Linh's case, research findings suggest that violence, and the threat of violence, are often used by traffickers as a mechanism for coercion and control. This finding is strongly reinforced by qualitative interviews. Respondents described being beaten and emotionally abused in the context of trafficking, often justified as punishment for 'disobedience' or 'inadequate' working habits, and used as a means of maintaining authority and control. The recollections of a young man who was trafficked at the age of 16 to work in a gold mine are particularly illustrative:

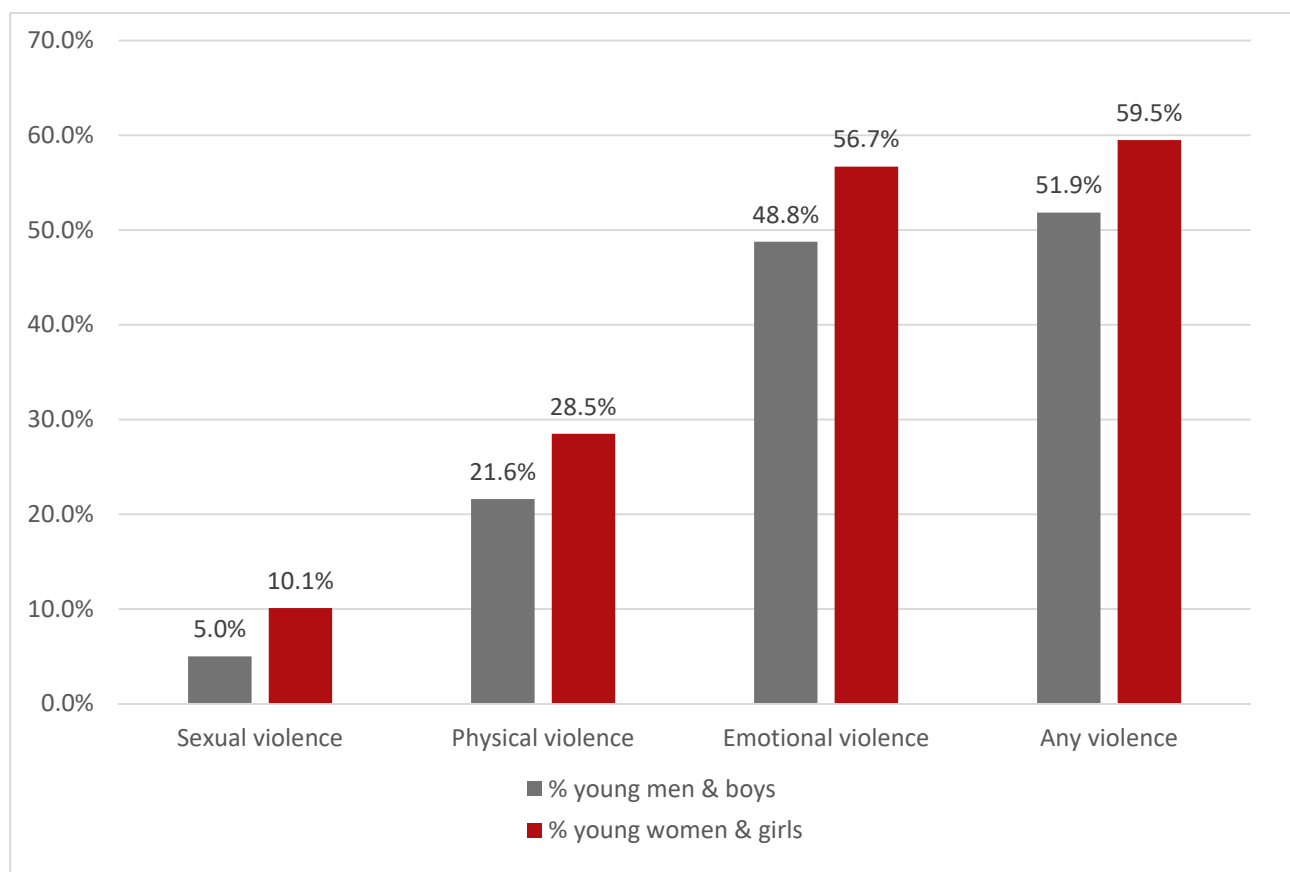
⁸¹ Individual interview, young woman with experiences of trafficking, Dak Lak Province, 10 January 2018.

⁸² Individual interview, young man with experiences of child trafficking, Hue Province, 12 December 2017.

“At one time I was too tired to work, and when a man asked me why I wasn’t working, I said I was sore. He beat me here with a rock. There were many overseers who looked like mafia guys with long hair and dragon tattoos. There was another man who hit me with a shovel. I was so tired that I took a little break after pouring the stone into the grinding machine and he asked why I stopped – he actually shouted at me – and then took the shovel to beat me. I managed to dodge but still got hit. Many people also got beaten, if anyone running away was found, that person would be beaten or even killed. There was a man who tried to run away. He was caught, beaten and got pepper sprayed... he only succeeded the second time!”⁸³

Survey data suggests that experiences of violence are fairly prevalent amongst trafficking victims: (55.8%) of survey respondents with indicators of child trafficking or force or exploitation in the context of migration reported having experienced violence: 52.5% reported having experienced emotional violence, 25.2% reported having experienced physical violence and 7.23% reported having experienced sexual violence (including 5% of boys). Young women and girls were found to be more vulnerable to all types of violence, as is demonstrated in the chart below.

Chart 7: Children and young people’s experiences of violence



⁸³Individual interview, young man with experiences of child trafficking, Hue Province, 12 December 2017.

Interestingly, analysis of survey data reveals associations between working in exploitative conditions and experiencing violence. Of the population of children and young people who migrated, those who were wage exploited were 2.3x more likely to experience some form of violence than those who were not ($p < .001$), and those who were working exploitative hours were 2.1x more likely to experience violence than those who were not ($p < .05$). Interpreted in light of qualitative data, this association suggests that traffickers rely on violence as a mechanism to enforce exploitative labour conditions.

Finally, qualitative data illustrates the range of personal and structural ways in which young people can be persuaded or induced to stay in exploitative relationships. Several children and young people with trafficking experiences who had migrated illegally explained that they were afraid of immigration authorities, which gave their traffickers greater power over them, and prevented them from seeking help. In other cases, respondents described shame and stigma around their experiences, which made them reluctant to return to their communities.

Findings also suggest that debt bondage is used by employers to coerce victims into remaining in exploitative work. In some cases, victims were required to work off the costs associated with their journey or living arrangements. In other cases, employers paid an advance to a child or young person's family, placing them in a situation of debt bonded labour from the outset. A young woman who was promised a job in the entertainment industry but was trafficked to Malaysia for the purposes of sex work, explained that her mother had to refund her flight costs in order to secure her release:

"Afterwards, I could not tolerate it anymore, so I told mom I would go home. I did not tell her why I wanted to go home, that I did not want to work abroad anymore. I guess my mom understood, so she told me she would pay for any amount of money as long as I could go home"⁸⁴.

Given the economic vulnerability which pushes children and young people into trafficking situations in the first place, respondents explained that in many cases victims (and families) were unable to obtain the money necessary to pay off traffickers. As a young girl who was trafficked in the garment industry recalled:

"I asked my parents after 2 months and said I wanted to come home. My parents tried to soothe me and said: 'continue the job because we already used the money for another purpose – try to finish 12 months.'⁸⁵

Even where debt bondage is not employed, children and young people may be compelled to stay in exploitative arrangements due to their desperate economic circumstances. A young woman trafficked in the garment industry, recalled how after departing from her trafficking situation, she ultimately decided to return:

Q. After one year was it easy to leave?

⁸⁴ Individual interview, young woman trafficked to work in a bar in Malaysia, Tay Ninh province, 10 Jan 2018.

⁸⁵ Individual interview, young woman with experiences of child trafficking, Hue Province, 8 October 2017.

There were no difficulties – they gave me money and drove me back home but they also lured me back and promised a higher salary. They promised I could stop working earlier but it was just talk and I knew when I went back it would be the same and I would have to work even on Sunday. But I did accept the offer because I thought - no pain no gain and maybe it would be fruitful, so I committed to that household business for three years. It was a mixture of sadness and happiness but the anxiety and sadness overwhelmed...

Q. Did conditions improve? Or was it the same as the first year throughout?

My resilience improved – the conditions were the same but I knew my goal was to support my family and improve my skills to become independent, so I kept moving, kept suffering.⁸⁶

The case above may begin to explain seemingly contradictory findings about the voluntary way that children and young people were found to enter and leave exploitative relationships. Where children and their families lack viable alternatives they are more likely to stay in an exploitative situation, regardless of the harmful conditions to which they are subjected. This is also consistent with the finding that economic vulnerability is by far the most important factor influencing a child's likelihood of experiencing trafficking.

The impacts of exploitation

In addition to gathering evidence on children and young people's experiences of labour (and other) exploitation in the context of migration, the survey for this study was designed to collect information on their levels of wellbeing at the present time (time of the survey). Respondents were asked questions designed to capture diverse dimensions of wellbeing, including in relation to physical and mental health, coping, social integration, self-esteem, efficacy, and so on. Responses were aggregated so that each individual respondent received a 'wellbeing' score, which provides an overall measure of their level of wellbeing in comparison to other respondents. The scores can be analysed to understand outcomes for respondents in relation to other factors.

Analysis of different dimensions of respondents' wellbeing are explored further in the following chapter on surviving trafficking. It is worth noting here that wellbeing outcomes were significantly lower for respondents with indicators of child trafficking when compared to the general population, suggesting, predictably, that child trafficking leads to negative wellbeing outcomes for victims. Interestingly, in addition to this, analysis of survey data suggests that this relationship is primarily due to respondents' experiences of violence: violence was found to explain the majority of the (negative) relationship between trafficking and wellbeing when controlling for other factors (such as age, ethnicity, industry, gender, wealth score), suggesting that experiencing violence causes victims particular harm. This finding indicates that trafficking is most damaging where violence is the means of control used to compel children to stay in exploitative relationships, implying that even highly exploitative forms of trafficking may be more tolerated or less harmful where victims have a greater degree of agency around the decision to stay in a relationship, a decision which may be a rational economic choice in the context of their circumstances and alternatives.

⁸⁶ Individual interview, young woman with experiences of child trafficking, Hue Province, 8 October 2017.

7. Surviving trafficking: experiences of reintegration and access to services

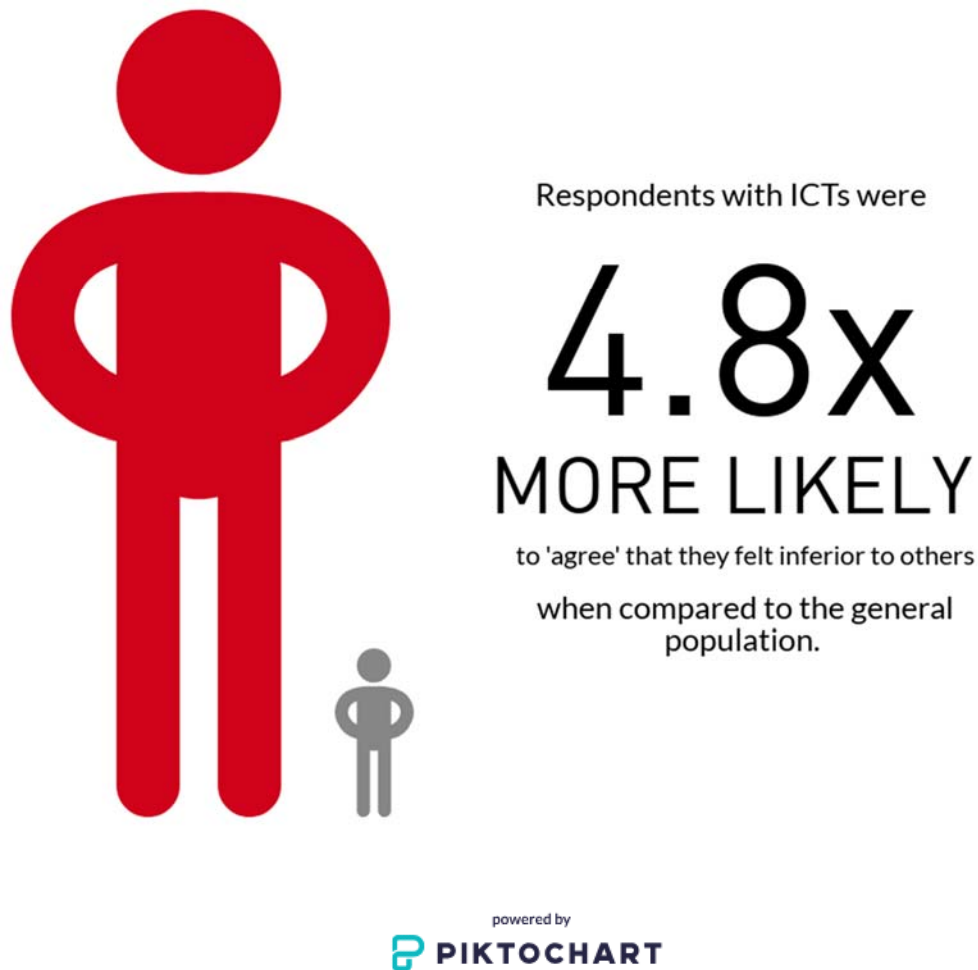
There is a strong consensus around the harmful effects of trafficking on children and young people. As discussed in chapter 3 of this report, whilst considerable attention and energy have been devoted to providing services and support to victims of trafficking, the numbers of victims identified and successfully rehabilitated is relatively small in comparison to the (estimated) scale of the problem. This chapter explores these dynamics in the Vietnam context through presenting evidence on the post-trafficking experiences of survivors. In particular, it considers well-being outcomes for children and young people who have experienced trafficking and explores their experiences reintegrating into their communities; examines access to support services and attempts to explain who has access to support services and why; and considers the degree to which trafficking services are well-designed to promote victims' recovery and meet their needs.

7.1. Reduced wellbeing

The effects of trafficking on children's physical and mental health are well documented; literature on outcomes for survivors demonstrates how trafficking experiences undermine a range of dimensions of wellbeing. It has been noted that the emotional and physical trauma and unrelenting abuse and fear associated with trafficking present a grave risk to physical, psychological, spiritual, and social-emotional development' of children.⁸⁷ Evidence from the survey data demonstrates these effects. Survivors of trafficking were found to exhibit significantly lower wellbeing when compared to the general population. For instance, survey respondents with indicators of child trafficking were significantly more likely to say that they 'felt inferior' to other people (ordered logit, $p < .001$) and more likely to report feelings of stress, anger, worry (ordered logit, $p < .001$) or depression (ordered logit, $p < .001$) when compared to the general population.

⁸⁷ See for example, Rafferty, Y., "The Impact of Trafficking on Children: Psychological and Social Policy Perspectives", *Child Development Perspectives*, 2:1.

Figure 6: Respondents with indicators of child trafficking reported reduced wellbeing



Trafficking survivors and their caretakers interviewed for the study consistently described how their experiences of trafficking had affected their mental and emotional health. A young woman who was trafficked to Cambodia as a child explained, *“sometimes I feel so bad that I cry. And my mom does as well.”*⁸⁸ Similarly, the mother of a trafficking survivor told researchers, *“for my daughter’s part, from the day she came back until now, she does not seem normal.”*⁸⁹ A social worker at a government shelter descried the severity of the trauma experienced by survivors in some cases:

*“some children had unstable emotions when they arrived [at the shelter]. For example, a child who used to be abused has a headache and cries every time she is reminded of her past. She is shrinking and covers her face when she sees people. It’s the fear of being abused.... She said she was too scared when thinking of the time she was in China.”*⁹⁰

⁸⁸ Individual interview, young woman with experiences of child trafficking, Soc Trang Province, 13 January 2018.

⁸⁹ Individual interview, mother of victim of child trafficking, Bac Giang Province, 21 December 2017.

⁹⁰ Individual interview, social worker at government shelter, Lao Cai Province, 28 November 2017.

Trafficking experiences lead to a diverse range of (negative) outcomes for victims, however analysis of survey data indicates that the majority of trafficking survivors did experience reduced wellbeing of some form. Compromised wellbeing outcomes were found across demographic groups, including both boys and girls with trafficking experiences; cross border and internal migrants with indicators of child trafficking; as well as young people who experienced indicators of child trafficking in the sex industry and other industries.

7.2. Challenges with reintegration

Children with experiences of trafficking often struggle to reintegrate into their communities, as a result of both their reduced wellbeing, and external factors such as stigma, which contribute to an unwelcoming environment.⁹¹ Research findings indicate that both the social and economic reintegration of trafficking survivors are a significant challenge. Survey respondents with child trafficking indicators were significantly less likely to say that they felt accepted by the community when compared to the general population (ordered logit, $p < .005$). Service providers emphasised that the challenges faced by survivors in reintegrating were often related to psychological difficulties, which led to social and emotional withdrawal, low coping and functioning and, in extreme cases, even self-harm and suicide:

“In general, when survivors return, none of them has a stable job, because in the first stage they still suffer from psychological wounds so they cannot find a job yet.”⁹²

..

“Q. What kind of difficulties do child victims face when they return to their communities?”

Many difficulties. Mental issues are the greatest one of these. There was a case of a victim who did not go out for six months. She committed suicide even after joining a self-help group...⁹³

Service providers highlighted the need for individualised support for victims, to improve their ability to cope with and ultimately overcome mental and emotional difficulties, promoting successful reintegration. As will be explored in the following chapter, however, such support is often unavailable or difficult to access in practice.

Even where they are able to overcome poor wellbeing outcomes resulting from trafficking experiences, children and young people may struggle to reintegrate due to external factors. Stigma around trafficking was identified as a barrier to reintegration by respondents in a number of the research sites included in the study, undermining their ability to reintegrate into their communities and further compromising mental and emotional wellbeing. A social worker at a shelter in Lao Cai province explained, *“when they return to their*

⁹¹ For a more detailed presentation of research on victims experiences of reintegration in the Greater Mekong Sun-region, see: Surtees, R. (2013). *After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region*. Summary Report. Bangkok: UNIAP/NEXUS Institute .

⁹² Individual interview, Department of Social Evils Prevention, Dak Lak Province, 7 January 2018.

⁹³ Individual interview, Department of Social Evils Prevention, Dak Lak Province, 7 January 2018.

community, people often start gossiping about them, which makes them uncomfortable.”⁹⁴ Several survivors described their experiences of judgment and social exclusion:

*“The friends I used to have, they no longer want to be my friends, so I don’t share my story with anyone.”*⁹⁵

...

*“Sometimes I just want to commit suicide...because I went to China. My neighbours know, so they will say bad things about me.”*⁹⁶

In some cases, respondents described being rejected by members of their own families:

*“From the moment I returned home I felt my father was distant from me – that he didn’t love me the way he did before.”*⁹⁷

...

*“When I was in China, I was afraid I would never have the chance to meet my parents again... I just wanted to see my parents. But when I came back and saw my parents’ attitude toward me, I thought – if I knew they would be like that I would rather have stayed in China. My father’s attitude changed and because of that I am very sad.”*⁹⁸

A stakeholder from Dak Lak province explained that this is not a unique experience:

*“When trafficked children return home, their families often scold and curse them, blame the victims... I witnessed a girl crying and running to hug her mother, but the mother pushed her, and scolded her.”*⁹⁹

Indeed, several respondents emphasised that whilst significant effort has been devoted to sensitising communities about the risks associated with trafficking, there is a need for sensitisation and awareness raising with families and communities to promote victims’ successful reintegration.

Research findings suggest that stigma experienced by trafficking survivors is heavily gendered, with women and girls facing greater stigma than men and boys due to social expectations that women should stay in the home and that their sexuality must be controlled. This dynamic is illustrated by the recollections of a young woman who was trafficked in China as a girl:

⁹⁴ Individual interview, social worker at government shelter, Lao Cai Province, 28 November 2017.

⁹⁵ Individual interview, young woman with child trafficking experiences, Dak Lak Province, 8 January 2018.

⁹⁶ Individual interview, girl with child trafficking experiences, Social Protection Centre, Lao Cai Province, 27 November 2017.

⁹⁷ Individual interview, young woman with child trafficking experiences, Lao Cai Province, 29 November 2017.

⁹⁸ Individual interview, young woman with child trafficking experiences, Lao Cai Province, 28 November 2017.

⁹⁹ Individual interview, Department of Social Evils Prevention, Dak Lak Province, 7 January 2018.

“Q. How did people in your village treat you when you returned?”

They said I was a sex worker. They did not like me and spoke poorly of me. The neighbours often said bad things about me.

Q. How did you respond?

I was angry, I said to them – how do you know what I have been doing? Why do you say these things? ...They said it was rumour.

Q. How long did it take them to stop talking about this?

Until I got married.¹⁰⁰”

In light of dominant norms that restrict women’s autonomy and constrict them to the family sphere, women and girls who migrated independently often faced rumours and scandal upon their return. As in the above case, respondents explained that marriage tends to be viewed as an appropriate social solution for returning victims. As one service provider explained, *“most of them get married right away because they felt they were humiliated and lost their dignity, so they would easily accept a marriage proposal from any man.”¹⁰¹* Problematically, respondents mentioned several cases where young women were perceived to be so ‘damaged’ and lacking in marriage prospects that they were re-trafficked with the consent of their families.

Finally, the challenges faced by survivors in reintegrating into their communities were often compounded by the factors such as poverty and lack of economic opportunity that made them vulnerable to trafficking in the first place. Stakeholders explained that reintegration is unlikely to succeed when underlying vulnerabilities are not addressed, and that this may lead to re-trafficking in some cases:

“In practice, there have been cases where after being rescued victims experienced community reintegration difficulties. They then decided to go back beyond the border. However, we cannot say whether they were trafficked or not. There were many cases where the victims became the culprits.”¹⁰²

..

“There are children who, after two years of trafficking come back to deceive and sell other children.¹⁰³ There are children who were re-trafficked because their family did not have good conditions. There [were many cases] in previous years...Later they reduced, when we started working with trafficked children, supporting accommodation and learning activities.”¹⁰⁴

¹⁰⁰ Individual interview, young woman with child trafficking experiences, Hue Province, 12 December 2017.

¹⁰¹ Individual interview social worker at government shelter, Lao Cai Province, 28 November 2017.

¹⁰² Individual interview, Department of Drug and Crime Prevention, Border Guard and Coast Guard command, 13 October, 2017.

¹⁰³ It is important to note that children may be forced or coerced into grooming other children/young people into exploitative situations in order to protect their safety in the context of their own exploitation.

¹⁰⁴ Individual interview, Department of Social Evils Prevention, Lao Cai Province, 28 Nov 2017.

This highlights the need for specialised, individualised and sustained services, to support trafficking survivors’ integration into their communities and address both any psychological or physical damage which resulted from trafficking as well as any underlying conditions which increase children’s vulnerability.

7.3. Access to services

It is clear that the majority of trafficking survivors require support in order to overcome compromised wellbeing and (re)integrate successfully into their communities. Evidence suggests that access to services is limited in Vietnam, however, and that a considerable majority of children and young people who are victims of trafficking never access support services: less than 1 in 10 (9.5%) respondents with indicators of child trafficking in the household survey reported that they had received some form of support.

Figure 7: Proportion of respondents with ICTs who accessed support

**LESS THAN
1 IN 10**
respondents
with indicators of
child trafficking
reported that they had
received some form of support



powered by

Furthermore, analysis of which individuals receive support suggests that trafficking services, and particularly residential care services, tend to focus on a particular profile of trafficking victim. Evidence indicates that some trafficking survivors are far more likely to access post-trafficking services than others. For instance, as mentioned female trafficking victims were found to be disproportionately represented in trafficking services: over half (58.3%) of respondents with indicators of child trafficking in the young person's household survey were male, yet only a quarter (26.5%) of the population of victims receiving trafficking services were male. Services were also found to be disproportionately populated by respondents with child trafficking indicators who reported working in the sex industry. This result may be partly explained by underreporting by individuals in the general population who had engaged in sex work, but also appears to reflect the fact that individuals who are trafficked in the sex industry are more likely to be *recognised* as trafficking victims than those trafficked in other industries. Finally, victims of cross border trafficking were found to be more likely to access trafficking services than those who are trafficked internally: only one in ten (10.4%) respondents with indicators of child trafficking or of force or exploitation in the context of migration experienced trafficking in the context of cross-border migration compared to over three quarters (79.1%) of the victims receiving trafficking services.

In sum, survey results suggest that trafficking services tend to be focussed on a particular type of trafficking victim: typically, female victims of sex or marriage trafficking, who were trafficked across borders. Other at-risk populations, such as male workers in the construction, services and fishing industries, and those trafficked internally, have received far less attention.

There are a number of potential explanations for these discrepancies. As explored below, several supply and demand side factors create barriers to accessing services, which appear to have a particular influence on men, boys, victims of internal trafficking and individuals trafficked for the purposes of labour exploitation. Yet findings also suggest that trafficking services are often designed for and aimed at supporting a specific 'victim type'. As Anderson explains:

'The victim of trafficking is first and foremost imagined as a migrant woman or girl forced into prostitution...Taking prostitution as the starting point emphasizes relations of gender domination and there has been a persistent focus on female victims and male perpetrators.' (2014).

7.4. Barriers to access: Limited recognition

Research findings suggest that children and young people with experiences of trafficking face significant supply side barriers to accessing services. In particular, service providers explained that it can be difficult to obtain official recognition as a victim of trafficking, which is necessary to claim entitlements and access support. Chapter IV of Vietnam's anti-trafficking law, the **Law on Human Trafficking Prevention and Combat** [hereafter HT Law], states that identification and verification of victim status is required for access to services, safety, support and protection measures, including temporary shelter, financial support, legal aid and counselling and psychological support.¹⁰⁵ In order to be identified and verified as a victim, an individual must be given a

¹⁰⁵ Law No. 66/2011/QH12 on Human Trafficking Prevention and Combat.

certificate by a verifying agency. According to the Article 28 of the **Human Trafficking Law**, eligible documents include:

*'certificates of police offices of rural districts, urban districts, towns and provincial cities; Rescue agencies under Article 25 of the HT Law, i.e. police office, border guard or marine police; Certificates of investigation agencies and agencies assigned to conduct investigation, the People's Procuracies and People's Courts; and Papers and documents proving victim status issued by foreign authorities which are legalized by overseas Vietnamese representative agencies or the Vietnamese Ministry of Foreign Affairs.'*¹⁰⁶

In other words, the law in Vietnam establishes that in order to access services a trafficking victim must be officially recognised by either a border authority or law enforcement official.

Numerous service providers interviewed for the study, including those representing both NGOs and government, explained that necessary certificates can be difficult to obtain, particularly for victims whose return isn't supported or facilitated by government authorities. As a case-manager at an NGO explained, "for cases where they get a certificate from the border guard it is simple – there is no need for an investigation from the police. When they return by themselves they need the police to investigate in order to get a certificate [and access services]".¹⁰⁷ Similarly, when asked about the challenges he has experienced responding to trafficking cases, a DoLISA representative reported that:

*"there are a number of difficulties, especially for victims who returned themselves – it is difficult to prove they are victims....Providing supports to those who are not identified as victims of trafficking is very difficult."*¹⁰⁸

Finally, a social worker in Bac Giang province emphasised:

"victim verification is important, even for children. If they are verified as victims, they will be supported according to the policies. If not, we cannot do much for them – not only the adults but also the children".¹⁰⁹

These reports are supported by quantitative findings, which suggest that child trafficking victims who are rescued by authorities and obtain a trafficking certificate are much more likely to access services than those who return of their own accord. 57.5% of respondents to the beneficiary survey reported being rescued, all of whom accessed services, compared to virtually no young people with experiences of child trafficking in the household survey, very few of whom accessed services.

According to MoLISA representatives, the government has taken measures to liberalise its recognition policy in light of these difficulties:

¹⁰⁶ Law No. 66/2011/QH12 on Human Trafficking Prevention and Combat.

¹⁰⁷ Individual interview, NGO case manager, Hanoi, 3 October 2017.

¹⁰⁸ Individual interview, Department of Social Evils Prevention, Hue Province, 13 December 2017.

¹⁰⁹ Individual interview, Social Worker, Bac Giang Province, 22 December 2017.

“since the 2014 interagency circular was issued it is no longer necessary to have a certificate – the victims can even just return by themselves and get support.”¹¹⁰

The circular, however, does not appear to be consistently implemented in practice. When asked about the changes that have resulted from the circular, one service provider explained,

“In practice when I do the work in the field victims need a certificate to receive support – 3 million VND...Even when there is a circular, without guidance on how to implement these [practitioners] do nothing about. In some cases we are still told –‘she does not have a certificate so is not considered a victim’”.¹¹¹

Indeed, during a consultation workshop on trafficking response held in October 2018, several participants emphasised that issues around identification and recognition are still a challenge, and that many authorities and service providers still believe that a child must present a trafficking certificate in order to access support services.

7.5. Demand side barriers to access

Limited access to support services may also result from low demand for these services. Many respondents emphasised that survivors and their families are disinterested in or even resistant to pursuing support. In particular, findings suggest that stigma around trafficking serves to discourage victims from telling their stories, identifying as ‘victims’ and, ultimately, accessing services. For instance, when asked why she didn’t pursue services or support upon her return to Vietnam, a young woman who was trafficked to Malaysia as a child told researchers: *“I thought if people knew I went abroad, they would think I had done unclean work.”¹¹²*

Indeed, stigma around trafficking was identified as an important barrier to accessing services by a number of key informants:

“At the beginning they have difficulties - they will not agree to meet us. They are scared of the social commentary. They feel guilty so they do not contact us.”¹¹³

..

“Victims don’t receive support because of discrimination. People have their prejudice that those victims are spoiled girls and they are prostitutes, so they got what they deserved.”¹¹⁴

..

¹¹⁰ Individual interview, Department of Children’s Affairs, MoLISA, Hanoi, 4 October 2017.

¹¹¹ Individual interview, NGO case manager, Hanoi, 3 October 2017.

¹¹² Individual interview, young woman with child trafficking experiences, Tay Ninh Province, 18 March 2018.

¹¹³ Individual interview, Women’s Union Representative, Tay Ninh Province, 20 March 2018.

¹¹⁴ Individual interview, Department of Social Evils Prevention, Can Tho Province, 14 January 2018.

“In practice when we offer our support services we realise that families do not want to receive support because they want to block the information that their child has been kidnapped or trafficked - they reject the support.”¹¹⁵

In addition to fearing stigma, individuals with trafficking experiences may not personally identify as victims or may actively resist doing so. This may result from grooming processes employed by traffickers, who deliberately attempt to instil children with a feeling of culpability for their circumstances. Furthermore, as explored in the recruitment chapter of this report, children and young people who experience trafficking often do so in the context of pursuing economic or other opportunities. Given this, they are likely to wish for these pursuits to succeed, and to be regarded as successful by their communities, despite the fact that they may have experienced exploitation. This dynamic was identified by a number of stakeholders as a barrier to reporting:

*“You know – with the income they earned abroad and their luck returning home, people don’t necessarily see themselves as victims. Actually, they earned a certain amount of money, which is more than local people who haven’t gone anywhere. **And they don’t want to be looked at as miserable people** – even if they faced difficulties, if they suffered a lot, they would just see it as the bad luck that they had!”¹¹⁶*

...

*“Those who return...They may not want to tell their stories because in fact **they lost a lot of money!**”¹¹⁷*

The impulse to resist identifying as a ‘victim’ or accessing support services may be particularly strong for men, in light of dominant gender norms which expect men to project strength, success and self-sufficiency and reject notions of male vulnerability. These dynamics are recognised by a number of studies on trafficking victims’ access to services, which identify masculinities as an important barrier to male victims’ receiving support.¹¹⁸

Finally, given that cross-border trafficking nearly always occurs in the context of irregular migration, several respondents explained that trafficking survivors choose not to pursue support services because they fear facing legal repercussions for migrating illegally. As one stakeholder explained, *“...our policies do not see them as victims...They were **afraid of getting into trouble**. They would just be seen as illegal migrants.”¹¹⁹* Indeed, given the history of expansive regulation of migration in Vietnam, it is unsurprising that trafficking survivors would expect a punitive response from authorities. Furthermore, as noted by several commentators, the Vietnamese government’s approach to trafficking and response prioritises criminalising practices that are

¹¹⁵ Individual interview, Department of Children’s Affairs, MoLISA, 4 October 2017.

¹¹⁶ Individual interview, representative, UACT Vietnam, Hanoi, 5 October 2017.

¹¹⁷ Individual interview, representative, UACT Vietnam, Hanoi, 5 October 2017.

¹¹⁸ See, for example: Surtees, R., ‘Trafficking of men – a trend less considered: The case of Belarus and Ukraine’, International Organisation for Migration (IOM), 2008.

¹¹⁹ Individual interview, representative, UACT Vietnam, Hanoi, 5 October 2017.

damaging to social (moral) order over promoting individuals' rights and wellbeing, thus deterring individuals' from self-identifying as victims.¹²⁰

In addition to fearing legal consequences or repercussion from authorities, respondents explained that survivors may fear retaliation from their traffickers for cooperating with law enforcement:

*"They often do not want to denounce the crime because **they're afraid** of coming to the court. In some cases the victim will experience revenge when the denunciation failed."¹²¹*

These concerns may be well founded given the lack of effective witness protection services in some parts of the country. When asked whether appropriate witness protection systems are available to ensure victims' security, one service provider replied: "[Chuckles] theoretically it exists, but... in practice it depends on the capacity or the perspective of the person who is investigating the case."¹²² Given that, as discussed above, it is often necessary for victims to make an official report to law enforcement in order to access support or entitlements, weak or inconsistent witness protection not only serves as a barrier to accessing legal services and pursuing justice, but may serve as a barrier to accessing services more broadly.

7.6. Experiences of services

The methodology for this research was designed to explore the relationships between trafficking services and well-being outcomes for survivors with different backgrounds, trafficking experiences and demographic characteristics. Because so few respondents accessed services, and because both the population that did so and the nature of these services were very uniform, it is difficult to draw robust conclusions about the effectiveness of services. Given this, the following section reflects primarily on the types of services that were found to be available in the Vietnam context, as well as beneficiaries' experiences of these.

The study included a mapping of both government and NGO run support services designed specifically to meet the needs of trafficking victims. The vast majority of these were based in residential institutions, or 'shelters', where victims would reside and receive a package of support services until it was possible for them to return to their families/communities. In addition to providing accommodation, and meeting survivors' basic needs, shelters often offered beneficiaries emotional/psychological support, including counselling; legal advice or representation; basic education; vocational training and referrals to specialised medical and psychological services. By contrast, community-based services were found to be much less available. Whilst the majority of service providers at shelters did report that beneficiaries' needs are assessed, often with a focus on determining prospects for reintegration, in the majority of cases a long-term personalised care plan which addresses risks of re-victimisation, stigma and marginalisation does not appear to be developed. Rather, where follow up support is provided, shelter-based services tend to refer beneficiaries to available community-based support services when their stay in the institution has ended.

¹²⁰ Vijayarasa, Ramona, "The State, the family and language of 'social evils': re-stigmatising victims of trafficking in Vietnam", *Culture, Health & Sexuality*, 12:1, 2010.

¹²¹ Individual interview, Social Worker at government shelter, Lao Cai Province, 28 November 2017.

¹²² Individual interview, NGO case manager, Hanoi, 3 October 2017.

Perceptions of services

It is important to recognise that the vast majority of respondents who accessed services reported that they were satisfied with the support they received. When asked to rank their level of satisfaction, 95% of respondents in the beneficiary survey, and 78% of respondents in the young people's household survey who received services reported that they found support helpful. Several beneficiaries interviewed for the study described very positive experiences, and many expressed appreciation for and general satisfaction with support services:

"Q. In the past two years, what support did you receive?"

I have food, accommodation, bus tickets for my arrival, and study tools. I am granted any wishes I have. I can eat comfortably, here I live with those who are in the same situation, so there is no jealousy and we live in harmony happily.

Q. How satisfied are you with what you have received since you returned home, on a scale of one to ten?

It would be ten because coming here has allowed me to continue studying and follow my dreams... They satisfied everything I wanted."¹²³

...

"Q. What was your most favourite memory of the Peace House?"

It was safe and happy. It was like my second house...Nothing was unsatisfied."¹²⁴

As the quotes above reveal, beneficiaries interviewed for the study rarely identified gaps in services, often asserting that all of their needs had been met. Indeed, when pressed to reflect critically on their experiences in services, several beneficiaries responded that they felt personally responsible for their trafficking experiences, didn't feel they deserved support services and were therefore grateful to receive any support at all.

Beneficiaries' feedback does indicate that some services are stronger than others, however. Overall, respondents reported to value legal and emotional support the most and were less satisfied with educational and vocational support. This is likely due to the fact that legal and counselling services are prioritised by service providers and are thus more developed: 88.4% of all respondents in the beneficiary survey received counselling support and 69.77% received legal support, whilst 26.2% received education support and 30.2% received vocational training.

¹²³ Individual interview, young woman with child trafficking experiences staying in a government shelter, Lao Cai Province, 27 November 2017.

¹²⁴ Individual interview, young woman with trafficking experiences staying in a government shelter, Bac Giang Province, 21 December 2017.

Indeed, when researchers probed to understand survivors' desires and wishes for the future, many young people with trafficking experiences expressed a particular desire for livelihood, vocational training and education support. This was also an area for improvement identified by service providers. As one stakeholder emphasised: *"There must be more jobs for them and a direction for people, especially for young people, women and children, so as to find them a stable job and ensure more stable financial status for them."*¹²⁵ Furthermore, given the relationship between economic circumstances and vulnerability to trafficking discussed in chapter 4 of this report, these services are particularly important for ensuring survivors' successful reintegration.

¹²⁵ Individual interview, DoLISA representative, Hue Province, 12 December 2017.

8. Conclusions and recommendations

This research study was designed to strengthen knowledge and evidence on child trafficking and labour exploitation in Vietnam. The study adopted an empirically driven approach rooted in the lived experiences and realities of children and young people. The empirical project was informed by a theoretical engagement with legal definitions of trafficking and the dominant narratives surrounding these. This was necessary in order to develop an objective and operative approach to measuring trafficking, particularly given the challenges, ambiguities and tensions that exist within trafficking definitions; and, further, to inform analysis of when, whether and how the realities of human trafficking in Vietnam conform to, or depart from, dominant narratives, legal definitions and programming priorities. The resulting report explores patterns and dynamics in child trafficking and labour exploitation, identifies particular factors that increase children's vulnerability to trafficking, and examines survivors' experiences of reintegration and access to support services. Key conclusions which emerged from the study and their implications for efforts to prevent and respond to child trafficking are set out below.

8.1. Key findings and conclusions

Experiences (indicative) of child trafficking are not exceptional

Research findings suggest that 5.6% of children in Vietnam are likely to have experiences indicative of or consistent with child trafficking (trafficking indicators), a figure which is considerably higher than official estimates. Trafficking indicators were distributed geographically across the country, with some regions experiencing higher levels of risk. In contrast to dominant narratives about trafficking, which tend to focus on girls and young women who are victims of sex trafficking, indicators were found to occur across a range of industries, and girls/young women and boys/young men were found to be equally at risk.

Trafficking experiences occur along a continuum – in order to define trafficking it is necessary to establish a threshold at which working conditions become exploitative, agreements become coercive, and so on. Given this, there are likely to be many vulnerable children and young people who are close to this threshold but fail to meet it, or who meet the threshold but do not have their cases formally recognised.

Most trafficking experiences begin voluntarily

Rather than being forcibly recruited, the majority of trafficking victims make active decisions to migrate in pursuit of opportunities and experience exploitation in the context of these pursuits, often due to their vulnerability. In many cases, victims are initially recruited through false promises of income, employment, education and training.

Children's recruitment into trafficking is often influenced by their parents, families and communities; younger children were found to exert less agency in the decision to leave home when compared to older children. This reflects the dependency of children, who are less likely to have autonomous control over decisions affecting their lives and are more likely to be influenced by the wishes and decisions of others.

Poverty and deprivation increase vulnerability to trafficking

Trafficking affects persons from diverse backgrounds, but children and young people from deprived backgrounds and those experiencing poverty are particularly vulnerable to experiencing trafficking; they are more likely to pursue opportunities to generate income or obtain economic security, have access to fewer alternatives, and are more willing to enter high risk arrangements or agreements. Whilst dominant narratives and expectations tend to portray trafficking victims as exhibiting other characteristics which make them personally vulnerable, such as having reduced mental capacity or being from an ethnic minority group, evidence from the study does not support these associations.

Violence is the main causal factor leading to reduced wellbeing outcomes

The majority of victims of child trafficking experience some form of violence, labour exploitation, or (in the majority of cases) both. Working in exploitative conditions was found to be associated with experiencing violence: interpreted in light of qualitative data, this association suggests that traffickers rely on violence as a mechanism to enforce exploitative labour conditions.

Evidence from the study also demonstrates that violence has significant impacts on victims of child trafficking, resulting in negative outcomes for wellbeing, including in the longer term. Having experienced violence was found to be one of the most important factors causal factors underlying poor wellbeing outcomes for victims.

Victims experience a range of forms of coercion and control, but often leave of their own accord

Many trafficking arrangements become coercive gradually, with victims initially cooperating with traffickers and becoming increasingly less able to resist or remove themselves from the situation. Some forms of coercion are subtle, such as disruptions to communication (ranging from confiscating a victims' phone to language barriers) or keeping a victim in an isolated or unfamiliar environment, whilst others are more explicit (being surveyed, locked indoors, and physically threatened with violence).

Trafficking survivors experience compromised well-being and struggle to reintegrate

Evidence from the study confirms the harmful effects of trafficking on survivors' wellbeing. Reduced wellbeing contributed to survivors' challenges reintegrating into their communities, which were exacerbated considerably by stigma, particularly for women and girls. Survivors' challenges reintegrating into their communities were often compounded by the factors such as poverty and lack of economic opportunity that made them vulnerable to trafficking in the first place.

The majority of trafficking survivors never access support services

Evidence suggests that access to services is limited in Vietnam, and that a considerable majority of children and young people who are victims of trafficking never access support services: less than 1 in 10 (9.48%) household survey respondents who were trafficked or labour exploited reported that they had received some form of support. Furthermore, services were found to be focussed on a particular profile of trafficking victim: typically, female victims of sex or marriage trafficking, who were trafficked across borders. Other at-risk populations, such as male workers in the construction, services and fishing industries, and those trafficked internally, have received far less attention.

Survivors face considerable barriers to accessing services. On the supply side, service providers emphasised that many survivors struggle to obtain official recognition as trafficking victims, which is often necessary to access services. From a demand perspective, survivors may be reluctant to access services due to stigma associated with trafficking, personal rejection of ‘victimhood’ as an identity, and fear of consequences for migrating illegally or other involvement in potentially illegal activities.

8.2. Implications for trafficking prevention and response efforts

The evidence presented in this research report has implications for policy and programming initiatives aimed at preventing and responding to child trafficking and labour exploitation. The ‘learning points’ set out below also draw upon outcomes from multi-disciplinary consultations with government partners and feedback gathered at a validation workshop held with government, IO and NGO partners to discuss the implications of research findings.

Promoting an integrated approach to anti-trafficking work

Child trafficking prevention and response efforts should be integrated into systems and services designed to address vulnerability and risk more broadly: namely, child protection systems and services. Given the considerable attention and resource which has been devoted to anti-trafficking initiatives globally over the past two decades, prevention and response efforts have often been developed and delivered as parallel systems and services – this is also the case in the Vietnamese context. Not only does this create potential inefficiencies, which risk undermining the strength and effectiveness of one or both systems, it is based on the false notion that the violence and exploitation that children experience in the context of trafficking (or trafficking related experiences) are somehow separate from other forms of violence, exploitation and abuse. In addition to strengthening national CP systems, child trafficking initiatives should help ensure that they are inclusive of migrant, refugee and trafficked children and are equipped to respond to forms of harm that take place outside of a child or young person’s immediate family and home.

Preventing child-trafficking and labour exploitation

- Government agencies and NGO partners should collaborate to promote children and young people’s access to **comprehensive education** about migration, employment rights, and how to access protection assistance. Prevention activities in Vietnam have focussed on sensitisation and information campaigns designed to inform communities about the risks of human trafficking and educate them about legal frameworks which prohibit trafficking, but it is important to ensure that all **messaging is non stigmatising** and does not place judgement on victims. Messaging should draw upon diverse information sharing platforms (social media, etc.), tailored to young people’s preferences for accessing and consuming information, and integrated into education curricula.
- Prevention strategies which are focussed on sharing information about risks may have limited effects where individuals lack viable alternative options; they should always be **accompanied by support programmes** which reduce economic vulnerability and strengthen social safety nets (see below). Given that a significant number of young people experience trafficking following a decision to migrate for labour/economic purposes universal, positive communication strategies should inform young people and their families of their migration and employment rights and entitlements, as well as their

rights when something goes wrong. These strategies should be reinforced by robust **policy frameworks** that promote the rights of young people to access **safe employment and migration routes**.

- Prevention efforts should also aim to **combat stigma** faced by trafficking victims when they return to their communities, both amongst communities and as part of training / capacity building of law enforcement officials and service providers. Education interventions should be designed to confront stigma around labour migration and sex work and to work with families and communities to promote their acceptance of trafficking survivors upon their return. Where cases of trafficking in children and young people receive a criminal justice or child protection response, care should be taken to ensure that parents are not blamed or criminalised for incidents of abuse and exploitation that did not reasonably fall within their capacity to prevent.
- Trafficking prevention efforts should prioritise promoting children's access to **education and skills training**, and (in the case of older children and young people) **safe employment opportunities and livelihood programmes**. In addition, children and their families should be given access to savings and loan schemes and business development support (e.g. through providing 'mentors' in the business community to support skills development and business establishment). Government authorities and NGO partners should consider promoting the establishment of legal and safe labour migration opportunities (e.g. work permits) for young people to increase access to employment opportunities in response to market demand.
- A basic safety net can contribute to trafficking prevention by reducing pressure on children and young people to accept a risky offer. In particular, government agencies should be encouraged to improve access to **social services**, including social security, social protection, unemployment benefits and access to free health and education services for children, young people and their families, particularly in vulnerable communities.
- Finally, prevention efforts should consider expanding **legal protections for (migrant) workers** and promoting their enforcement. In addition to strengthening legal frameworks to protect workers' rights, regulatory schemes should be strengthened to promote corporate responsibility and transparency within supply chains across sectors. Larger businesses should be supported to risk map their supply chains and transparency regarding recruitment, employment, procurement and grievance mechanisms should be encouraged in the public and private sectors.
- Improved **regulation and oversight of recruitment agencies** should be prioritised. Safe, regulated recruitment websites and platforms should be developed and promoted.

Strengthening child-trafficking response

- It is essential to strengthen the capacity of professionals from law enforcement, immigration, health, education, social services and community leadership to **recognise indicators** of child trafficking, **particularly in cases of internal trafficking and trafficking for the purposes of labour exploitation, and to know how to act when they recognise such indicators**. Whilst 'trafficking hotspots' should be

included, these areas are likely to have received considerable attention. Rather, capacity building should be delivered across the country, prioritising areas where professionals have yet to receive capacity building support.

- The identification of an individual as a ‘child trafficking victim’ and the provision of support services should never depend on his or her willingness to cooperate or provide testimony to the police, nor should it depend on the successful identification or prosecution of a perpetrator. Vietnamese authorities should ensure that service providers and practitioners are aware of the recent policy which removes the requirement that individuals obtain a trafficking certificate from authorities in order to access services – **services should be provided as inclusively as possible acknowledging that trafficking impacts young boys and men and takes many forms outside of sexual exploitation.**
- It is essential to continue the **review and amendment of domestic laws** to bring them in line with international standards and best practices, particularly the definitions of human trafficking and child trafficking in Articles 150 and 151 of the Penal Code, respectively. This would include expanding the definition of child trafficking to all persons under the age of 18, and clarifying that the harbouring, recruitment and transportation of children for the purposes of exploitation is sufficient to constitute trafficking, even where there is no transfer or receipt of the child between two separate persons.
- Stakeholders in Vietnam raised concerns that when victims of child trafficking are identified by authorities they are often not appointed with a guardian to represent their interests immediately or, in some cases, at all; it is essential that all child trafficking victims are appointed a **guardian to represent his or her best-interests** and provide support throughout the trafficking response process (until a durable solution is in place).
- In order to be effective, child trafficking response services should be delivered through an **integrated case management response** for all identified victims, regardless of whether they are staying in residential care or are (re)integrated into their communities. In particular, a **comprehensive social work assessment** should be conducted in order to determine the child’s individual needs. An **individualised care plan** should be developed on the basis of this assessment to prescribe services to meet the child’s needs and identify appropriate care arrangements in line with the child’s best interests. Implementation should be coordinated through an individualised case management response guided by one key worker, but should encourage **multi-disciplinary working and cooperation**. Follow up visits should be made as the child is reintegrated into his or her community to ensure that the child is able to overcome stigma and that underlying vulnerabilities have been sufficiently addressed.
- It is essential that guidelines on child trafficking response are integrated into broader initiatives to develop the child protection and child justice systems more generally. This includes the development of inter-agency protocols and practices on the identification, assessment, protection, and follow-up of children in need of care and protection, and child victims and witnesses of crimes, including trafficking survivors. This is likely to require broader capacity-building of the social work workforce, to ensure that it has sufficient material, human and financial resources for implementing its duties.

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- Individualised care plans should be **holistic** – ensuring the provision of specialist psychological support, medical care where required, advocacy and legal representation and access to education, training and employment opportunities. **Emotional and material support for the families** of children and young people who have experienced trafficking should form part of individualised care plans.
 - Comprehensive social work assessments should be conducted for all children and young people who have experienced trafficking. This assessment should consider whether a child can be reintegrated to their family before, or shortly after, the child is placed in residential care. **Children should only be rehabilitated in residential homes and shelters where it is not safe or possible for them to return to their families**, acknowledging that placing children in residential homes/shelters amounts to a deprivation of their liberty. Individualised care plans for children who are not placed in residential homes/shelters should include the provision of community-based services to support the child/young person and family's recovery and reintegration plan.
 - Special measures should be put in place to support children and young people to safely navigate the criminal justice system as both defendants and victims, including the use of child friendly environments and language, minimal physical restraints and minimal deprivation of liberty. National policies should be developed that support and implement witness protection schemes for all children/young people and their families to support the cooperation of children and their families in the prosecution of trafficking offences. Communication strategies should be implemented that inform law enforcement and criminal justice professionals on the rights of trafficked children and young people.

